

STEWARDS OF THE EARTH?
ABORIGINAL PEOPLES, ENVIRONMENTALISTS AND HISTORICAL
REPRESENTATION

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By

JONATHAN CLAPPERTON

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ABSTRACT

Throughout the last few centuries, many of the conflicts between Indigenous peoples and newcomers have been struggles over environmental control. During the rise of conservationism in the latter nineteenth century and the concomitant setting aside of lands as parks or game preserves, this pattern of conflict continued, and it has done so through the recent environmental movement from the 1960s to the present. This dissertation explores the relationships between environmentalists (broadly defined to include anyone on the “Green” spectrum, from conservationist to deep ecologist) and Indigenous peoples in Western North America. It finds that discourses of Indigenous identity, especially that of the Ecological Indian, and their intersection with expressions of environmentalism, particularly realized through the creation of parks and protected areas, has simultaneously empowered and disempowered Indigenous peoples as well as led to ecological change over time. Marshal Sahlin’s structure-event model is used to frame this research, which unpacks the varied historical roots wherein current environmentalist-Aboriginal relationships mutually grow or compete for power. Theoretically, this dissertation draws extensively upon subaltern studies and post-colonial theory, especially the concepts of ambivalence, mimicry, and mockery, and introduces the theory of “post-environmentalism.” Utilized in conjunction, these tools allow one to move beyond the binaries of inclusion/exclusion and complicity/resistance that typifies Native-newcomer historiography, especially concerning parks and protected areas.

Since the creation of parks and protected areas has been central to the environmentalist cause, this dissertation focuses on a number of case studies where parks are a defining feature. It does so, moreover, by utilizing various subfields within the discipline of History – these being social, environmental and ethnohistory – to illuminate different aspects of similar structures and events. Beginning with Rocky Mountains (Banff) National Park, it uses a social history approach to show how examining issues of race, class, and gender reveals a complicated history of Stoney Nakoda, national park and early conservationist interactions. It then applies an environmental history approach focussing on actual and perceived ecological change in the rise of bureaucratic, scientific, environmental management in the Olympic Peninsula, as well as Native American experiences with Olympic National Park (ONP). Finally, ethnohistorical methods focusing on issues of cultural expression explore the Sliammon (Tla’amin) First Nation’s complex

relationship with BC Parks, the Department of Fisheries and Oceans, and regional conservationist and environmentalist groups, as well as the influence of environmentalism on Sliammon culture.

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ABBREVIATIONS

BCA	British Columbia Archives
BCLL	British Columbia Legislative Library
BIA	Bureau of Indian Affairs
CPNWS	Centre for Pacific Northwest Studies
DIA	Department of Indian Affairs
GLA	Glenbow Library and Archives
LAC	Library and Archives Canada
MLA	Member of the Legislative Assembly
NA	National Archives, Pacific Alaska Region
ONF	Olympic National Forest
ONP	Olympic National Park
UWSC	University of Washington Special Collections
WSA	Washington State Archives, Olympia
WSL	Washington State Library, Tumwater
WMCR	Whyte Museum of the Canadian Rockies

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- CHAPTER ONE -

Protected Spaces and the Politics of Historical Representation:
Aboriginal Peoples, Environmentalists and Environmentalism

Scratch the surface of the major conflicts involving Indigenous peoples in Canada and the United States over the last thirty years and underneath there is a good chance you will find struggles over the meaning and value of “environment.” From Lyell Island where, in 1985, Haida roadblocks stopped logging and initiated Gwaii Haanas National Park, to Loudon County where, throughout the 1960s and 1970s, the Cherokee protested the Tennessee Valley Authority’s last hydraulic equipment program, to ongoing protests in Clayoquot Sound, concerns about protecting and conserving (perceived) natural spaces are often at the core of disputes.¹ In countless instances environmentalists (broadly defined throughout this study to include any individual or group, lay or government, which affiliates or identifies with the ideologies along any part of the “Green” spectrum of environmental thought, from conservationism to deep ecology)² have allied with Natives whom they have characterized as innate stewards of the earth. Environmentalists have found this representation a powerful tool in their arsenal to fight what they regard as the excesses of modernity, and many Aboriginal peoples have themselves embraced the image. Prominent Native figures such as hereditary Tsleil-Waututh Chief and Hollywood legend Dan George have claimed that Aboriginal practices were always ecologically harmonious. As Natives become increasingly involved in “Green” efforts, such as ecological restoration programs, the image of the noble “Ecological Indian” has become further entrenched and is now a dominant representational structure in public and academic discourse.

Native individuals or communities who resist this ideal (as, for example, the Nu-cha-nuulth First Nation on the west coast of Canada did when they logged old-growth forest in

¹ Rima Wilkes, “The Protest Actions of Indigenous Peoples: A Canadian-U.S. Comparison of Social Movement Emergence,” *American Behavioral Scientist* 50 (2006): 510-525; Peter Matthiessen, “La Petite Perche et le tombeau du Peuple Cherokee,” *Annales de la Recherche Urbaine* 7 (1980): 77-96; and Sarah B. Pralle, *Branching Out, Digging In: Environmental Advocacy and Agenda Setting* (Washington, D.C.: Georgetown University Press, 2006).

² Most studies of environmentalists and Indigenous people have focused on popular environmentalists, and they limit their gaze temporally to approximately the last half-century. This is too narrow a view to understand the deeply-rooted structures in which popular environmentalists operate and the way in which seemingly disparate environmentalist groups occupy the same structures and share a common genealogy. The particular ideologies of those involved will be specified. Reference will be made to environmental agencies, which can refer to any government administrative agency – Native or non-Native – that is mandated to manage the environment and its resources. This includes, for example, Washington State’s Department of Fisheries, as well as tribal conservation offices.

Clayoquot Sound, or the Makah did when they hunted a whale off the coast of Washington State) find themselves criticized by both cultural outsiders, including other Native nations, and members of their own community, as being ignoble savages, inauthentic “Indians,” and colonial lackeys who have “lost” or rejected their culture.³ Additionally, non-Native environmentalists’ ability to capture the public’s imagination and to make their voices the loudest on environmental issues have drowned out Native concerns. Such concerns go beyond contemporary environmental protection and include the long history of struggles over self-government, economic poverty, and territorial dispossession.

Further, despite the rhetoric that Natives have a special – even an inherent – knowledge of how to treat “Mother Earth,” when it comes to on the ground, pragmatic resource and wildlife management, environmental advocates ranging from preservationists to sport hunters to park officials and many others both government and public, ironically regard Aboriginals with apprehension. In this context, Natives are not considered “Eco-Indians,” but short-sighted, uneducated consumers who exploit the environment for immediate economic satiation. Environmentalists have criticized and even litigated against Native efforts to reclaim their traditional territories, even if those territories are guaranteed by treaty and are unceded Aboriginal title.⁴ In fact, since the establishment of parks and protected areas in the late nineteenth century, proponents for, and managers of, these places have sought to constrain Aboriginal activities or exclude them entirely.

My dissertation is about revealing and making sense of these contradictions via excavating the competing historical strata of claims over who is the more authentic “steward of the earth.” It is about crossing the bridges between differing perceptions of the environment; contentious community and cross-cultural politics; and competing interpretations of the past. Despite the centrality of the dynamic equilibrium characterizing the tension between Native-environmentalist synchronicity and conflict over assumed innate Indigenous environmentalism,

³ See for example: “Environmentalists angry over new logging in Clayoquot Sound,” *CBC News Online*, 2 August 2006 <http://www.cbc.ca/canada/british-columbia/story/2006/08/02/clayoquot-logging.html>; Jason Rose, “Aboriginal leaders failing to act as stewards of land,” *Saskatoon Star Phoenix*, 1 August 2008, 4; Marcel Petit, “Time to put land first,” *Saskatoon Star Phoenix*, 3 October 2008, 4; and J. Scott Taylor, “Makah Whale Hunt – New Definitions of Makah,” *The Seattle Times Online*, 23 May 1999, <http://community.seattletimes.nwsourc.com/archive/?date=19990523&slug=1mar8>.

⁴ For examples of authors who promote this *mentalité* see: Carsten Lien, *Olympic Battleground: The Power of Politics and Timber Preservation* (Seattle: Sierra Book Club, 2000); Leslie Bella, *Parks for Profit* (Montreal: Harvest House, 1987); and Andrew C. Revkin, “U.S. Plan Would Sacrifice Baby Eagles to Hopi Ritual,” *New York Times*, 29 October 2000, 14.

and regardless of the growing number of works purporting to expose the myth of the environmental- or Ecological Indian and those that critique environmental racism, the multifaceted history of the relationships fueling the images (and the resulting conflicts over the control of “protected” environmental spaces) remains discordant and essentially untold. Many questions are still unanswered. How, and to what extent, have the relationships between Natives and environmentalists/environmentalism been products of socio-political structures rooted in the past? How have the assumptions embedded in these structures been perceived and acted upon by Aboriginal people, environmental activists, and government policy makers to either reinforce existing power structures or to challenge them? To what extent have these material and ideological interactions impacted the physical environment – the very object that Aboriginals and environmentalists seek to influence?

Answering the call of scholars as diverse as intellectual historian Brian Dippie, anthropologist Leland Donald, and historical anthropologist Shepard Krech for a critical evaluation of the way stereotypes of Aboriginal people have shaped how Native people interact with non-Native society, my study traces the relationships among Aboriginals and environmentalists from the latter half of the nineteenth century to the present. Using three case studies, it offers broad observations about this history in the United States and Canada that have implications for similar occurrences across the globe. In harmony with current historiography, the following analysis suggests understanding the history of environmentalists, especially state environmental agencies, and Natives requires openness to complexity and contrasting micro-narratives. However, in each case study I demonstrate that discourses of Indigenous identity, especially that of the Ecological Indian, and its intersection with conceptions of environmentalism, particularly realized through the creation of parks and protected areas, has simultaneously empowered and disempowered Indigenous peoples as well as led to ecological change over time.

I have identified three possible outcomes of environmentalist-Native interactions wherein the process of simultaneous dis/empowerment is apparent. These outcomes occur at various times and places and in no chronological order, though all revolve around the control of physical and imagined landscapes. First, different environmentalist and Native goals have overlapped closely enough, either due to similarities in outlook or due to an external threat, to result in a mutually acceptable (if temporary) alliance. This occurred, for example, when the Stoney

partnered with non-Native park proponents to create the annual Banff Indian Days (Chapter 3); or when environmentalists and the National Park Service relented in their opposition to transferring park property to the Quileute Nation (Chapter 5); as well as when BC Parks and the Sliammon First Nation agreed to work more closely together (Chapter 6). Second, Native-environmentalist politics differed to such an extent that no common ground was reached and conflict persisted. This result is especially apparent when discussing the battle between sporthunters and the Stoney (Chapter 2). Third, if either environmentalists or Natives had enough power on their own, or with outside alliances, their position dominated regardless of the other's opposition. Native Americans of the Olympic Peninsula demonstrated their ability to do this when successfully challenging Washington State's hegemony over environmental management (Chapter 4); or when the Sliammon First Nation forced the provincial government to participate in restoring the Theodosia River watershed (Chapter 7). Most important to note is that each of the above outcomes also altered the broader structures within which Natives and non-Natives operate. When a common ground has been reached both Aboriginal and environmentalist agendas have become more widely recognized as "common-sense," both more intertwined (hybrid), and both able to withstand or adapt to inevitable challenges, including those from within their own communities. When a mutually-agreeable platform has remained unobtainable and conflict has persisted, one or more sides' power structures were weakened.

Additionally, my dissertation demonstrates that there is a matrix occurring wherein the power of competing projected identities arise from contending structures. Over time, various personalities and events challenge these structures, just as other events and personalities are deployed by defenders of the structure to reinforce its relevance. For example, when a game warden arrests a Native who broke a game law, a park is created, or a Native American tribe blockades a road, historical change occurs and all the actors must react accordingly. The question, then, becomes how the broader structural web must adjust. My study helps to reveal how this process unfolds, how decisions are made, and which constructed images carry the most weight in order to assess the power of structures *vis-à-vis* events.

Otherwise conceptualized, the above processes are about dynamic power relations. They fall somewhere between Antonio Gramsci's notion of hegemony and Richard White's conception of the "middle ground." Hegemony describes the universal historical contest of states (or superstructures) exerting their dominance through either coercion or consent over the social

relations of production (or base).⁵ Unlike Gramsci, however, I argue the borders between vying interests are much more permeable; a dominant group can be a subaltern one simultaneously, and members of the base are just as likely as those within the superstructure to enact their own forms of hegemony.⁶ Further, Gramsci, as well as many of those who have adopted his approach, places the state at the centre upon which the rest of the structure turns, and thus focuses largely on a “top-down” approach to history. Many Subaltern Studies scholars have challenged this model, which will be discussed in more detail later in this chapter.⁷

White’s “middle ground,” meanwhile, is an excellent concept for explaining how people negotiate through misunderstandings to reach tentative compromises. White’s study describes how Europeans and Natives met, regarded each other as “Other,” and how they began the process of constructing a common – if fleeting – mutually comprehensible world. Native and European worldviews, White explains, overlapped and mixed to create new systems of meaning and exchange.⁸ Yet unlike White’s fatalistic interpretation that the middle ground – this hybrid space – was destined for destruction once the periphery of European imperialism became its North American core, I contend that the process of negotiation is never finalized, only changes shape, and that this process continues throughout contemporary Native-newcomer relations.

Most appraisals of Native-newcomer relationships – especially when concerning parks and environmentalism – reduce this negotiation process to either narratives of colonial inclusion of Aboriginal people and the latter’s complicity, or of colonial exclusion of Aboriginal people and the latter’s resistance. Homi Bhabha’s postcolonial concept of “ambivalence” and its corollaries of mimicry and mockery provide an avenue for moving beyond these binaries and greatly informs the assessments of the negotiations between and among Natives and non-Natives throughout my study.⁹ Ambivalence posits that a simultaneous (and therefore ultimately

⁵ Kate Crehan, *Gramsci, Culture and Anthropology* (Los Angeles: University of California Press, 2002), 98-104.

⁶ For excellent examples of this fluidity see: Florencia E. Mallon, *Courage Tastes of Blood: The Mapuche Community of Nicolas Ailio and the Chilean State, 1906-2001* (Durham and London: Duke University Press, 2005); Greg Grandin, *The Blood of Guatemala: A History of Race and Nation* (Durham: Duke University Press, 1998); and Ana Maria Alonso, *Thread of Blood: Colonialism, Revolution, and Gender on Mexico’s Northern Frontier* (Tucson: University of Arizona Press, 1995).

⁷ Marie-Josée Massicote, “Gramsci and Cultural Studies: Challenges to Mainstream Perspectives on Hegemony and Resistance in Today’s World,” *Paper presented at the annual meeting of the International Studies Association 17* March 2004.

⁸ Richard White, *The Middle-Ground: Indians, Empires and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991).

⁹ Homi Bhabha, *The Location of Culture* (London and New York: Routledge, 1994), 121-131. See also: Bill Ashcroft, Gareth Griffiths and Helen Tiffin, *Post-Colonial Studies: The Key Concepts 2nd Edition* (New York:

ambivalent) attraction and repulsion between colonized and colonizer always exists. Ambivalence dismisses the assumption that “some colonized subjects are ‘complicit’ and some ‘resistant’, [and] suggests that complicity and resistance exist in a fluctuating relationship within the colonial subject.”¹⁰ That is, colonized peoples are rarely ever simply and completely opposed to, or supportive of, colonizers, but constantly shift from one moment to collaboration and the next to opposition. Ambivalence also characterizes the way in which non-Natives – in my study environmentalists – relate to Natives, behaving both exploitatively (exclusionary) and as benevolent nurturers (inclusionary), or at least portraying themselves as the latter. Colonizers do so in order to produce compliant subjects who “mimic” them; that is, who adopt colonial assumptions, institutions and values, which in my study include social hierarchies, parks and conservation, with promises of power within the colonial structure for doing so. But colonizers are compelled to be ambivalent because they never really want colonial subjects to be exact replicas; this would be far too threatening as Natives could then claim the same status and privileges as colonizers enjoy, thus undermining the very hierarchies upon which colonialism is rationalized.¹¹ Indeed, myriad examples exist throughout this dissertation where Natives attempt to mimic colonial discourse but non-Natives always reject such efforts as being incomplete. As “subjects of difference” Natives could be almost the same but not quite “White,” a rationalization colonizers used to strategically emphasize Native “difference” and deny them the status and privileges which colonizers enjoy.

My dissertation shows that ambivalence results in two forms of resistance. First, non-Natives have often imagined Native mimicry to be disingenuous – and accordingly as resistance, or mockery – even though Natives feel they have, in fact, reproduced the ideas or structures as colonizers demanded. To paraphrase Nicholas Thomas, the results of assimilation have been perceived as subversive as often as they served to demonstrate the colonial project’s success.¹² Second, and often a product of the first, Natives have consciously “mimicked” colonial structures with the specific intent to use them for a different purpose for which they were intended. In both cases, colonial ambivalence produces ambivalent colonized subjects whose

Routledge, 2007), 10, 125-27; and Gera C. Burton, *Ambivalence and the Postcolonial Subject: The Strategic Alliance of Juan Francisco Manzano and Richard Robert Madden* (New York: Peter Lang, 2004), 8, 41-3.

¹⁰ Ashcroft et. al., *Post-Colonial Studies*, 10.

¹¹ Ashcroft et. al., *Post-Colonial Studies*, 11, 125.

¹² Nicholas Thomas, *Colonialism and Culture: Anthropology, Travel and Government* (Princeton: Princeton University Press, 1994), 15.

“mimicry is never far from mockery,” an unsettling situation for the colonizer where the colonized reveals the contradictions inherent in colonial discourse and the instability of colonial authority.¹³ Yet both situations ultimately involve the reproduction of colonial discourse and its structures, even if it is a distorted – what Bhabha terms “blurred” – copy.

In short, mimicry helps explain how colonized groups have coped with an imperial presence through adopting and changing for their own purposes the colonial means and discourse used to disempower them. Further, this ongoing tension and colonial desire for mimicry and colonized response (imagined or not) of mockery produces a hybridized space wherein both colonizer and colonized exist. The results of an ambivalent relationship can provide historical narratives of either inclusive colonizers and complicit Natives or exploitative colonizers and resistant Natives, as one finds in the historiography. The theory of ambivalence explains why neither of these characterizations is satisfactory and why hybridity needs to be regarded as an ongoing processes of identity reformation.

Ambivalence results, I demonstrate over the next seven chapters, in a confluence of seemingly-disparate non-Native environmentalist mind-sets that is rooted in colonial discourse and imperial control. For environmentalists, “good Indians” are inherently environmentalists too, and by extension inherent allies of environmentalist ideology. Of course, Natives mimic this discourse in some instances when it fits their culture or is strategic to do so, but at other times choose to mock it when it becomes inconsistent with their goals or goes too far in distorting their cultures. Thus, Natives capitalize upon the opportunities which environmentalists present just as environmentalists do with Indigenous peoples. But when Natives act in a way that appears incongruent with how non-Natives expect them to behave – expectations based both upon their own preconceptions of Indigenous culture as well as Native proclamations of the same – the only conclusions environmentalists can make is that the Natives are not acting like “real Indians” and so do not deserve environmentalist support at best, and become their enemies at worst.¹⁴ In this paradigm Natives become nothing more than tools to advance non-Native agendas. In other words, if Natives behave like they are supposed to they are embraced. If they do not, environmentalists will jettison them in order to protect the environment as they see fit regardless of Indigenous rights and environmentalist proclamations of support for those rights.

¹³ Ibid.

¹⁴ Keep in mind that environmentalists are almost always divided on whether or not Native actions are ecologically-sound depending upon a host of political, economic, and other context-specific factors.

Nature and Native: Roots of the Ecological Indian

Few images have had more staying power than that of the iconic Native living in non-scientific, highly spiritualized, traditionalist, holistic, harmony with the environment, using only natural materials and eschewing the products of industrial, corrupt, hierarchical, and materialistic modernity. In fact, Europeans have been fascinated with variations of this portrayal, sometimes labeled “the Noble Savage,” since contact.¹⁵ As I will describe below, literary scholars, historians, and anthropologists have traced the origins of these images and their changing content, form and meaning, and have sought to dissect the cultural image from the material reality. There exists a deep chasm, however, between those who argue that “Ecologically Noble Indians” are a non-Native fabrication and those who claim that the “Ecological Indian,” though perhaps slightly distorted, is a fairly accurate description of the relationship between “traditional” Indigenous peoples and the environment. In other words, academe has advanced two opposing arguments when addressing this history. Unfortunately, in this politically charged contest, visions are narrowed and important nuances lost. This dissertation seeks to side-step such polemics.

While popular discourse may equate the conception of the Ecological Indian as we know it with the modern environmental movement of the 1960s, it was actually born a century earlier with naturalists, transcendentalists, and conservationists. Expanding upon the Native-as-nature connection, prominent and popular thinkers such as George Catlin, James Fennimore Cooper, Henry David Thoreau, and Francis Parkman were disturbed at what they interpreted as the unstoppable march of progress via resource extraction, the growth of the city, and the destruction of virgin landscapes.¹⁶ Consequently, these same people saw “real” Natives – not those corrupted by civilization – as representing a way of living within the natural world without significantly altering its shape. Later, prominent historical figures such as John Muir, Charles Mair, Ernest Thompson Seton, “Grey Owl” (Archibald Belaney) and many other popularizers of the myth all

¹⁵ Ter Ellingson argues that the term “Noble Savage” was not actually used in anything resembling its current context until the mid-nineteenth century. See: *The Myth of the Noble Savage* (Berkeley: University of California Press, 2001), 4.

¹⁶ Roderick Frazer Nash, *Wilderness and the American Mind*, 4th ed. (New Haven and London: Yale University Press, 2001); and Max Oelschlaeger, *The Idea of Wilderness: From Prehistory to the Age of Ecology* (New Haven: Yale University Press, 1991), 133-171.

reinforced this argument and sought to imitate the “Indian” by living off the land and “getting back” to nature.¹⁷

Since these nineteenth and early twentieth-century writers first captured the public’s imagination, the image of Ecological Indian has only grown in power, skyrocketing in popularity during the modern environmental movement of the post-1960s. Environmentalist scholars and sympathetic anthropologists created and added to this Neo-Noble Savage representation as the ideal standard against which to measure non-Native (i.e., Western) society. They argued that Natives in the past and present promote conservationist ethics, do not waste anything, practice husbandry, adapt to new environmental conditions and possibilities without abandoning traditional values and forgetting the requirements of the ecosystem around them, and therefore share a special relationship with the natural environment that other cultures lack.¹⁸

Coinciding with the rise of the environmentalist movement, Aboriginal rights activism in the United States and Canada gained much political influence. Capitalizing on the popularity of this image of the Ecological Indian and recognizing its political currency, certain Natives promoted these positive historical interpretations as genuine interpretations of their cultures and histories. Further, Natives, too, used their own cultural imagery as a foil to criticize non-Native society, presenting themselves and Indigenous philosophy as the superior half of a white-Native binary.¹⁹ Many American Indians even adopted, as Greenpeace had done, the speech attributed to

¹⁷ Katia Grubisic, “‘Savage Nations Roam O’er Native Wilds’: Charles Mair and the Ecological Indian,” *Studies in Canadian Literature* 30.1 (Winter 2005): 58-82.

¹⁸ For examples see: J. Donald Hughes, *American Indian Ecology* (Texas: Texas Western Press, 1983); Richard K. Nelson, *Prayers to the Raven: A Koyukon View of the Northern Forest* (Chicago: University of Chicago Press, 1986); Christopher Vecsey, “Review Essay,” *Environmental Review* 9.2 (Summer 1985): 171-176; Stephen J. Langdon, “Sustaining a Relationship: Inquiry into the Emergence of a Logic of Engagement with Salmon Among the Southern Tlingits,” in *Native Americans and the Environment* ed. Michael E. Harkin and David Rich Lewis (Lincoln: University of Nebraska Press, 2007): 233-273; and Bruce E. Johansen, *Shapers of the Great Debate on Native Americans: Land, Spirit and Power* (Westport, Connecticut: Greenwood Press, 2000), 151-156.

¹⁹ For recent examples see: Taiiike Alfred, *Peace, Power, Righteousness: An Indigenous Manifesto* (Don Mills, Ont.: Oxford University Press, 1999); Jim Birckhead, Terry De Lacy, and Laurajane Smith, eds., *Aboriginal Involvement in Parks and Protected Areas* (Canberra: Aboriginal Studies Press, 1996); Donald Fixico, *The American Indian Mind in Linear World: American Indian Studies and Traditional Knowledge* (New York: Routledge, 2003); and Marie Battiste and James (Sa’ke’j) Youngblood Henderson, *Protecting Indigenous Knowledge and Heritage: A Global Challenge* (Saskatoon, SK: Purich Publishing, 2000). Perhaps the most iconic of scholarly and popular arguments, presented by both Natives and non-Natives, for the Ecological Indian in North America, has been the presentation of the destruction of the bison as the epitome of white overconsumption and destruction. Natives are presented as the ultimate victims of this destruction, and as losing their centuries-long harmonious relationship with the bison. This image has been reproduced in countless movies, books and even portrayed in museums and interpretive centres. It appears, for example, as the central theme at the world-renowned Head-Smashed-In Buffalo Jump Interpretive Centre, in Alberta, Canada.

Duwamish Chief Seattle which lamented the destruction of wild animals such as the eagle and the buffalo by the white man:

Our dead never forget this beautiful Earth, for it is the mother of the red man. We are part of the Earth and it is part of us. The perfumed flowers are our sisters, the deer, the horse, the great eagle, these are our brothers. The rocky crests, the juices in the meadows, the body heat of the pony, and the man, all belong to the same family.²⁰

Ironically, after many Native people embraced this representation and benefitted politically and economically from it – for example, receiving more consultation from governments – a growing number of largely non-Native (though not exclusively so) scholars argued that the Ecological Indian was a myth.²¹

Scholars, caught up in a broader social and cultural history movement that sought to expose the “Other” as epitomized in Edward Said’s *Orientalism*, argued that the Ecological Indian was merely the latest in a long line of European constructions designed to reinforce colonial discourse. They asserted that, beginning with Christopher Columbus and other explorers from Spain, Italy, France, and England, and then European writers such as Jean Jacques Rousseau, the “Indian” was used as a rhetorical tool to create a utopian opposite of Europe while still infantilizing Indigenous people as “children” of nature.²² Though Noble Savage ideologies also played an important formative role in the American experience, until the nineteenth century negative images of the Indian dominated. Natives, as a constant threat, real or perceived, were feared more than they were idealized. They were always linked to place and landscape, whether a dirty hovel or a beautiful wood, and they were closely connected with changing attitudes

²⁰ Eli R. Gifford, Michael Cook, and Warren Jefferson, eds., *How Can One Sell the Air?: Chief Seattle’s Vision* (Summertown, TN: Native Voices, 2005).

²¹ While most of these studies have intended to show how even positive stereotypes can rob Natives of their agency and human beingness (e.g., Krech, 1999), not all have been so kind. They have sometimes been used in a deliberate attempt to strip Aboriginal people of real or assumed political power. These authors believe that there is a conspiracy – an “Aboriginal orthodoxy” to use the words of Thomas Flanagan – which seeks to exclude any conservative voice from the debate on Aboriginal political and cultural issues and that the promotion of the “Ecological Indian” is part of that conspiracy. This includes: Thomas Flanagan, *First Nations? Second Thoughts* (Montreal: McGill-Queen’s University Press, 2000); James A. Clifton, ed., *The Invented Indian: Cultural Fictions and Government Policies* (New Brunswick and London: Transaction Publishers, 1990); Frances Widdowson and Albert Howard, *Disrobing the Aboriginal Industry: The Deception Behind Indigenous Cultural Preservation* (Montreal and Kingston: McGill-Queen’s University Press, 2008); and, probably most vitriolic, Kerry Bolton, *The Myth of the Noble Savage, Myth and Reality: The Falsification of History as a Cultural Weapon* (NP: Steven Books, 2004).

²² Stelio Cro, *The Noble Savage: Allegory of Freedom* (Waterloo: Wilfred Laurier University Press, 1990), 1, 93, 133; Gaile McGregor, *The Noble Savage in the New World Garden: Notes Towards a Syntactics of Place* (Toronto: University of Toronto Press, 1988), 12, 15; Hoxie Neale Fairchild, *The Noble Savage: A Study in Romantic Naturalism* (New York: The Columbia University Press, 1928); Christian F. Feest, “The Greening of the Red Man: ‘Indian,’ Native Americans, and Nature,” *European Contributions to American Studies* 49 (2003): 9-29.

toward 'nature'.²³ Speaking specifically about the Ecological Indian trope, cultural studies authors argued such points as, "The image of the Indian as the primeval conservationist is nothing but a twentieth-century variant of the image of the Noble Savage and tells us more about our struggle within ourselves than about other cultures."²⁴ Even Chief Seattle's speech (all four versions of it), the hallmark of the Ecological Indian, was exposed to be highly inaccurate at best and fabricated at worst.²⁵

Additionally, environmental historians, anthropologists and ethno-ecologists have used theories of ecology to question whether Natives really practiced environmentally sustainable cultures. Most notable and controversial has been Shepard Krech's book *The Ecological Indian: Myth and History*. Krech argued the idea that Natives were always conservationists and never abused or misused the lands and its resources was historically false; further, present-day Native claims to be able to manage the environment better than non-Natives based on universal historical precedent is unfounded.²⁶ Though Krech was only the most recent in a steady stream of scholars who had dismissed the idea of the Ecological Indian using materialist arguments, the popularity of his work drew an immediate and vitriolic reaction from many in the academic community.²⁷ Vine Deloria Jr., for example, unfairly denounced Krech for writing a book dependent upon "publicity and novelties rather than solid scholarship."²⁸ But Krech, along with

²³ Brian W. Dippie, *The Vanishing American: White Attitudes and US Policy* (Kansas: University of Kansas Press, 1982); and Terry Goldie, *Fear and Temptation: The Image of the Indigene in Canadian, Australian and New Zealand Literatures* (Kingston: McGill-Queen's University Press, 1989).

²⁴ Feest, "The Greening of the Redman," 29. See also: Sebastian F. Braun, "Ecological and Un-ecological Indians: The (Non)Portrayal of Plains Indians in the Buffalo Commons Literature," in *Native Americans and the Environment* ed. Michael E. Harkin and David Rich Lewis (Lincoln: University of Nebraska Press, 2007), 207.

²⁵ Written by Ted Perry, a professor in English, in 1969, environmentalists and many Aboriginal people have quoted it as authentic thereafter. Because the speech so well met the public's perception of what an Indian thought about nature and the Indian's relationship to Mother Earth, it was given credit and unquestioned. See: Johansen, *Shapers of the Great Debate on Native Americans*, 150.

²⁶ Shepard Krech, *The Ecological Indian: Myth and History* (New York: W. W. Norton & Company, 1999), 207-209.

²⁷ Brian Hosmer, "Preface," in *Native Americans and the Environment* ed. Michael E. Harkin and David Rich Lewis (Lincoln: University of Nebraska Press, 2007); Calvin Martin, "The Indian as Miscalc Ecologist," *The History Teacher* 14.2 (February 1981): 243-252; Kent H. Redford, "The Ecologically Noble Savage," *Orion Nature Quarterly* 9.3 (1990): 24-29; Jared Diamond, *The Third Chimpanzee* (New York: Harper, 1992); Michael Alvard, "Testing the 'Ecologically Noble Savage' Hypothesis: Interspecific Prey Choice by Piro Hunters of Amazonian Peru," *Human Ecology* 21.4 (1993): 355-87; Allyn M. Stearman, "'Only Slaves Climb Trees': Revisiting the Myth of the Ecologically Noble Savage in Amazonia," *Human Nature – An Interdisciplinary Biosocial Perspective* 5.4 (1994): 339-357; Bobbi S. Low, "Behavioral Ecology of Conservation in Traditional Societies," *Human Nature – An Interdisciplinary Biosocial Perspective* 7.4 (1996): 353-379; Andrew C. Isenberg, *The Destruction of the Bison: An Environmental History, 1750-1920* (Cambridge: Cambridge University Press, 2000).

²⁸ MariJo Moore, "Vine Deloria's Reaction to Shepard Krech's book *The Ecological Indian*," *News from Indian Country*, 31 May 2001.

those past and present who shared his conclusions, correctly pointed out the dangers inherent in even positive stereotypes. Indeed, the Ecological Indian mythology can be used to constrict as much as empower, and has been used by non-Natives and Natives alike to deny Aboriginal peoples authenticity, identity, sovereignty, and human agency.²⁹ Popular conceptions which linked Indians to a disappearing wilderness justified American Indian policy decisions, as early conservationists worked with government officials to remove Indians from their land.³⁰ Indians were constructed in a way that allowed white culture to either reject Native land claims or incorporate these claims into white assertions of Native status, and these images also led to misinformed government policy.³¹

Threading its way around the various arguments above, there also exists a different path of inquiry that moves beyond the binary of affirming or denying the historical realization of the Ecological Indian. Though this terrain remains sparsely inhabited, it does provide arguably the best way to productively bypass an increasingly static, stalemated line of inquiry whereby some scholars chip away at (what they argue are) constructed Aboriginal identities while others repair the damage. Richard White first navigated this no-man's-land in 1984 when he wrote:

At its worst, the tendency to define Indians as environmentalists verges on 'noble savagery.' Once more Indians become merely a device for criticizing white society. Real Indians and real Indian beliefs matter little... What has complicated the problem of Indians as environmental symbols even further has been the backlash which has produced a new version of the ignoble savage. Proponents of this view, often sportsmen or environmentalists threatened by actual Indian resource use, gather anecdotes about beer cans along reservation roads... On either side of the controversy Native American attitudes and behaviour become significant only in the reflected light of modern environmentalism; their beliefs are valid only in so far as they conform to modern attitudes. Native American concerns are thus trivialized and stripped of real meaning.³²

²⁹ David Rich Lewis, "Skull Valley Goshutes and the Politics of Nuclear Waste: Environment, Identity, and Sovereignty," in *Native Americans and the Environment* ed. Michael E. Harkin and David Rich Lewis (Lincoln: University of Nebraska Press, 2007), 334; and Shari M. Huhndorf, *Going Native: Indians in the American Cultural Imagination* (Ithaca and London: Cornell University Press, 2001).

³⁰ Dippie, *The Vanishing American*, 236.

³¹ See: Robert F. Berkhofer, *The White Man's Indian: Images of the American Indian from Columbus to the Present* (New York: Vintage Books, 1979), 118; and Daniel Francis, *The Imaginary Indian: The Image of the Indian in Canadian Culture* (Vancouver: Arsenal Pulp Press, 1992), 196-218.

³² Richard White, "American Indians and the Environment," *Environmental Review* 9.2 (Summer 1985): 101-102. Others have argued that assuming any characteristic, such as conservation, as inherent in any culture is both ahistorical and essentializing at its worst. Michael Harkin writes, "To attempt to characterize premodern societies of whatever ethnic affiliation as either conservationist or anti-conservationist is fundamentally mistaken." Michael Harkin, "Swallowing Wealth: Northwest Coast Beliefs and Ecological Practices," in *Native Americans and the Environment* ed. Michael E. Harkin and David Rich Lewis (Lincoln: University of Nebraska Press, 2007), 229. See also, in the same collection, Robert L. Kelly and Mary M. Prascionas, "Did the Ancestors of Native Americans

White argues that it is imperative to either “restor[e] Indian actions and beliefs to their proper cultural and historical context or [to trace] the route by which actual Indians originally came to be associated with modern environmentalism.”³³ Paul Nadasdy makes a similar argument to White’s, writing that in order to move beyond the “Ecologically Noble Indian debate” and to understand the ambivalence between environmentalists and Aboriginal people, we need to focus on “the specific social relations and cultural assumptions that underlie their actions in particular circumstances.”³⁴ While Nadasdy’s point is well-made, his approach to answer these questions is structural and he paints a static picture of environmentalism and of First Nations environmental perspectives. Similarly, Raymond Hames, in response to the debates over whether or not Natives were ecological, wrote:

I believe that calling an idea ‘mythical’ or ‘illusory’ is unproductive because it too often leads to the development of a new set of myths...Frequently there is an element of truth in a so-called myth but it is overgeneralized or unqualified. When I explored the existence of game conservation by tribal peoples and found more evidence for the contrary...I did not declare tribal conservation a myth. Instead I argued that a more interesting question is under what conditions can we expect to see the development of conservation or opportunism...This orientation is more productive because making an empirical generalization does not help us develop a theoretical understanding of why it may be true.³⁵

Theoretical positions, from Native people as always in harmony with the environment to the creation of an “Other” that does not exist in reality at all, polarizes historiography and leads to polemical “history wars” in both academia and mainstream politics.³⁶ Like White, Nadasdy and Hames, my study seeks to side-step these polarizing standpoints.

Cause Animal Extinctions in Late-Pleistocene North America? And Does it Matter if They Did?,” in *Native Americans and the Environment* ed. Michael E. Harkin and David Rich Lewis (Lincoln: University of Nebraska Press, 2007), 95-122.

³³ White, “American Indians and the Environment,” 102. Relatively few, however, have answered White’s call.

³⁴ Paul Nadasdy, “Transcending the Debate over the Ecologically Noble Indian: Indigenous Peoples and Environmentalism,” *Ethnohistory* 52.2 (Spring 2005): 295.

³⁵ Raymond Hames, “Response to Headland et. al., 1997,” *Current Anthropology* 38.4 (1997): 614.

³⁶ I borrow this term from Keith Carlson who uses it to describe how contests over history become played out in the tension between structure and event as evident in Native-newcomer, as well as Native-Native, discourse. He explains that these are intense and disruptive rhetorical conflicts, “clashes wherein one group challenges the historical legitimacy of another’s historical claim.” See: “Reflections on Indigenous History and Memory: Reconstructing and Reconsidering Contact,” in *Myth and Memory: Stories of Indigenous-European Contact* ed. John Lutz (Vancouver: UBC Press, 2007), 49. See also “History Wars: Considering Contemporary Fishing Site Disputes,” in *A Stó:lō Coast Salish Historical Atlas* ed. Keith Thor Carlson (Vancouver: Douglas & McIntyre, 2001), 58; and *The Power of Place: The Problem of Time: Aboriginal Identity and Historical Consciousness in the Cauldron of Colonialism* (Toronto: University of Toronto Press, 2010).

Part-Time Allies: Native-Environmentalist Interactions

While there have been countless interactions between popular environmentalists of the post-1960s and Native communities and individuals, there have been relatively few studies on this topic. Most of the academic works that do exist, however, focus on the situations that have been highly publicized – e.g., Clayoquot Sound, the Makah whale hunt, and nuclear waste on Native American reserves. Academic discussions of environmentalist-Aboriginal flashpoints fall into three loosely defined perspectives with two occupying each end of a spectrum and a small minority occupying various points in between.

A fairly large body of scholarship views environmentalist-Aboriginal relationships as mutually beneficial and positive. This literature acknowledges that environmentalists have their own goals, but also notes that they have to, and indeed are philosophically obliged to, support Native concerns such as self-determination and decolonization. Problems between Natives and environmentalists have occasionally arisen, but in general Natives and environmentalists are after similar, though not identical, structural changes. This literature often notes that because environmentalists and Natives tend to be equally resented by their opponents, they form a natural alliance.³⁷ Perhaps unsurprisingly, many of the writers in this school are also environmental advocates, are active in environmental organizations, and write environmentalist (as different from environmental) history.³⁸

On the opposite pole, there are those who have been approaching this topic and these relationships from a post-colonial viewpoint. They criticize the paternalism inherent in environmentalism, and point to how environmentalist discourse can be deployed in a way that mirrors broader neo-imperialist language and actions. Environmentalists, they argue, at best use Natives as expedient allies without seriously supporting Native claims and environmental activists ignore Native dissatisfaction. Further, they note at least one, and usually all, of the

³⁷ For examples see: Michel F. Girard, “The Oka Crisis from an Environmental History Perspective, 1870-1990,” in *Consuming Canada: Readings in Environmental History* ed. Chad Gaffield and Pam Gaffield (Toronto: Copp Clark Ltd., 1995), 298-315; Michael M’Gonigle, “Developing Sustainability: A Native/Environmentalist Prescription for Third-Level Government,” *BC Studies* 84 (Winter 1989-90): 65-99; Paul George, *Big Trees Not Big Stumps: 25 Years of Campaigning to Save Wilderness with the Wilderness Committee* (Vancouver: Western Canadian Wilderness Committee, 2006); Bruce Hodgins and Jamie Benidickson, *The Temagami Experience: Recreation, Resources, and Aboriginal Rights in the Northern Ontario Wilderness* (Toronto: University of Toronto Press, 1989); Michael M’Gonigle, “Native Rights and Environmental Sustainability: Lessons from the British Columbia Wilderness,” *The Canadian Journal of Native Studies* 8.1 (1988): 107-130; and Michael M’Gonigle and Wendy Wickwire, *Stein: The Way of the River* (Vancouver: Talon Books, 1988).

³⁸ For example, Michael M’Gonigle and Wendy Wickwire were both active in the campaign to protect the Stein River Valley, and Paul George is a founding member of the Western Canadian Wilderness Committee.

following trends: environmentalists are often outsiders and so lack an understanding with the area's local inhabitants; the environmentalist project inevitably seeks to control Native landscapes and practices; environmentalists have been complicit as well as collaborative with colonialism and colonial practices; and environmentalists expound views of Aboriginal culture that are often unrelated to Aboriginal peoples.³⁹

More recently, there is emerging within the academic literature a perspective that characterizes environmentalist-Aboriginal relationships in many shades of grey rather than totalizing experiences. They are sympathetic to environmentalist causes and unwilling to condemn environmentalism as inherently colonial; however, they maintain a critical eye on the constraining impact that environmentalists, and environmental protests, can have on local Native populations' ability to become fully-rounded political players. Further, they are particular in noting that environmentalist-Native interactions have varied considerably from place to place and even in the same place at different times.⁴⁰ Zoltan Grossman provides an excellent, though arguably too "tidy," example of this approach. He examines rural environmentalist-Aboriginal relationships and draws a model that traces those relationships through a number of stages, beginning with a conflict emerging between environmentalists and Natives over resource use that places them at a crossroads with few options. If the relationship is to turn positive, both sides engage in a dialogue that likely leads to long-term collaboration. In fact, Grossman contends, it is the conflict that can "serve as an embryo from which cooperation can emerge."⁴¹ If neither side is willing to bend, however, conflict ensues indefinitely. Grossman's most important insight is to redirect the post-colonial scholar's gaze from the level of the state and recognize that "an alliance built solely on institutional cooperation at the governmental level may not be enough to affect relations between Native and non-Native communities, unless it also builds cooperation at

³⁹ For examples, see: Saleem H. Ali, *Mining, the Environment and Indigenous Development Conflicts* (Tucson: The University of Arizona Press, 2003); Jim Birkhead, Terry De Lacy, and Laurajane Smith, *Aboriginal Involvement in Parks and Protected Areas*; Carolyn Merchant, "Shades of Darkness: Race and Environmental History," *Environmental History* 8.3 (July 2003): 380-394; Robert Sullivan, *A Whale Hunt* (New York: Scribner, 2000); Robert J. Miller, "Tribal Cultural Self-Determination and the Makah Whaling Culture," in *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination* ed. Joanne Barker (Lincoln: University of Nebraska Press, 2005), 123-151.

⁴⁰ Marie Rou  , "US Environmental NGOs and the Cree: An Unnatural Alliance for the Preservation of Nature?," *International Social Science Journal* 55.178 (July 2004): 619-627; Richard Rajala, *Up-coast: Forests and Industry on British Columbia's North Coast, 1870-2005* (Victoria: Royal BC Museum, 2006).

⁴¹ Zoltan Grossman, "Unlikely Alliances: Treaty Conflicts and Environmental Cooperation Between Native Americans and Rural White Communities," *American Indian Culture and Research Journal* 29.4 (2005): 35.

the grassroots level.”⁴² Grossman’s most important contribution is to demonstrate a need to investigate the interactions at multiple levels, not merely from the dominant one.

Despite the importance of the above works, there exist unexplored areas. First, while a critical eye has become fairly standard when viewing environmentalist actions, Natives have been simultaneously portrayed as heroes, victims, or both. Rarely is a critical eye turned towards Native culpability in fostering negative relationships with environmentalists, or critical analysis made of the relationships within Aboriginal communities themselves. Those few that exist are primarily environmentalist-authored, polemical texts that denounce Native resource extraction either in parks/protected areas or against certain (and inevitably either aesthetically pleasing or easily anthropomorphized) species, such as golden eagles or whales.⁴³ What seems to be lacking is a respectful degree of critical analysis towards all claims from all participants within these interactions. Latin Americanist Florencia Mallon, who engages with marginalized peasant and Indigenous groups, argues that even though she sympathizes with those with whom she worked, she realizes that sometimes during her research it is:

important to disagree or to question the versions of events offered. When presented with conflicting evidence, [she] learned it was necessary to discuss and confront it, not only in the interviews, but also in [her] reports to the community in the final text.⁴⁴

Mallon justifies her choice of action, writing:

the final result is the kind of complex human history the community deserves, rather than a flattering or heroic version that is prettier perhaps but hard to square with real life. To disagree is not always easy or comfortable, but in the long run I think it takes one toward a more honest and valuable history, not only for the reader, but also for those who have participated in the writing of history.⁴⁵

Closer to home, in the *Stó:lō Coast Salish Historical Atlas* (2001), editor Keith Carlson notes that this form of critical feedback and appraisal is exactly what many First Nations leaders are requesting and expecting from the non-Native scholars with whom they work and employ. In determining the content of the atlas, which includes a great deal of information and interpretation

⁴² Grossman, “Unlikely Alliances,” 36.

⁴³ See for example: Brenda Peterson and Linda Hogan, *Sightings: The Gray Whales’ Mysterious Journey* (Washington, D.C.: National Geographic, 2002).

⁴⁴ Mallon, *Courage Tastes of Blood*, 20.

⁴⁵ Mallon, *Courage Tastes of Blood*, 20.

on social, cultural, and environmental change which has influenced my own study, Carlson was advised by Chief Lester Ned to, “Tell us what we need to hear, not what we want to hear.”⁴⁶

Indeed, cross-cultural as well as internal divisions and differences of opinion both need to be considered when looking at the multi-faceted history of Aboriginal-environmentalist relationships because such relationships are negotiated from within as much as they are from without their respective communities.⁴⁷ Further, by treating Aboriginal groups solely as heroes or victims, one collapses their individual diversity and, like any cultural essentialization, denies them both human agency and human fallacy.

The Exclusion and Inclusion of Indigenous People in Parks and Protected Spaces

Like much historical work concerning Aboriginal peoples in Canada and the United States, histories of parks and conservation have most often ignored Natives. Others have relegated Natives to a section on pre-contact history – the same segment that describes the area’s natural history – or pushes them to the margins of the story so the park is seen as working positively with local Native groups.⁴⁸ Further, as American historians Robert Keller and Michael Turek point out, few comparative studies of American and Canadian park policy and its impact on Native people exist.⁴⁹ This significant historiographical gap is surprising since so much of Canadian and American conservation and park policy and ideological lineage has crossed the border to inform the other. Understanding these relations as they concern Aboriginal people is thus vitally important because what happens to Native Americans in the United States influences what happens to First Nations in Canada and vice-versa.

⁴⁶ Keith Thor Carlson, “Preface,” in *A Stó:lō Coast Salish Historical Atlas* ed. Keith Thor Carlson (Vancouver: Douglas & McIntyre, 2001), xv.

⁴⁷ One of the best examples of this kind of postcolonial, yet critical and respectful of all parties involved while showing community divisions studies, is Lewis’s excellent article, “Skull Valley Goshutes and the Politics of Nuclear Waste: Environment, Identity, and Sovereignty.”

⁴⁸ Graham A. MacDonald, *Where the Mountain Meets the Prairie: A History of Waterton County* (Calgary: University of Calgary Press, 2000); Sid Marty, *A Grand and Fabulous Notion: The First Century of Canada’s Parks* (Toronto: NC Press Limited, 1984); Kevin McNamee, *The National Parks of Canada* (Toronto: Key Porter Books, 1994); John C. Freemuth, *Islands Under Siege: National Parks and the Politics of External Threats* (Lawrence: University Press of Kansas, 1991); James M. Ridenour, *The National Parks Compromised* (Merrillville, Ind.: ICS Books, 1994); Larry M. Dilsaver, *America’s National Park System: The Critical Documents* (Lanham, Md.: Rowman & Littlefield, 1994); Richard West Sellers, *Preserving Nature in the National Parks: A History* (New Haven and London: Yale University Press, 1997).

⁴⁹ Robert H. Keller and Michael F. Turek, *American Indians and National Parks* (Tucson: The University of Arizona Press, 1998), xiv.

According to post-modern and post-colonial scholars, the wilderness preservation movement in the United States and Canada, far from being benevolent, heroic and democratic as traditionally and typically portrayed, was an active ingredient in Native dispossession directed by the dominant class. Aboriginals were removed from parks and evicted from game preserves. They watched government agents burn their villages to the ground because they were inside a “protected area” while commercial and sport hunters moved in, often leaving a larger ecological footprint than had the Indigenous inhabitants.⁵⁰ Furthermore, Natives were relegated to a salvage anthropological, Noble Savage role where they could make their presence known in parks or preserves only if they represented themselves to tourists and government agents as iconic Indians. “The late-nineteenth-century wilderness ideal,” Paige Raibmon writes, “could not admit the presence of independent, self-sufficient, Aboriginal communities, but it tolerated and even drew strength from the presence of supposedly traditional and apparently unvanishing Indians.”⁵¹ While John Muir found Yosemite people dirty and indolent during his park visit in 1869, tourists enjoyed seeing Natives in any park if their actions were staged.⁵² Ironically, real Natives were regarded, in both Canada and the United States, as ruinous towards landscapes and scientific evidence was used to provide the justification for preventing their access to these areas.⁵³ Of course, the histories of parks and protected areas are also riddled with instances of resistance, ranging from subversive action to direct confrontation and occupation. The very size and

⁵⁰ Jason Clay, “Parks and People,” *Cultural Survival Quarterly* 9.1 (February 1985): 2-5; Adolph M. Greenburg, “Game Conservation and Northern Peoples in Northern Ontario,” *Cultural Survival Quarterly* 9.1 (February 1985): 26-30; Nicholas Lawson, “Where Whitemen Come to Play,” *Cultural Survival Quarterly* 9.1 (February 1985): 54-56.

⁵¹ Paige Raibmon, *Authentic Indians: Episodes of Encounter from the Late-Nineteenth-Century Northwest Coast* (Durham and London: Duke University Press, 2005), 128.

⁵² Phillip Burnham, *Indian Country, God’s Country: Native Americans and the National Parks* (Washington, D.C.: Island Press, 2000), 21; J. Keri Cronin, “Manufacturing National Park Nature: Photography, Ecology, and the Wilderness Industry of Jasper National Park,” (Ph.D. Diss.: Queen’s University, 2004), 121-2.

⁵³ This seems to be where the majority of research has focused on, and, importantly, it has shown that it was not only Aboriginal people who were excluded in this way, but other members of the lower classes as well. For excellent examples, see: Tina Loo, “Making a Modern Wilderness: Conserving Wildlife in Twentieth-Century Canada,” *The Canadian Historical Review* 82.1 (March 2001): 14-16; Tina Loo, *States of Nature: Conserving Wildlife in the Twentieth Century* (Vancouver: UBC Press, 2006); John Sandlos, *Hunters at the Margin: Native People and Wildlife Conservation in the Northwest Territories* (Vancouver: UBC Press, 2007); Louis S. Warren, *The Hunter’s Game: Poachers and Conservation in Twentieth-Century America* (New Haven: Yale University Press, 1997); Robert Graham and Robert J. Payne, “Customary and Traditional Knowledge in Canadian National Park Planning and Management: A Process View,” in *Social Science and Natural Resource Recreation Management* ed. Joanne Vining (Oxford: Westview Press, 1990), 124-150; Jean Manore and Dale G. Miner, eds., *The Culture of Hunting in Canada* (Vancouver: UBC Press, 2007); Karl Jacoby, *Crimes Against Nature: Squatters, Poachers, Thieves and the Hidden History of American Conservation* (Berkeley: University of California Press, 2007); Rebecca Solnit, *Savage Dreams: A Journal into the Hidden Wars of the American West* (San Francisco: Sierra Club Books, 1994).

location of most parks, away from large urban centres and monitored by a few understaffed government agencies, meant that Aboriginal peoples were able to continue using these spaces, though they risked fines or imprisonment each time they did. Yet many of these post-colonial-inspired scholars forget that the history of Aboriginal people and parks is also one that is layered with instances of Native participation and pride in creating and maintaining parks and protected spaces, though, of course, this does not negate or lessen the history of dispossession which has been clearly demonstrated.⁵⁴

In Canada, many academics from a variety of disciplines have argued that the relationship between parks and First Nations has, despite its negative past, slowly improved with time. While the government maintains an unequal share of the power, the general perception goes, policy is becoming more inclusive of Aboriginal people and their culture to the extent that Natives even regard parks as “friendly.”⁵⁵ Further, they rationalize that without protectionist measures these areas would likely have been destroyed or “lost” to private interests, suggesting implicitly that the end justifies the means. Concerning the United States, there are far fewer examples of this kind of viewpoint. When they do express it, however, they follow a general pattern that has emerged in both the United States and Canada within the last few decades that writes the “North” as an exceptional place from the rest of North America, a place where Natives within parks and protected spaces is natural.

Parks in the Canadian North and Alaska have redefined “natural” and returned to the original idea of a park as described by George Catlin in the 1830s, where Natives were considered part of the untouched and unchanging natural landscape or at least not incompatible with wilderness preservation. In Canada, national park policy promotes joint management specifically for the North, but does not grant special rights to First Nations in older parks, and the courts have largely supported this policy.⁵⁶ In both Canada and the United States many

⁵⁴ Keller and Turek’s *American Indians and National Parks* is an important exception to this general trend.

⁵⁵ These have been mostly policy-directed studies that ignore questions of culture, focus almost entirely on politics, and rely almost exclusively on government documents for information. See, for examples, Juri Peppre and Philip Dearden, “The Role of Aboriginal Peoples,” in *Parks and Protected Areas in Canada*, 2nd ed, eds. Philip Dearden and Rick Rollins (Oxford: Oxford University Press, 2002), 323-340; Paul Kopas, *Taking the Air: Ideas and Change in Canada’s National Parks* (Vancouver: UBC Press, 2007), 127; and Canadian Parks Council, “Aboriginal Peoples and Canada’s Parks and Protected Areas: Case Studies” (2008), accessed 31 October 2012, <http://www.parks-parcs.ca/english/cpc/aboriginal.php>.

⁵⁶ Ken M. East, “Joint Management of Canada’s Northern National Parks,” in *Resident Peoples and National Parks: Social Dilemmas and Strategies in International Conservation* ed. Patrick C. West and Steven R. Brechin (Tucson: University of Arizona Press, 1991), 345.

environmentalists have argued for a different definition of wilderness in the North while still insisting on the removal of subsistence users and residents from other parks and conservation areas.⁵⁷ For example, while the Sierra Club opposes settling Native land claims within the lower forty-eight states and Hawaii because they fear tribes will build roads and destroy wilderness, they support Native land claims in Alaska, a compromise reached partially because of the vast spaces still “available” in the North and the lower population density.⁵⁸

Viewing the North as an exception to the park rule, however, has also made commonsense the idea of the North as the *only* place where Natives should exist within park space. Natives in other parks are thus constricted or excluded from these areas, and their historical claims to lands within those parks, both before they were established and afterwards, remains unexplored. A couple of examples illustrate this point. Leslie Bella’s highly critical work *Parks for Profit*, examining the history of Canada’s parks, completely ignores the long history of Native involvement in Canada’s older parks such as Banff (originally Rocky Mountains) National Park. Instead, she relegates First Nations to the section entitled “Native Challenges” which is, in turn, contained solely within the section entitled “National Parks North of 60 Degrees.”⁵⁹ For the United States, Alfred Runte, the renowned American Park historian, concludes that, “Unlike the continental United States, *where Indians had been forced onto reservations outside the national parks long before the parks themselves had been created*, Alaska was still largely inhabited by groups of native peoples.”⁶⁰ Of course, this statement is inaccurate as shown by the experience of Natives Americans in every major national park in the United States. Nonetheless, Northern parks or preservation areas, as the only place for Natives, thus become “commonsense” despite there being nothing natural about excluding people from

⁵⁷ This is apparent in books such as Nash’s *Wilderness and the American Mind* and, especially, in Theodore Catton’s *Inhabited Wilderness: Indians, Eskimos, and National Parks in Alaska* (Albuquerque: University of New Mexico Press, 1997). Catton argues that parks in Alaska are inherently different than those in the lower forty-eight states. Claudia Notzke argues that “southern” and “northern” approaches to wilderness and wildlife conservation are based on different philosophies and systems of knowledge. See: *Aboriginal Peoples and Natural Resources in Canada* (New York: Captus Press, 1994). Peepre and Dearden, comparing parks in the South and the North, argue that for the North collaboration has been very active, whereas in the South collaboration varies from place to place. See: “The Role of Aboriginal Peoples,” 340-347.

⁵⁸ Burnham, *Indian Country, God’s Country*, 146.

⁵⁹ Leslie Bella, *Parks for Profit* (Montreal: Harvest House, 1987), 152, 157-8.

⁶⁰ Italics added for emphasis. Alfred Runte, *National Parks: The American Experience, Second Revised Edition* (Nebraska: University of Nebraska Press, 1987), 238. Many others have promoted this idea, such as Terry Fenge who writes “Not all national parks are the same. In remote or northern areas, potential national parks may be identified which are the homeland of people who have traditionally depended on the land and its resources for their survival.” See: “National Parks in the Canadian Arctic,” *Environments* (Canada) 22 1993: 21-36.

parks or any other protected space in the first place.⁶¹ Indeed, early park creators and conservationists often saw no contradiction in allowing park areas to be settled or resources to be extracted, though they did want to restrict lower class access.⁶² Finally, a mythologized North can mask the conflicts and problems there that are similar to the experience of other Natives within other parks and conservation areas.⁶³

Telling Different Stories, Unearthing Different Structures: Methodological and Theoretical Considerations

Taken as a whole, the above three topics of academic study – the Ecological Indian, Aboriginal-environmentalist (broadly defined) relationships, and parks and protected areas – provide important insights into broader issues of representation, government policy, cross-cultural and inter-community negotiation, and environmental change. Yet, very few of the authors acknowledge the impact they have in the telling of history. The arguments put forth by academics and others which explore this history are integrated, consciously or not, into deeper debates over historical representation; they are perspectives about the form, meaning, and relative importance of the past and the present. All actors involved in these historical and ongoing dramas – Native peoples, environmentalists, government officials, the media, and myself and other academics – are engaged, whether consciously or not, in a debate to determine whose individual and collective perspectives of the issues at hand are legitimate and whose are less so, and which actions towards the environment are appropriate and which are aberrant. In other words, there is room for increased self-reflection on how methodology and theoretical underpinnings may not only answer certain questions, but also significantly skew narratives and impact how people in the present interact with the environment and with each other. For example, studies that explore the history of ideas about Natives from an English literary or

⁶¹ While there has been a recent infusion of this philosophy, the most famous essay on this topic is William Cronon's "The Trouble With Wilderness: Getting Back to the Wrong Nature," in *Uncommon Ground: Rethinking the Human Place in Nature* (New York: W.W. Norton, 1995), 69-90.

⁶² Marty, *A Grand and Fabulous Notion*, 61; Theodore Binnema and Melanie Niemi, "'Let the line be drawn now': Wilderness, Conservation, and the Exclusion of Aboriginal People from Banff National Park in Canada," *Environmental History* 11.4 (October 2006): 724-750; and Samuel Hays, *Conservation and the Gospel of Efficiency* (Harvard: Harvard University Press, 1959).

⁶³ For case studies that explore these conflicts, see: J.E. Gardener and J.G. Nelson, "National Parks and Native Peoples in Northern Canada, Alaska and Northern Australia," *Environmental Conservation* 8.3 (Aut. 1981): 207-215; ; C.D. Hunt, "People and Parks: Selected Legal Issues in Canada," in *The Canadian National Parks: Today and Tomorrow Conference II* eds. J.G. Nelson, R.D. Needham, S.H. Nelson, and R.C. Scarce (Waterloo: University of Waterloo, 1979), 608; and Julie Cruikshank, *Do Glaciers Listen? Local Knowledge, Colonial Encounters, and Social Imagination* (Vancouver: UBC Press, 2005), 223-257.

intellectual history perspective may be excellent at discerning the various tropes that characterized the fluid characteristics of European constructions of the Noble Savage, while providing few tools to measure environmental change that Indigenous peoples effected. Consequently, an integrated inter-methodological approach is needed that is able to reveal various past structures while also narrating a complex, multifaceted history.

In 1971, Conrad Heidenreich's *Huronian: A History and Geography of the Huron Indians, 1600-1650* sought to expose some of these problems of writing Aboriginal history. Heidenreich argued that an interdisciplinary approach to the study of the ecological and human pasts was necessary; no one discipline was adequate.⁶⁴ But Heidenreich also recognized that some disciplines were more useful than others when it came to answering certain questions. Much of his book focuses on tying together separate disciplines in order to ameliorate their respective weaknesses when it comes to answering particular questions and writing a more complete, analytical study. For example, he argues archaeology was limited in its ability to find evidence of Huron watchtowers because the material they would have been made of, including branches, logs, and sheets of bark, could break down without leaving a trace of their existence. Instead, Heidenreich writes, the most useful source for evidence of these constructions was ethnohistoric descriptions, and thus a historical approach proved more useful than a scientific one. Throughout his book he examines the various benefits and drawbacks of using geography, anthropology, ecology, history, and sociology. What Heidenreich does not discuss, however, is the lack of cohesiveness within disciplines or the broadening interdisciplinarity blurring disciplinary lines. Today, most scholars are aware of the fact that there is no single way of practicing History or Archaeology or Anthropology or Geography, and indeed few scholars stay within the literature and methods of their chosen discipline.

While my dissertation is interdisciplinary, it is designed to show the relative value of a particular disciplinary approach to studying different dimensions of environmentalist-Native relations. That is, while my study borrows from various interdisciplinary sources and methods, it utilizes various subfields within the discipline of History – these being social history, environmental history, and ethnohistory – to illuminate different parts of similar structures and events. I chose these three historical approaches because, first, while some authors have applied

⁶⁴ Conrad Heidenreich, *Huronian: A History and Geography of the Huron Indians, 1600-1650* (Toronto: McClelland and Stewart, 1971), 299.

a social history approach to the history of conservation, threading the trinity of race/ethnicity, class and gender into their analyses, when it comes to including Aboriginal peoples, historians of parks and the “Ecological Indian” have for the most part reduced historical processes and events to issues of race while ignoring gender and class. Second, while environmental history has been applied to critique or affirm the Native’s use of the natural world, few have explored how the history of Native-environmentalist interactions altered the environment, both physically and ideologically. Further, as this is a history about environment as well as people, an environmental history approach is a vital component, and one that many historians of parks and environmentalism tend to forget, choosing instead to study representations and human-to-human interactions, rather than human-to-human-to-environment ones. Third, this is also an ethnohistory of interactions among different cultures as much as it is about the environment, and so an eye for how culture is constructed and enacted, and how culture constructs nature, promises some important insights into this history. When used in comparative terms, applying these methods of inquiry can help to show some of the underlying historical structures that may be overlooked if only one approach is taken. Indeed, by focusing too heavily on one particular aspect of history – for example gender relations or environmental change – privileging these aspects at the expense of others may skew historical processes. Centering one’s history on the creation of a park may mark an important event for conservationists and environmental historians, but for some Aboriginal residents it may be considered less significant than when they were removed from the area years later by game conservation regulations designed to empower sportsmen. In other words, my study shifts the centre of history to engage with events that are significant to those outside of the dominant interpretation too.

In exploring different societal and environmental structures, I am answering Marshall Sahlins’ call for the combination of structural and event-centred historical anthropology (or, conversely, anthropological history).⁶⁵ Additionally, in order to make sense of these structures and events at a particular moment and over time it becomes apparent that other theoretical tools

⁶⁵ Sahlins has not been the only one to combine synchronic and diachronic methods to Indigenous history. Nathaniel Wachtel did so much earlier than Sahlins in his 1971 book *The Vision of the Vanquished: The Spanish Conquest of Peru Through Indian Eyes, 1530-1570*. Furthermore, Sahlins’ ideas have been utilized by a number of scholars, such as those contributors to the 1991 work *Clio in Oceania: Toward a Historical Anthropology*, edited by Aletta Biersack, which examined history and anthropology in Oceania. Closer to my own geographical area of study, Theodore Binnema’s *Common and Contested Ground* draws directly on Sahlins’ ideas about the importance of structures and events in history. See Theodore Binnema, *Common and Contested Ground: A Human and Environmental History of the Northwest Plains* (Toronto: University of Toronto Press, 2004), 10-11.

are required. In particular, I draw on discourse analysis, subaltern theory, and post-colonial theory, and post-environmentalism – all of which are highly interconnected – which are described in detail below.

My study examines Native-environmentalist history within the context of the relationship between the complex web of social structures on the one hand and the transformative power of potentially structure-altering historical events on the other. While works from scholars in the *Annales* school and in environmental history provide evidence that Sahlins exaggerates the extent to which historians have ignored or downplayed the role of structures in history, his call for historians to draw more on the work of anthropologists is a valid one. Structure, as used here, refers to underlying social forces, both material and mental (or *mentalité*).⁶⁶ These are the rules and customs that underlie social relations, political acts, legal rules, and the cultural beliefs that eventually have expression in behavior such as constraints when interacting with the environment. Studying these structures enables us to understand long-term trends and behaviours as well as allows us to see where power is nested and whose interests benefit from maintaining the structure. Consequently, I will be searching for signifiers of structures such as cultural beliefs about the environment, environmental limitations to people's actions, racialized, gendered and classed hierarchies, and intercommunity/cross-community politics rationalizing the inclusion of some and exclusion of others.

For the purpose of my study I take as a given that structures and events exist in a dynamic equilibrium whereby each holds the potential to shape the other even as they are informed by one another. To paraphrase Sahlins, structures and events are mutually determining without being reducible the one to the other, and identifying this interplay helps understand human actions and the cultures in which they occur.⁶⁷ The shape of structures are constantly being re-imagined and

⁶⁶ I draw my definition of structure largely from Fernand Braudel's, classic work of *Annales*'s-school structuralism *The Mediterranean in the Ancient World*. Trans. by Siân Reynolds (London: Penguin Books, 1998 [1949]), and my definition of the mutually informing relationship between structure and event from Marshall Sahlins' *Apologies to Thucydides: Understanding History as Culture and Vice Versa* (Chicago & London: University of Chicago Press, 2004) and in the Canadian context, Keith Carlson's *The Power of Place and Problem of Time* (Toronto: University of Toronto Press, 2010). As has become the norm, and departing from such seminal scholars of structuralism as Claude Levi-Strauss, I do not believe that a universal theory of structuralism is possible to explain all human societies. Further, while I agree with the post-structural position that structures are neither static nor stable, thus leading to a multiplicity of interpretations, I do not agree with the post-structuralist assertion that all readings of those structures are equal; one version can be privileged over others. While it is important to get to an understanding of why different interpretations – most of which will no doubt be truthful claims – exist, historians, as authorities, still need to judge which of those interpretations is more accurate as well as meaningful.

⁶⁷ Sahlins, *Apologies to Thucydides*, 9-11.

remade when stretched and occasionally even broken by the impact of historical events. Events are the happenings of historical significance – the occurrences impacting against the structural webs – that reveal, change, and even completely break apart, these structures; but the trajectory of events are also shaped by the composition of the structures.⁶⁸ “Only as [an event] is appropriated in and through the cultural scheme,” Sahlins writes, “does it acquire historical *significance*.”⁶⁹ Thus, I will search for culturally relative happenings of significance and examine how different subjects interpret these events. When an event is sufficiently significant it possesses the ability to alter the structure; these events result in challenges to the order of society and hold the potential for effecting cultural change, creating new opportunities for the previously disempowered, and providing new ways of seeing the world. Such events discussed in this dissertation will include environmental protests, the creation of a park or protected space, the publication of a particularly influential book, a court decision concerning treaty rights, and ecological occurrences, among others. The key questions, then, as Sahlins points out, are how do events alter structures, how do structures shape events, and what is the significance of each form of alteration concerning existing power dynamics?

Part of examining structures and events includes reemphasizing the role and importance of the individual without simply writing “Great Man History.”⁷⁰ Indeed, while structural analysis often entails the examination of groups, this does not mean that individuals become peripheral; certain individuals are important and representative of the structures wherein they are located. Sahlins terms the process whereby an individual’s actions become fateful for the rest of society as a “structure of the conjuncture.”⁷¹ Theodore Binnema, though arguably overstating his case, describes this idea in more straightforward language, writing:

Ethnohistorians usually seek to describe and explain gradual change in fundamental aspects of culture over the long term. They rarely discuss prominent individuals or the dramatic turning points. This is not only because of the weaknesses in documentary evidence, but also because anthropological history tends to downplay the role of individuals and events in history – as if events and individuals were surface disturbances of froth on the great tides of history.⁷²

⁶⁸ Marshal Sahlins, *Islands of History* (Chicago: University of Chicago Press, 1985), 153.

⁶⁹ Sahlins, *Islands of History*, 153.

⁷⁰ Other historians of environmental history, such as Tina Loo, have sought to emphasize the importance of individuals without returning to “Great Man” history. Loo does not, however, show the relationship between structure and event. Instead she re-introduces human/individual agency to social history. See: Loo, *States of Nature*.

⁷¹ Sahlins, *Apologies to Thucydides*, 10.

⁷² Binnema, *Common and Contested Ground*, 11.

Carlson has more recently discussed the opportunity for historians to reconcile “event-centred analysis and biography with processual examinations of social structures.”⁷³

As I will be focusing primarily on relationships, representations, politics, and policy, discourse analysis is a vital device in my analytical toolbox. Though discourse has been used in many ways, Gordon Hak has provided a practical definition of it as, “Patterns or constellations of ideas and practices – ensembles articulated in systems.”⁷⁴ Critical discourse analysis, in turn, focuses “on the relationship between power and discourse [and] aims to challenge social practices that we accept as ‘natural,’ but which are, in fact, ‘naturalized’.”⁷⁵ This dissertation, like many of the studies that explore the construction of Aboriginal identity, exposes “common-sense” social, cultural and scholarly assumptions about Native interactions with the environment and environmentalism (including environmentalists and government agencies), and it does so through, on one level, the study of language, and, on another, how these ideas impact real actions.⁷⁶ To paraphrase literary theorist James Paul Gee, discourse analysis involves asking questions about how language, at a given time and place, is used to construe the aspects of structures as imagined at a particular time and place and how the aspects of these structures simultaneously give meaning to that language.⁷⁷ To provide an example of critical discourse analysis, Gee considers the question of what constitutes “real Indians.” He notes that Natives have to act, value, interact, and use language in sync with or in coordination with other people and other objects appropriately, or they are not considered “real” (he could have equally effectively used the term “authentic”). As Carlson observes, this situation has occurred, and continues to play a role, in Aboriginal politics and the writing of Indigenous history.⁷⁸ Further, this idea can be applied to other groups of people, such as environmentalists.

Of course, discourses are never interpreted in just one way. Current post-colonial theorists have shown that because discourses are open to different interpretations, they are also

⁷³ Carlson, *The Power of Place the Problem of Time*, 28.

⁷⁴ Gordon Hak, *Capital and Labour in the British Columbia Forest Industry, 1934-74* (Vancouver: UBC Press, 2007), 11. The postcolonial literary critic Sara Mills does an apt job of tracing these different conceptualizations of the term “discourse” in (the unimaginatively titled): *Discourse* (London and New York: Routledge, 1997).

⁷⁵ Nicola Woods, *Describing Discourse: A Practical Guide to Discourse Analysis* (London: Hodder Arnold, 2006), xiv.

⁷⁶ James Paul Gee writes that discourse theory is a method for “studying how language gets recruited ‘on site’ to enact specific social activities and social identities. By ‘identities’ I mean different ways of participating in different sorts of social groups, cultures, and institutions.” *An Introduction to Discourse Analysis: Theory and Method* (New York: Routledge, 2005), 1.

⁷⁷ Gee, *An Introduction to Discourse Analysis*, 110.

⁷⁸ Carlson, *The Power of Place, the Problem of Time*, 21-29.

open to resistance.⁷⁹ That is, Kaplan shows that multiple narratives are always present. Kaplan calls this process “narratography,” and she argues that doing so finds history through an analytic structure that insists on attention to Indigenous history-making as well as insisting on the presence of colonial power. As will be revealed throughout my dissertation’s chapters, such multiple interpretations are vital when considering the dynamic rather than fixed meaning inherent in the Ecological Indian discourse.

In addition to discourse analysis, Subaltern Studies offers many insights on the exploration of cross-cultural exchange such as the dialogical transfer of ideas about the natural world and its processes that flowed in many ways and in different intensities over time and space. Both Natives and non-Natives have taught one another, or learned by observation, various methods through which to alter the ecosystem, and this has shaped their perceptions of one another. In their vigorous effort to expose the commonsense myths surrounding Native peoples such as the Noble Savage since contact, scholars have unintentionally denied Indigenous people this agency. Natives have not been merely the objects of non-Native representation and imagination, as many scholars looking at the representation of Natives have implied, but Natives are also active subjects who engage with, shape, create and contest these images, as well as the political, legal and social structures in which they are embedded.

Philip Joseph Deloria, for example, explores popular and academic expectations about Native authenticity, and how Natives have affected those expectations, resisted them, and promoted them. He even argues that in many instances Natives are largely responsible for these expectations.⁸⁰ Paige Raibmon, too, in discussing how non-Aboriginal people employed definitions of “Indian” culture, limited Native claims to resources, lands, and sovereignty. Aboriginal peoples simultaneously used those definitions to survive under colonialism. “Whites imagined what the authentic Indian was, and Aboriginal people engaged and shaped those imaginings in return. They were collaborators – albeit unequally – in authenticity.”⁸¹ Alexandra Harmon also explores the construction of “Indian” identity, detailing how Puget Sound Natives and non-Natives shared responsibility for creating and repeatedly reformulating definitions of

⁷⁹ Mills, *Discourse*, 128.

⁸⁰ Philip Joseph Deloria, *Indians in Unexpected Places* (Lawrence, Kan.: University Press of Kansas, 2004).

⁸¹ Raibmon, *Authentic Indians*, 3.

one another in a hybrid, syncretic process.⁸² Together, these studies show that Natives were able to interact with, influence, and use stereotypes of themselves to their advantage and were intricately tied to their constructions.⁸³ Applied to my study, we see that Aboriginal people have affected non-Natives to a degree that post-colonial scholars such as Homi Bhabha anticipated but which North American post-structuralist scholars have yet to acknowledge. For example, even the earliest writers on Indigenous peoples, such as the Jesuits in Canada and Latin America, were heavily influenced by their cross-cultural interactions with real (as opposed to literary) Indigenous peoples, and these writers then laid the basis from which European authors drew their own ideas.⁸⁴ Early conservationists and preservationists owe much of their ideology to Native philosophies, even if these were then distorted and turned against their Indian originators in order to exclude them from their lands and resources.⁸⁵ Likewise, many Native leaders owe aspects of this authority to borrowed concepts of political authority learned in residential schools or through the Department of Indian Affairs/Bureau of Indian Affairs bureaucracy. As such, it should be noted that many Subaltern Studies scholars have also argued that Aboriginal individuals have often allied themselves along lines other than race, such as class and gender, and that these political, social and cultural groupings are quite fluid and can exist in more than one space simultaneously.⁸⁶ For example, a Native individual may identify with both his or her nation as well as an environmentalist group such as Greenpeace and even additionally with a government conservation agency such as the National Park Service, and derive different types and degrees of authority from each. Carlson's work on nineteenth century Salish suggests that such alliances were based in part on pre-existing class and gender divisions within Aboriginal society – an

⁸² Alexandra Harmon, *Indians in the Making: Ethnic Relations and Indian Identities Around Puget Sound* (Berkeley: University of California Press, 1998), 4.

⁸³ This does not mean that they are to blame, though, for how such stereotypes were used to discredit Aboriginal claims.

⁸⁴ Cro, *The Noble Savage*, 7-8. Intertextuality, or the theory that “every text takes shape as a mosaic of citations, every text is the absorption and transformation of other texts,” provides an important theoretical grounding for conceptualizing the influence of subaltern texts on dominant ones. See: Stuart Sim, ed., *The Routledge Companion to Postmodernism*, 2nd ed. (New York: Routledge, 2005), 244.

⁸⁵ At least one historian has argued that conservationists and preservationists owe much of their ideology to Native philosophies. See: George L. Cornell, “The Influence of Native Americans on Modern Conservationists,” *Environmental Review* 9.2 (Summer 1985): 104-117.

⁸⁶ In this I have been influenced by theorizations on whether or not the subaltern can “speak,” as well as Latin American community studies that show Indigenous people were often organized along lines other than race, such as class, gender or ethnicity. In particular, see: Elizabeth Dore, *Myths of Modernity: Peonage and Patriarchy in Nicaragua* (Durham, N.C.: Duke University Press, 2006); and Grandin, *The Blood of Guatemala*.

insight whose significance for more recent historical relationships and processes has yet to be explored and to which my dissertation aspires.⁸⁷

As with Deloria, Raibmon, Harmon, and Carlson, my study draws on post-colonial theory. Aboriginal people share, together with others, the centre of history and historical processes; they are neither relegated to the margins nor to the pre-historical, geologic past. My work is also critical of colonialism and its discourse and seeks, whenever possible, to expose how its deployment might contribute to the oppression of Indigenous populations. In this vein, my study contends that both the Canadian and American states remain colonial entities. However, it would be historically misleading to ignore the important roles that Natives have played in the development of parks and in environmentalism just as much as it would be to ignore their role in opposing and stopping the creation of parks.

While my study will consider environmental change, its primary purpose will not be to determine which groups are more “ecological.” As William Cronon has argued, this type of inquiry often suffers from *a priori* cultural and political perceptions.⁸⁸ Instead, an increasing number of scholars argue that there never was a “natural” (in contrast to supposedly “unnatural”) landscape, and that one landscape is not inherently “better” than another. Likewise, where environmental historians once saw virgin forests, now all forests have felt the touch of humanity; and where once environmental historians lamented the despoliation of pristine landscapes, now the very idea of “pristine” is tossed aside.⁸⁹ Environmental history as such moves beyond the ecological declension narratives that held, and arguably continue to hold, a firm grip on the environmental history genre. It does so, moreover, without returning to modernist stories of progress. Metanarratives of either progress or declension, Geoff Cunfer reminds us, are ideologically driven and often lack rigorous empirical analysis.⁹⁰

I term this approach to history “post-environmentalist,” and the philosophy, or theory, informing it, “post-environmentalism.” To borrow from Foucault, this kind of inquiry is not as interested in “true” representations of the real, but rather in the mechanics whereby one discourse – in this case “readings” of the environment – becomes dominant and other discourses are treated

⁸⁷ Carlson, *The Power of Place, The Problem of Time*, 29.

⁸⁸ Cronon, “The Trouble with Wilderness.”

⁸⁹ William Denevan provides an iconic example of this genre of history in his ground-breaking article: “The Pristine Myth: The Landscape of the Americas in 1492,” *Annals of the Association of American Geographers* 82 (1992): 369-385.

⁹⁰ Geoff Cunfer, *On the Great Plains: Agriculture and Environment* (College State: Texas A&M University Press, 2005), 10.

with suspicion and pushed to the margins of society. As Douglas Weiner aptly observes, “behind each imagining of an ‘environment’ is a social agenda.”⁹¹ Ideas have physical consequences too. Elliot West reminds us that the history of humans interacting with the environment can be characterized by people “over and over imagining their way into a serious pickle” when the environment “acts” in a way that does not meet people’s perceptions of it.⁹² A post-environmentalist approach thus asks one to assess why certain interpretations of the environment have been, and continue to be, privileged over others, and how this has shaped the human events that followed and resulted in social, cultural and environmental structural change. Furthermore, post-environmentalism provides insists upon multiple definitions of what it means to be an “environmentalist.” For example, the Makah tribe hunting within parks and protected areas designated “wilderness” space does not negate their claims to be ecological stewards or “environmentalist.”

From the Local to the Global: Case Studies in Aboriginal Peoples and Environmentalism

Though it would be much too large a project to attempt the history of all incidents where Aboriginal peoples have had a relationship with environmentalists and environmentalism, it is possible to use case studies to describe some broadly shared experiences as well as some locally specific ones. Choosing who, what, where and when to include in my study was incredibly difficult. As historian Jonathan Vance lamented at the beginning of his history of Canadian culture, and likely a line that nearly every other historian could echo, “I have no doubt that many readers will be unsatisfied with this [work’s case studies], if only because I have left out a favourite.”⁹³ Ultimately, one needs to make informed choices in order to delimit a manageable project. Consequently, my dissertation provides a series of place-based, and comparative – methodological, geographical, and thematic – studies of environmentalist-Aboriginal interactions over conservation measures and environmental protests, and it focuses on areas where these measures receive, arguably, the greatest public scrutiny: established parks and protected spaces. These spaces provide useful case studies in exploring Native experiences with environmentalists and environmentalism because they tend to exacerbate issues that arise elsewhere as well as

⁹¹ Douglas R. Weiner, “A Death-Defying Attempt to Articulate a Coherent Definition of Environmental History,” in *Canadian Environmental History* ed. by David Freeland Duke (Toronto: Canadian Scholars’ Press, 2006), 76.

⁹² Elliot West, *The Contested Plains: Indians, Goldseekers, and the Rush to Colorado* (Kansas: The University of Kansas Press, 1998), xxi-xxii.

⁹³ Jonathan Vance, *A History of Canadian Culture* (Don Mills, ON: Oxford University Press, 2009), x.

intensify and lengthen the duration of the contact zone. My study also provides a measure of chronological depth, beginning in temporal focus with the creation of national parks in Canada and the United States in the latter nineteenth century and moving through to the present.

Chapters Two and Three examine Rocky Mountains (Banff National) Park, Canada. Established in 1885, Rocky Mountains Park was already occupied and utilized by multiple Aboriginal groups for many generations. Initially, they proved an integral part of the park economy as guides, hunters, tourist icons, and laborers, and participated in extractive resource industries that operated within the park. Most histories of Banff, however, largely ignore this early role for Natives. Moreover, those who have focus on issues of race but ignore the extremely relevant issues of class and gender. Consequently, my study focuses on how class, gender, and race/ethnicity are interwoven within Banff's history. In both Canada and the United States, historians have pointed out that resource monopolization – securing an area's natural resources for the government itself – not preservation, was the major goal of the park legislators. Furthermore, the creation of a park, at least until the 1950s, meant the simultaneous cultural and physical creation of a “wilderness” space as well as a modern, upper-class resort. Natives, as part of the subaltern class that included other “undesirables” such as ethnic minorities who served as labourers, were restricted in the roles that they could play at the park in some ways. But because of their race and non-Native romanticism of “Indians,” Natives were included in other ways, particularly during the Banff Indian Days.

Chapters Four and Five turn to the American side of the border to explore environmental change (real and perceived) and management in Washington State's Olympic Peninsula. Indeed, the Olympic Peninsula, as Washington State's most popular outdoor recreational playground, makes for an excellent historical study of the environment, and thus environmental history of Natives and environmentalists and environmentalism, due to several factors. Created in 1909 as a National Monument and then in 1938 as a park, Olympic National Park is bordered by (and even completely surrounds in two cases) fourteen different Native American reservations. My study focuses especially on reserves along the Pacific Coast, all of which have had lengthy, and varied, relationships with federal, state and public conservation agencies, organizations, and individuals. There has been an incredible amount of environmental change within the park and surrounding area. From hydroelectric development, to logging, to tribal conservation measures (which go back to the turn of the twentieth century), to the contested practice of hunting and gathering in

the park, as well as the long history of protests over Native and non-Native fishing off reserve, and Native struggles with Washington State's Game and Conservation department, there remains much to be explored. To date, however, no scholars have sought to collect these related stories into a cohesive whole and to critically examine the negotiation over environmental change.

Chapters Six and Seven provide an ethnohistory of Tla'amin (Sliammon) First Nation, a Coast Salish community in British Columbia, Canada, and environmentalism and environmentalists. The Sliammon, like the Aboriginal groups mentioned above, also have a long history with conservationist agencies, parks, and protected spaces. They provide an excellent opportunity for a deeper community study based largely upon fieldwork that explores cultural change and continuity within a First Nation that has existed largely outside of the academic (and totally beyond the historian's) gaze. Specifically, my study deconstructs the "commonsense", non-Native depiction of this area of the "Sunshine Coast" as a sparsely inhabited, "wilderness" paradise, and contrasts this with the Sliammon's own cultural imagining of this space as long-occupied First Nations territory. My analysis seeks to, as many anthropologists and ethnohistorians have sought, "make the familiar strange and the strange familiar." Chapter Six does so through a history of Desolation Sound Marine Park – the best known protected space in this region – which was created in 1973 without any First Nation input. It then traces the genealogy of Desolation Sound as a wilderness paradise back to Captain Cook's voyage there in 1792. Chapter Seven turns to the Sliammon's own conceptions and internalizations of environmentalism, and analyzes the impact of these ideologies on their own community, non-Natives, the environmental movement, and the local ecology. All these developments raise interesting questions surrounding issues of how "culture," and ideas of authentic, traditional "Indianness," have been used in the past and the present by the Sliammon and are woven into the cultural nexus of how they "think" about the environment.

Paul Nadasdy notes that for every instance of Natives and environmentalists working together there is also an instance of them working apart.⁹⁴ But these relationships are not nearly so clear cut even if popular and academic discourse often weaves the story that way. In fact, there are many versions of these stories, as many as there are people who have been involved in them. Since telling all would be impossible, a method is required to shed light on these multiple voices while also revealing some broader cultural, social and environmental structures. And

⁹⁴ Nadasdy, "Transcending the Debate Over the Ecologically Noble Indian," 292.

while there are, indeed, many diverse stories, there are also some common narratives that transcend the level of the individual or the specifics of the local. Colonialism, racism, environmentalism, political activism – these tie diverse stories together, give them meaning, and shape how individuals read their pasts and presents. It is to these stories within Canada's first national park that my dissertation now turns.

- CHAPTER TWO -

(Un)Making a Hunter's Paradise:
Rocky Mountains Park, the Stoney Nakoda and Game Conservation

*One has to recognise...that concern about the environment mirrored social concerns and positions. Thus, while the environment may be at risk, it is the social form which demands inspection.*¹

Richard Grove, *Green Imperialism*

Banff National Park recently celebrated its 125th anniversary.² “Park’s Day” festivities on 17 July 2010 included Stoney Nakoda drummers, singers and dancers from the nearby Morley Reserve as well as a staff member from the Buffalo Nations Luxton Museum who provided the audience with a history of the Stoney.³ The Stoney, she explained, once occupied the very space upon which the onlookers were gathered before the park existed; after the park was created the Stoney were integral to its development, befriending, providing services to, and working for, the area’s non-Native businessmen as well as performing in the annual Banff Indian Days from the 1890s to 1978.⁴

There are many physical reminders within the park demonstrating this Native presence. Though newcomers renamed many of the landmarks in the park, some of the indigenous place names still exist such as Lake Minnewanka. The Bow River Bridge includes six “Indian head” reliefs cast in concrete, and a totem pole was erected in Banff’s Central Park as part of the 1976

¹ Richard H. Grove, *Imperialism: Colonial Expansion, Tropical Island Edens and the Origins of Environmentalism, 1600-1860* (Cambridge: Cambridge University Press, 1995), 482.

² Over eight million people pass through Banff National Park’s gates annually, about half stay to visit while the others are using the highway to pass through. Banff’s history as a protected area began in 1885 when an Order in Council that created the Hot Springs Reserve, along with three other parks/reserves. Rocky Mountains Park was created in 1887 and was not named Banff National Park until 1930, though prior to its official name change Banff was part of the colloquial vocabulary. To avoid confusion between the two, “Banff” alone will refer to the urban centre, while, as my case study focuses on the pre-1930 period, I refer to Rocky Mountains Park for the entire space, which includes the town of Banff. “Banff” was supposedly named after “Banffshire,” a Scottish district where Lord Strathcona and George Stephen, two Canadian Pacific Railway directors, were born.

³ The Stoney Nakoda (or *îyârhe* Nakodabi, or “Rocky Mountain Sioux”) are composed of bands of extended families that lived along the Rocky Mountain foothills. After signing Treaty 7 in 1877 the Stoney Nakoda were limited to a 282 square kilometer reserve in 1879 adjacent to Morleyville mission. The Morley reserve is situated approximately seventy kilometers east of Banff. Two new reserves were created in 1948 after years of contentious negotiations for the Wesley and Bears paw bands. While referred to as the Stoney Nakoda most often today, during the time period which I focus on here they were referred to, and referred to themselves, as “Stoney.” Consequently, I use the term “Stoney” throughout this chapter and the next unless the source used specifies otherwise.

⁴ Jonathan Clapperton, field notes, 17 July 2010. The history of the Banff Indian Days is the subject of Chapter Three.

Indian Days.⁵ Commercially, Banff's merchants profit greatly from the popularization of various "Indian" representations; Banff's souvenir shops ply a plethora of items, from miniature totem poles to inukshuks to tepee replicas, as well as Native art, and clothing.⁶ Moreover, rich archaeological deposits throughout the National Park represent the occupation of "Banff" by myriad Indigenous groups over at least the last ten millennia.⁷ The message given on Park's Day – that the park has always and will continue to include an Aboriginal presence – was certainly truthful. Yet, this positive message was not entirely accurate.

The persistent marginalization and disruption of Native peoples from both the park and its vast profits has remained absent from Banff's popular discourse, including most local histories.⁸ First created as the Banff Hot Springs Reserve in 1885 and then expanded and renamed Rocky Mountains National Park in 1887, new landscape designations signalled the beginning of profound changes for the area's Aboriginal residents. Though another important event in the history of Native-newcomer relationships in the area had occurred only a decade earlier – the signing of Treaty 7 – it would be the creation of the park and the parallel romanticism of, and desire to conserve, "nature," especially "game," that most affected the area's Indigenous populations.

The creation of Rocky Mountains National Park was important for two reasons. First, the park's creation itself – the reimagining of the environment and peoples' relationships to it – brought with it a certain set of race, gender and class ideologies which became the predominant structure through which Native-newcomer relationships in this area were negotiated. Banff was

⁵ The totem pole was eventually removed in 2008 because of significant rot at its base. See: David Fleming, "Searching for Banff's Totem Pole," *Banff Crag & Canyon*, 20 October 2009, 23.

⁶ Some of these items are even created by Aboriginal people, though most are made overseas. Tolly Bradford's biography of William Twin aptly describes how Banff's business elite constructed the place's "Indianness" as a marketing ploy from its start. See: "A Useful Institution: William Twin, 'Indianness,' and Banff National Park, c. 1860-1940," *Native Studies Review* 16.2 (2005): 77-98.

⁷ Banff's townsite, for example, was once a meeting place for different Aboriginal groups and, according to Parks Canada archaeologists, Banff was also village in the late pre-contact period. See: Daryl Fedje, "Banff Archaeology 1983-1985," in *Eastern Slopes Prehistory: Selected Papers*, Archaeological Survey of Alberta, Occasional Paper No. 30, ed. Brian Ronaghan (Alberta: Alberta Culture Historical Resources Division, 1986), 25-64; and E.J. Hart, *The Place of Bows: Exploring the Heritage Banff-Bow Valley, Part 1 to 1930* (Banff: EJH Literary Enterprises Ltd., 1999), 11-12.

⁸ Banff and the National Park contributed roughly \$6 billion to the Canadian economy according to a 1996 study. As of 2009, the Banff National Park field unit generates roughly 25% of all revenue in Parks Canada. See: Robert Page, Suzanne Bayley, J. Douglas Cook, Jeffrey E. Green, and J.R. Brent Richie, "Banff-Bow Valley at the Crossroads: Report of the Banff-Bow Valley Task Force," (Ottawa: Department of Canadian Heritage, 1996), 4; and Parks Canada, "Audit of Key Financial Processes at the Banff National Field Unit," *Parks Canada, Internal Audit and Evaluation Document*, 11 June 2009 http://www.pc.gc.ca/docs/pc/rpts/rve-par/banff/index_e.asp (accessed 1 December 2010).

promoted as an oasis of civilized luxury for the upper class situated amidst a sea of sublime, “wild” nature and as a launching point into a surrounding game-hunter’s paradise. Second, the greatest impact of the park – which, until 1902, encompassed a relatively small area – was to influence Native-newcomer relationships beyond its borders. The boundaries of Rocky Mountains Park merely demarcated the epicentre for policies and prejudices that would ripple outwards and struggles that occurred within the park between Natives and conservationists repeated themselves outside of it.

Banff’s historiography, much like that of other national parks in Canada and the United States, is polarized. The discourse represented in many of Banff’s popular histories – by far the larger body of literature – produces a narrative where Natives and newcomers existed in an interdependent relationship, with compliant First Nations who adopted the park’s establishment and its conservationist agenda.⁹ Against this interpretation, a handful of historians have rightly exploded this positive metanarrative of Banff and the Stoney by emphasizing Aboriginal expulsion and exploitation coupled with resistance and agency.¹⁰ Yet the story of Native interactions with the park, as with most Native-newcomer histories, cannot be reduced to one of either in- or exclusion.¹¹ Rather, the Stoney were ambivalent subjects, much as non-Natives were ambivalent towards Aboriginal peoples. For colonizers, the Stoney’s mimicry of colonial discourse – their adoption of colonial assumptions, institutions and values, focussed here on conservation and parks – was never very far from mockery. The Stoney strategically emphasized their sameness at times and their difference at others to gain power within this new structure. Moreover, by doing so within the raced, classed and gendered discourses that non-Natives used, the Stoney’s actions could challenge the park’s physical and ideological presence, including the

⁹ For select examples of these histories see: Pat Brewster, *Weathered Wood: Anecdotes and History of the Banff-Sunshine Area* (Banff: Banff Crag and Canyon, 1977); Patricia Parker, *The Feather and the Drum: The History of Banff Indian Days, 1889-1978* (Calgary: Consolidated Communications, 1990); E.J. Hart, *The Brewster Story: From Pack Train to Tour Bus* (Banff: EJH Literary Enterprises, 1981); Eleanor G. Luxton, *Banff: Canada’s First National Park* (Banff: Summerthought, 1975); Harriet Hartley Thomas, *From Barnacle to Banff*, 2nd ed. (Calgary: Western Printing & Lithographing Co., 1945); R.W. Sandford, *The Book of Banff: An Insider’s Guide to Being a Local in Banff* (Banff: The Friends of Banff National Park, 1994); and Laurie Meijer Drees, “Indians’ Bygone Past: The Banff Indian Days, 1902-1945,” *Past Imperfect* 2 (1993): 7-28.

¹⁰ Theodore Binnema and Melanie 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): 724-750; C.D. Hunt, “People and Parks: Selected Legal Issues in Canada,” in *The Canadian National Parks: Today and Tomorrow Conference II* ed. J.G. Nelson, R.D. Needham, S.H. Nelson, and R.C. Scarce (Waterloo: University of Waterloo, 1979), 605-624.

¹¹ Bradford provides a useful foray into identifying, and moving beyond, this dichotomy in his focused history of Stoney William Twin as an individual with personal connections to many whites dependent upon the park’s success and as a tool to be used in order to promote the park. See: “A Useful Institution,” 77-98.

broader shadow of conservation which the park cast over the surrounding area. Doing so ultimately created fractures amongst the various colonial powers who commanded Stoney compliance.

Colonialism, Nation-Building and Wilderness Conservation

Economic gain and nation building, as most historians of Canada's national park system have argued, provided the most tangible incentives for the creation of Rocky Mountains Park.¹² The Rockies' genesis as a park arguably began when the young Dominion government sought to push its national, colonial project westward using the Canadian Pacific Railway (CPR) as its primary tool for that goal. CPR surveyors reached the Banff area in 1881, after passing straight through the Stoney's reserve. The railway was extended to Banff and Laggan (Lake Louise) in 1883. That year, railway engineer Sandford Fleming (promoted in 1884 to CPR Director) suggested Canada establish a system of national parks connected by rail.¹³ CPR Vice-President William Cornelius Van Horne, who founded the line of luxurious Canadian Pacific Hotels in 1888 and played a leading role in developing the CPR's tourist line, endorsed Fleming's proposal. Van Horne provided free transportation for a delegation of Canadian parliamentarians to travel over the new CPR line and visit Banff; he hoped visiting the Rockies in person would persuade them that Canada needed its own Arkansas Hot Springs Reservation (1832) and

¹² See: R.C. Brown, "The Doctrine of Usefulness: Natural Resource and National Park Policy in Canada, 1887-1914," in *The Canadian National Parks: Today and Tomorrow* ed. J.G. Nelson and R.C. Scace (Calgary: The University of Calgary, 1968): 94-110; Leslie Bella, *Parks for Profit* (Montreal: Harvest House, 1987); William R. Lowry, *The Capacity for Wonder: Preserving National Parks* (Washington, D.C.: The Brookings Institution, 1994); Paul Kopas, *Taking the Air: Ideas and Change in Canada's National Parks* (Vancouver: UBC Press, 2007); and E.J. Hart, *J.B. Harkin: Father of Canada's National Parks* (Edmonton: University of Alberta Press, 2010). While this view of Canadian park history has remained fairly hegemonic, it has been challenged. Harvey Locke argued that Canadian parliamentarians were engaged in, and often divided by, debates regarding wildlife and wilderness protection. See: Locke, "Civil Society and Protected Areas: Lessons from Canada's Experience," *The George Wright Forum* 26.2 (2009): 101-128. Alan MacEachern contends that the preservationist impulse was an important part of the House of Commons debates over the creation of the park. Members of the House, he argues, believed parks were to be about preservation and they endorsed this goal as positive. See: *Natural Selections: National Parks in Atlantic Canada, 1935-1970* (Montreal: McGill-Queen's University Press, 2001), 17. W. A. (Bill) Waiser refutes MacEachern's interpretation of these debates in the forthcoming essay: "Macdonald's Appetite for Canadian Expansion: Main Course or Leftovers?," in (tentatively titled) *John A. Macdonald at 200: New Perspectives and Fresh Legacies*, ed. Patrice Dutil.

¹³ Historians of national parks in the United States have noted the similar push by railroad companies to create national parks, which they would then use to monopolize both tourist and resource movement in the area. See for example: Alfred Runte, *National Parks: The American Experience*, 4th ed. (London and New York: Taylor Trade Publishing, 2010).

Yellowstone National Park (1872).¹⁴ Prime Minister John A. Macdonald, convinced, set aside twenty six square kilometers for the Banff Hot Springs Reserve by order-in-council on 6 June 1885.¹⁵ Two years later, on 23 June 1887, Parliament passed the *Rocky Mountains Park Act*, establishing Rocky Mountains Park and expanding the original reserve to 674 square kilometers.

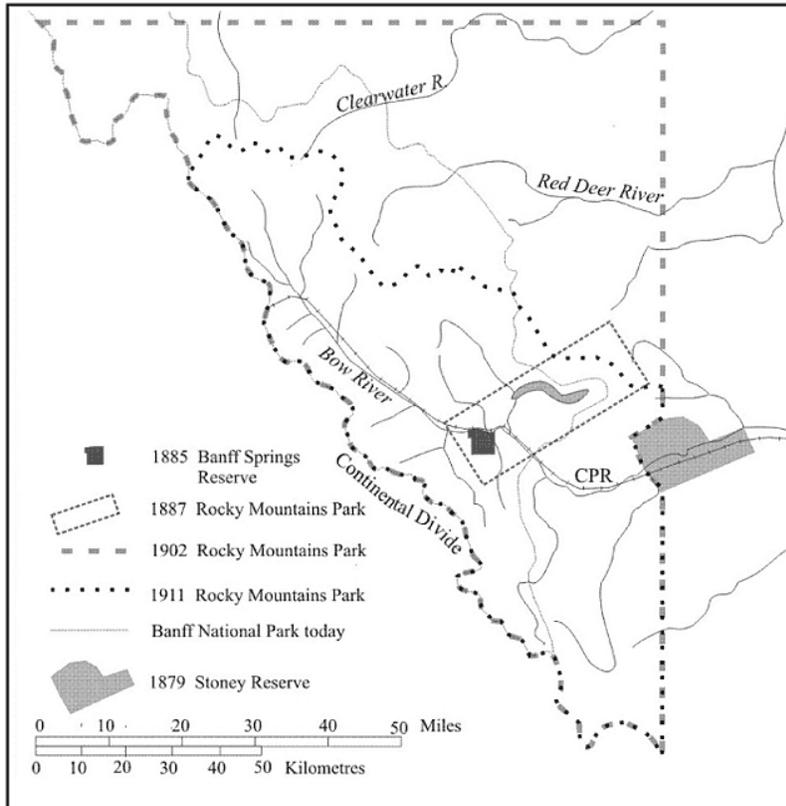


Figure 2.1: The changing boundaries of Rocky Mountains National Park to 1929 and the Morley reserve. From: Binnema and Niemi, "let the line be drawn now," 725.

¹⁴ Van Horne, the general manager of the CPR and then the President in 1888, was an amateur architect who helped plan the luxurious Banff Springs Hotel, which was completed in 1888 at a cost of over a quarter million dollars. John Hall, Secretary of the Department of the Interior, also travelled to the Hot Springs Reservation in Arkansas on a fact-finding mission in 1886 and wanted to recreate its success in Canada. For detailed histories of the Canadian parks system's early political and administrative history, see: Hart, *The Place of Bows*; W.F. Lothian, *A Brief History of Canada's National Parks* (Ottawa: Canadian Park Service, 1987) ; Robert W. Sandford, *Ecology & Wonder in the Canadian Rocky Mountain Parks World Heritage Site* (Edmonton: AU Press, 2010); Sid Marty, *A Grand and Fabulous Notion* (Toronto: NC Press Limited), 1984; C.J. Taylor, *Negotiating the Past: The Making of Canada's National History Parks and Sites* (Montreal: McGill-Queen's University Press, 1990). E.J. Hart has also written on the CPR's development of its tourist market in *The Selling of Canada: The CPR and the Beginnings of Canadian Tourism* (Banff: Altitude Publishing, 1983).

¹⁵ While the Cave and Basin Hot Springs Reserve, created by Order in Council on 12 November 1885, has been immortalized in park discourse as Canada's first national park, there were other protected area designations created a month prior to the Cave and Basin legislation encompassing four places. These included: a park at Mount Stephen, a reservation in the vicinity of Mount Sir Donald, an area in Eagle Pass, and the amphitheater at the summit of the Selkirk Mountains.

While economics provided the impetus for the CPR to lobby for a park, and Macdonald's vision of nation building provided government support for the CPR, a number of parallel intellectual movements ensured Banff would have a steady supply of visitors to what was essentially an out-of-the-way place. An atmosphere of romantic nature conservation and belief in one's spiritual self-renewal in "nature," which included the curative powers of hot springs, grew in popularity along the eastern seaboard of the United States as well as within Ontario. Elite, upper- and middle-class white tourists from Eastern Canada, New England, and Europe were willing to pay substantial sums for these experiences, that as often as not also included "conquering" the wild through the sport of "game" hunting or mountain climbing. As Tina Loo has observed of the same movement in British Columbia, game hunting and conservation were integral to contemporary conceptions of male power, virility and "bourgeois masculinity." "Wilderness" excursions were also popularized because of urbanization. Anti-modernists believed that cities were dampening the human spirit, especially that of men; the over-civilized man had lost his manliness and become feminine, but he could repossess that masculinity through "savage" and "aggressive" pursuits such as hunting and warfare.¹⁶ Indeed, Matt Cartmill argues big game hunting came to symbolize Europe's – foremost of all the British Empire's – hegemony. It was also no coincidence that a strengthening belief in Social Darwinism – that nature was unforgiving and only the strongest survived – pervaded the elite's ideology at the time.¹⁷ If Europe, and by extension the other great Anglo-Saxon states, including the United States and the Canadian Dominion, were to maintain and buttress their hegemony, it was imperative that they remain invigorated in a "manly" manner that had allowed Western Europeans and their descendants to dominate the globe. Governments of these Anglo-Saxon nations thus felt themselves obliged to ensure wilderness escapes where men could revitalize their own, and by extension their race and nation's, virility. Theodore (Teddy) Roosevelt, who arguably did more to create protected areas in the United States than any other president and who

¹⁶ Tina Loo, "Of Moose and Men: Hunting for Masculinities in the Far West," *Western Historical Quarterly* 32.3 (2001): 297.

¹⁷ Matt Cartmill, *A View to Death in the Morning: Hunting and Nature Through History* (Cambridge: Harvard University Press, 1993), 134-160. See also: Douglas Brinkley, *The Wilderness Warrior: Theodore Roosevelt and the Crusade for America* (New York: Harper Perennial, 2009); Anne McClintock, *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest* (New York: Routledge 1995); John M. MacKenzie, *The Empire of Nature: Hunting, Conservation and British Imperialism* (Manchester: Manchester University Press, 1988); Londa Schiebinger, *Nature's Body: Gender in the Making of Modern Science* (Boston: Beacon Press, 1993); and Gail Bederman, *Manliness and Civilization: A Cultural History of Gender and Race in the United States, 1880-1917* (Chicago: The University of Chicago Press, 1995).

hunted in the Rockies and visited Banff, epitomized this entwined ideology of, borrowing from Gail Bederman, “manliness and civilization.” Many within Canada, too, were firm believers in Victorian and Social Darwinist values.¹⁸ They also ascribed to the belief in the restorative powers of hot springs and, in Banff, the majestic aesthetic in which they were situated.

The designation of the Hot Springs Reserve and then the National Park, situated in the above paradigm, completely altered the lens through which government, those dependent upon the park’s image and ideology for their income, and visitors viewed human-environmental interactions in the area. Leslie Bella, Paul Kopas and other historians of Canada’s national parks have long demonstrated, and criticized, the fact that resource extraction was encouraged in these spaces until at least the 1920s.¹⁹ Human activity that was perceived to discourage wealthy tourists from visiting, however, was challenged if not altogether disallowed. Such challenges usually targeted activities considered to be exclusive to the lower classes and races/ethnicities – groups of people believed incapable of “properly” appreciating nature. For example, Bella describes how the CPR, in a “politics of exclusion,” sought to prohibit “roughs,” gamblers, “improper female characters,” and saloon keepers from establishing themselves within the park’s boundaries.²⁰ “Poaching,” too, was considered an act that unrespectable peoples perpetrated.²¹ The park’s earliest Superintendents and Forest Rangers complained of locals, especially hotel employees, disregarding park rules and sabotaging wildlife management programs through their

¹⁸ Richard Gwyn, *Nation Maker: Sir John A. Macdonald: His Life, Our Times, Volume Two: 1867-1891* (Toronto: Random House Canada, 2011), 31-2; and Neil S. Forkey, *Canadians and the Natural Environment to the Twenty-First Century* (Toronto: University of Toronto Press, 2012), 70-1.

¹⁹ For example, mines at Anthracite and Bankhead operated from 1886 to 1904 and 1903 to 1922 respectively. See: Ben Gadd, *Bankhead: The Twenty Year Town* (Banff: Canadian Parks Service, 1989). Despite these projects, Christopher Armstrong, Matthew Evenden and H.V. Nelles include a multitude of examples throughout *The River Returns* whereby park officials rejected “development,” such as hydro-dams, within the National Park’s boundaries for fear of such activities ruining the park’s aesthetics.

²⁰ Bella, *Parks for Profit*, 18. Local Banff historian E.J. Hart notes that there existed a large gulf between the Banff Springs Hotel and the townspeople of Banff; many of the lower class never even entered the upper-class resort. Hart, *The Place of Bows*, 279-304. Karen Dubinsky notes a similar process of race, class and gender-based exclusion in her discussion of Niagara Falls. See: *The Second Greatest Disappointment: Honeymooning and Tourism at Niagara Falls* (New Brunswick, N.J.: Rutgers University Press, 1999).

²¹ This view of poachers was certainly not limited to Banff, but was perpetuated amongst the elite of those in the British Empire as well as in the United States. See: Greg Gillespie, *Hunting for Empire: Narrative of Sport in Rupert’s Land, 1840-70* (Vancouver: UBC Press, 2007); Karl Jacoby, *Crimes Against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation* (Berkeley: University of California Press, 2001); and Louis S. Warren, *The Hunter’s Game: Poachers and Conservationists in Twentieth-Century America* (New Haven and London: Yale University Press, 1997).

ignorance.²² Norman Luxton, one of Banff's earliest residents, a guide outfitter, and eventually one of Banff's most successful businessmen, opined the very attitude that the park administration loathed, remembering:

When I first came to Banff to live forty years ago, poaching the odd animal was not looked upon as a very serious offence [among locals] and the fellow that wanted a piece of wild meat got it at the most convenient place he could find, in the back lane or on the side of the mountain... Possibly a hundred or two [deer and sheep] were killed every year by residents of Bankhead, Anthracite, Canmore, and Banff.²³

This negative view of both poaching and the "lower class" would last long into the twentieth century. Dominion Parks Branch tourist brochures would reflect it was the coal miners – especially those on strike – who ruined the countryside by using it as a "meal ticket," even catching fish using dynamite, a seriously unsportsmanlike offense.²⁴ A *Crag and Canyon* article titled, "'Foreign Peril' In Banff: Has Become a Menace to the Future of the Park," described how English-speaking labourers were being undercut by Southern European immigrants. Such a situation, the newspaper worried, would destroy Banff's tourist appeal to upper-class, white, respectable people: "Banff will soon be a byword and a place to be shunned and avoided by the better class of tourists. No respectable person will occupy a cottage with a gang of ill-smelling, jabbering, indecent-acting, unwashing foreigners, making the nights hideous by drunken carousings, for next door neighbors."²⁵ While park officials and other conservationists feared the activities of the park's labouring classes, they were also greatly concerned by Aboriginal activities.

Park policies disrupted long-established Native-newcomer, and Native-Native socio-political structures. Prior to the park's creation, the Native-newcomer relationship since

²² Hunting was, at first, legal within park boundaries. After 1890, however, park regulations forbade hunting any game except "predatory species" within the park. See: Robert J. Burns, *Guardians of the Wild: A History of the Warden Service of Canada's National Parks* (Calgary: University of Calgary Press, 2000), 2-3.

²³ Norman Luxton, "Predatory Conditions 1902-1943." Whyte Museum of the Canadian Rockies (hereafter WMCR), Luxton Family Fonds Lux/I/D4-9.

²⁴ Dominion Parks Branch of the Department of the Interior, "Classified Guide to Fish and Their Habitat in the Rocky Mountains Park," (Ottawa. 1913). During discussions to expand the park, one government official observed that the public would simply ignore any boundaries drawn "unnecessarily broad." Lyndewode Pereira, Assistant Secretary, to Geo. A. Stewart, Superintendent, Rocky Mountains Park. 25 November 1894. Library and Archives Canada (hereafter LAC), RG 15, vol. 712, f. 364640.

²⁵ No author, "The 'Foreign Peril' in Banff: Has Become a Menace to the Future of the Park," *Banff Crag and Canyon*, 10 January 1914, 1. Other xenophobic articles argued along similar lines, calling for Banff to remain a white, Anglo Saxon place despite the rhetoric of the park being the playground of all Canadians. For example see: No author, "Is This a White Man's Town? Or are Ignorant and Vicious Foreigners to Dominate?" See: *Crag and Canyon*, 25 October 1913, 1.

Europeans had arrived in the 1700s had arguably been one of mutual accommodation via the fur trade. Moreover, many different Aboriginal groups had both shared and fought over this space for hunting and habitation for millennia.²⁶ Nonetheless, park officials and businessmen called for blanket restrictions for Indians initially within and then later beyond park boundaries. Native identities were simultaneously reduced to that of unacceptable hunters because of their race, and conflated into natural menaces along with other “predator” species. W.F. Whitcher, a biologist sent to Banff by the Department of the Interior to report on the condition of wildlife conservation in the Rocky Mountains in 1886, reported that, “...large game and fish, once various and plentiful in this mountainous region, are now scattered and comparatively scarce. Skin-hunters, dynamiters and netters, *with* Indians, wolves, and foxes, have committed sad havoc.”²⁷ Whitcher prophesized imminent wildlife extinction and Banff’s subsequent decline as an upper class tourist destination.²⁸ The Department of the Interior also asked the Police Commissioner, a Mr. Herchmer, to report on the conservationist condition. Herchmer responded, either naively or dishonestly, that he was “almost certain that no big game has been killed within the park limits during the existence of the regulations by white men,” but to protect the game thoroughly, the park needed to be enlarged and the “Indians kept out.” Herchmer also blamed two white dealers in Banff, a Mr. Fear and Tom Wilson, who were buying the heads of game from the Indians and employing the Indians to hunt for them.²⁹ “It was the Stoney Indians,” he concluded,

who are constantly passing through the park, and frequent parts not frequented by white men; these Indians, there is no doubt, kill everything that they can find in or out of season, they are exterminating all kinds of game in the Mountains, and until

²⁶ Many Aboriginal groups claimed the area that would become Banff National Park. The Kootenay (or Ktunaxa) to the southwest, the Secwepemc from the west and the Shuswap from the north would all migrate here to trade and hunt. From the east, Crees and Blackfoot and the Stoney would frequent the Bow River Valley. For histories of the Aboriginal occupation of this area see: Hugh A. Dempsey, *Indians of the Rocky Mountain Parks* (Calgary: Fifth House, 1998), 41, 65; Binnema and Niemi, “‘let the line be drawn now,’ 2; Theodore Binnema, *Common and Contested Ground: A Human and Environmental History of the Northwestern Plains* (Toronto: University of Toronto Press, 2004), and Christopher Armstrong, Matthew Evenden, and H.V. Nelles, *The River Returns: An Environmental History of the Bow* (Montreal: McGill-Queen’s University Press, 2009), 24-5 . Rev. John McDougall also discusses this history based upon his interaction with the Stoney. See: John McDougall to W.B. Crawson, 21 November 1889, Glenbow Library and Archives (hereafter GLA), John McDougall Fonds, M729, f. 49.

²⁷ Italics added. “The Indians,” Whitcher added, “have this season still further diminished [the] fragmentary bands [of] wary mountain sheep and stupid goats.” Whitcher continued, however, that while Indians killed game, and also were “improviden[t]” fishers, it was ultimately, “The rapid settlement now progressing in that vicinity” which would deplete the wildlife population. See: W.F. Whitcher to Thomas White, Minister of the Interior, 31 December 1886. LAC, RG 84, vol. 7, f. R300Pt1.

²⁸ Whitcher to White, 31 December 1886, LAC, RG 84, vol. 7, f. R300Pt1.

²⁹ A.M. Burgess, Deputy Minister Interior to Hayter Reed, Deputy Superintendent General of Indian Affairs, Ottawa, 31 May 1895. LAC, RG 10, vol. 3796, f. 47,441-2.

they are compelled to keep out of the park altogether, and remain on their Reserve during the close season, it is quite impossible to preserve game...³⁰

Herchmer concluded, without a hint of acknowledging the irony, that the park was intended to serve as a recreation ground for all the people of Canada.

Manly Banff: The Virile Sport Hunter's Paradise

As Banff's popularity as a sport hunter's paradise grew, so would the long-lasting Stoney reputation for being *the* mountain people and *the* foremost hunters – both stereotypes they would deploy for their own gain. However, such identities also ensured they were *the* most heavily targeted group for conservationist discourse and for conservation enforcement and restriction. While both park personnel and sportsmen, including hunting guides and outfitters, regarded non-Native “poachers” with disdain, they were both awed by and jealous of what they perceived to be the special relationship the Stoney shared with the environment. These visitors to Banff exhibited what Robert Young has termed a “dialectic of attraction and repulsion” between colonizer and colonized.³¹ Sportsmen and colonial outsiders desired to possess the hunting prowess of Natives while simultaneously believing that such characteristics were a threat to civilization. According to Social Darwinism's “survival of the fittest” standard of measurement, the Stoney, as extremely capable hunters and survivalists, could claim to be more masculine than white, upper-class men.

Sport hunters and conservationists thus had to denigrate the Stoney. They did this by emphasizing the Stoney's unsportsmanlike and uncivilized mercilessness; it was only civilized men who could exercise restraint. Consequently the Stoney were a race who needed to be restrained lest they ruin forever the very environment idealized as an Anglo-Saxon fountain of youth. Colonel Philip Moore was one of the most vocal opponents of the Stoney. Son of wealthy American distillers, outdoorsman, an ardent collector of Native artefacts, and one of Banff's premier hunting guides who hired Aboriginal employees and befriended many Stoney, Moore

³⁰ A.M. Burgess, Deputy Minister Interior. to Hayter Reed, Deputy Superintendent General of Indian Affairs, Ottawa, 31 May 1895. LAC, RG10, vol. 3796, f. 47,441-2.

³¹ Though Robert Young discusses this attraction/repulsion in terms of sexuality, I believe it can equally be applied here. Moreover, the very act of hunting has been, as will be noted later, deconstructed as being a sexual act. See: *Colonial Desire: Hybridity in Theory, Culture, and Race* (London and New York: Routledge, 1995), 161, 175.

epitomized the ambivalent relationship between Natives and conservationist proponents.³² In a letter to Frank Oliver describing the “Indian” menace to game and to Banff, Moore first praised the Stoney: “An Indian of the Stony [sic] tribe is an incomparable hunter, patient & tireless & they seldom miss a shot. A track never escapes them & they can follow a trail over the bare rock.” But this skill made them all the more dangerous, a threat that needed to be tempered, for they used their talent inappropriately. The Stoney, Moore explained, made no distinction between game animals regarding sex, age or species. Moreover, after massacring “everything” they could, they then made their “squaws pack it down [from the mountain].”³³ According to the hunter’s code of ethics no self-respecting hunter would allow or force a woman to deal with the kill, nor would he kill female game or her young.³⁴

In another instance, Walter Wilcox, who visited the Rockies in 1896, wrote extensively on Native hunters. Like Moore, Wilcox was a member of the upper class. He was educated at Yale University and the books he published would influence many of his contemporaries on all matters, including his opinion of Natives. Wilcox praised the Stoney, commenting that their eyesight was far better than any white man’s, “equal to using a field glass naked.” He added that the Stoney attacked bears fearlessly and that they were “incomparable hunters.”³⁵ Yet he continued that the Stoney were a menace, killing off all moose, elk and deer. They “have been and are still inveterate hunters,” Wilcox wrote, “delighting in frequent expeditions into the mountains, where they engage in wholesale slaughter of big game.” “Fortunately,” he added, “they have been recently compelled to submit to certain [game] laws, which, if enforced for a few years, will make game much more plentiful.”³⁶

³² Moore, former Chief Fire and Game Guardian, along with Jim Brewster, his brother-in-law, were prosecuted in 1912 for killing mountain sheep within the park. See: *Guardians of the Wild*, 15. After Twin’s death in 1944, Moore even wrote a short obituary for Twin in Banff’s newspaper titled, “An Appreciation.” See: Philip Moore, “Appreciation of a Man,” *Banff Crag and Canyon*, 12 May 1944.

³³ Philip Moore to Frank Oliver, May 25, 1905. LAC, RG 10, vol. 6732, f. 420-2.

³⁴ Loo, “Of Moose and Men,” 307. This was, of course, not the first time in Canadian history where white men looked down upon Aboriginal men for their treatment of Aboriginal women. Fur traders, for example, also commented negatively upon Native men expecting Native women to pack and dress the kill. See: Sylvia Van Kirk, *Many Tender Ties: Women in Fur-Trade Society, 1670-1870* (Winnipeg: Watson & Dwyer, 1999).

³⁵ Walter Wilcox, *The Rockies of Canada: A Revised and Enlarged Edition of Camping in the Canadian Rockies* (Vancouver: Rocky Mountain Books, 2008), 183-184.

³⁶ Wilcox, *The Rockies of Canada*, 176. Hunter and photographer J.A. McAleenan also bemoaned the “dearth of animal life” he encountered while in the Rockies near Banff. He continued that a party of poaching “Stoney Indians have slaughtered them with ruthlessness of the savage.” See: *Hunting With Rifle and Camera in the Canadian Rockies*. (Journal). Printed 1916, 22. GLA.

Despite Wilcox's optimism, worry over inadequate conservation measures persisted and conservationists, including government officials, sought to expand the park's boundaries and its broader sphere of influence. Thomas (Tom) Wilson, a former CPR employee, was close friends with many Stoney, and a guide outfitter who capitalized on his ties to both the Native and non-Native communities.³⁷ Wilson reported to the Minister of the Interior in 1894 that the park's boundaries should be expanded and the Stoney restricted to one camp ground within it so they could be watched.³⁸ Park Superintendent George Stewart agreed with Wilson that the park's 420 square kilometers was too small.³⁹ While Rocky Mountains Park would not expand until 1902, when it did it ballooned to cover 11,400 square kilometers – far larger than it is today at 6,641 square kilometers – and the eastern boundary of the park suddenly butted against the western border of the Stoney reserve as a direct challenge to the Stoney hunters.⁴⁰ Nonetheless, the Department of the Interior continued to receive complaints from visiting sport hunters. Moreover, these letter writers even complained that the poor example of the Natives was corrupting white settlers even to the point that they were “emulating Indians,” in hunting without restraint and contrary to the law.⁴¹

This situation represented a potential commercial calamity for Banff's business elite, who perceived in “Indian” transgressions a direct challenge to both their commercial and racial standing. In his letter to Frank Oliver, for example, Moore complained that few sport hunters actually succeeded in their endeavours; they were not getting a reasonable chance to get a “head...a trophy worthy of being hung up & admired,” and, consequently, Banff would lose a significant sum each time a tourist “failed to arrive.”⁴² But the loss of a trophy, and of a potential return tourist, had a much deeper meaning than simple economics. Without securing a trophy,

³⁷ Stoney Chief John Snow would refer to Wilson in the 1970s as a “false friend” to the Stoney people. Snow's particular animosity towards Wilson stems from Wilson's alleged betrayal of the Stoney's friendship. Wilson's Stoney friends showed him where some of the best grazing land in the Rocky Mountain foothills could be found, after which Wilson secured exclusive grazing leases and objected to the Stoney keeping horses on the grass ranges, even erecting fences to keep them out. See: *These Mountains Are Our Sacred Places: The Story of the Stoney People* (Calgary: Fifth House, 2005), 109-111.

³⁸ Lyndewode Pereira, Assistant Secretary, to Geo. A. Stewart, Superintendent, Rocky Mountains Park, 25 November 1894. LAC, RG 15, vol. 712, f. 364640; and Thomas Wilson to Hon. J.M. Dalry, 28 August 1894, LAC, RG 15, vol. 712, f. 364640.

³⁹ Geo. A. Stewart to Secretary, Department of the Interior, 13 December 1895, LAC, RG 15, vol. 712, f. 389461.

⁴⁰ Another major factor in the park's expansion was to prevent other communities from outside of the park from “stealing” park revenue via establishing resorts of their own, and to protect more of the mountain country.

⁴¹ For examples, see: Madison Grant, Secretary, New York Zoological Society to Clifford Sifton, Minister of the Interior, 2 Dec 1903, LAC, RG 10, vol. 6732, f. 420-2; and A. Bryan Williams, *Game Trails in British Columbia: Big Game and Other Sport in the Wilds of British Columbia* (New York: Charles Scribner's Sons, 1925), WMCR.

⁴² Philip Moore to Frank Oliver, 25 May 1905, LAC, RG 10, vol. 6732, f. 420-2.

Moore continued, “[the sportsman’s] trip is a failure...& he lays himself open to the charge of being a poor sportsman.”⁴³ Big game hunting is, as Loo and others have observed, a highly sexualized activity, one where a man’s sexuality and status are put on display for other men and whereby “trophies” become the ultimate “symbols of male potency whose worth was gauged by size,” as well as shape.⁴⁴ In other words, Moore was complaining that a “sportsman” would leave Banff emasculated, a condition assumed to directly result from the Native who proved himself a far better hunter. To Moore and others, this, quite simply, was an unacceptable role reversal. Hunting, as John MacKenzie has noted, was not only supposed to be “a dominant pursuit of the elite but also an ethos to be respected and admired by subordinate social classes.”⁴⁵ The Stoney were thus upsetting a supposedly natural order, one only Canada’s government, as representative of the colonial order and Anglo-Saxon race, could maintain.

Game Guardians, a position created by the federal government at the insistence of Park Superintendent Stewart in 1887 and assumed by the Province of Alberta after its creation in 1905, let the Department of Indian Affairs (DIA) know of their displeasure frequently. While Game Guardians detested the “rushes” of settlers who were annihilating game populations, at least they could be arrested. The Stoney, however, were of a different sort that flouted their advantage. As one Game Guardian pleaded, “it is impossible to convict an Indian with the present Game Laws we have” because, as families hunted together, the Stoneys did not technically kill more than their limit per person. The Guardian continued that the problem was the Game Ordinance of 1890, which defined Indian women and children as “people.”⁴⁶ Game Guardians also emphasized the difference between sport hunters and Natives via the use of dogs. Though hunting with dogs, of course, has long been an activity associated with the upper class for centuries – fox hunting in England, for example – when the Stoney used dogs to flush out and track game it was reprehensible.⁴⁷ So fed up with the situation was one Game Guardian that he even repeatedly threatened to tender his resignation if any Natives hunted unobstructed and out

⁴³ Moore to Oliver, 25 May 1905, LAC, RG10, vol. 6732, f. 420-2.

⁴⁴ Loo, “Of Moose and Men,” 308. See also: MacKenzie, *The Empire of Nature*, 42-3.

⁴⁵ MacKenzie, *The Empire of Nature*, 23.

⁴⁶ R.H.A. Game Guardian, Didabury Alta, to Commissioner of Agriculture, Regina. 19 December 1902. LAC RG 10, vol. 6733, f. 420-2. Another Guardian, “J.N.W.,” complained that the “game laws are not and cannot be enforced while these people are allowed to leave their Reserve on very flimsy pretext.” See: J.N.W. Chief Game Guardian. “Memorandum: Infraction of Game Ordinance by Indians.” Regina. 6 January 1903, LAC, RG 10, Volume 6733, File 420-2.

⁴⁷ C.C. to Benj. Lawton, Chief Game Guardian. 26 December 1910, LAC, RG 10, vol. 6732, f. 420-2A. See also: E.R.B., Perisko, Alta, to Chief Game Guardian, Edmonton, 11 October 1910, RG 10, vol. 6732, f. 420-2A.

of season in his jurisdiction one more time. He added that it was impossible to rationalize the game laws to white hunters “when you turn an outfit of *natural hunters* loose on [game] three months before the open season.”⁴⁸ Game Guardians were tired of feeling impotent much as sport hunters resented being emasculated by a race of people over whom they were supposed to be superior.

The DIA, meanwhile, debated what to do with the Stoney who continued to act largely in accord with their own wishes. Theodore Binnema and Melanie Niemi argue that while some government officials, including those in the DIA “sometimes defended aboriginal hunting rights...they grew less likely to do so over time” and that most DIA officials supported hunting restrictions in order to “civilize” them.⁴⁹ The archival record, however, suggests the DIA was far more conflicted and, as demonstrated throughout the rest of this chapter, defended the Stoney more often than not until at least the mid-1930s. Though there were definitely a few DIA exceptions, those objecting to Stoney hunting often had a vested interest in the sport hunting industry themselves. For example, Binnema and Niemi rely mainly upon Howard Sibbald’s correspondence to prove DIA opposition to Stoney hunting. Sibbald, an Indian Agent at Morley, was also a hunter and outdoors enthusiast and he would become Banff’s first Chief Game Warden in 1909.⁵⁰ He lobbied his superiors within the DIA that it was important to restrict Native hunting in order to encourage American sportsmen to visit Banff each year, the income from which he estimated to be “enormous.”⁵¹ Another Indian Agent outside of the Morley district stated matter-of-factly that the Stoney were no doubt hunting big game because “responsible parties” of sportsmen in Calgary had told him so and he suggested that the Indians be forced to remain on their reserve and dealt with firmly.⁵² Overall, however, the DIA would implement restrictive measures only when pressured from outside agencies, and even then enforcement was lax at best.

The case study of the Stoney complicates the dominant Canadian historical narrative of colonialism and assimilation. More than anything else, the DIA sought to engage itself as little as

⁴⁸ Italics added for emphasis. H.R. to Chief Game Guardian, 14 August 1907, RG 10, vol. 6732, f. 420-2A; and H.R., to B. Lawton, 29 August 1908, LAC RG 10, vol. 6732, f. 420-2A.

⁴⁹ Binnema and Niemi, “let the line be drawn now,” 734.

⁵⁰ Howard E. Sibbald, Indian Agent, to Pedley, 23 December 1903, LAC, RG 10, vol. 6732, f. 420-2. Sibbald, however, had no qualms in purchasing mountain lion hides from the Stoney and then reselling them for a profit. For Sibbald’s involvement in purchasing skins from the Stoney, see: Norman Luxton, “Predatory Conditions, 1902-1943,” WMCR, Luxton Family Fonds, box Lux/I/D4-9.

⁵¹ Howard E. Sibbald, Indian Agent, to Pedley, 23 December 1903, LAC, RG 10, vol. 6732, f. 420-2.

⁵² A. J. to Pedley, 29 December 1903, LAC, RG 10, vol. 6732, f. 420-2.

possible in the issue of restricting Stoney hunting, and when it did the Department acted in many ways as the Stoney's ally, though most often an indecisive, internally conflicted and self-interested one. Economically, the Department benefitted most from the Stoney maintaining a hunting lifestyle and providing for themselves. In fact, the government cut the Stoney off rations except for the infirm and in emergencies in 1884, expecting the Stoney to provide for themselves through hunting and waged labour. Extra income generated from selling skins and trophy heads also marked, for some, progress towards the Stoney's integration into the capitalist economy and complemented the waged labour in which they engaged.⁵³ The Indian Commissioner of the Sarcee Agency, for example, suggested that the payment of the Indians' annuities in September was a mistake because at this time the Stoneys should not be on their reserve, but out hunting and finding employment with ranchers in the vicinity.⁵⁴ Many Indian Agents also recognized that the environment itself was unsuited to agriculture and so exceptions to the general policy of the "Bible and the plough" were necessary.⁵⁵ Though Indian Agents always promoted limited agriculture, they repeatedly recognized and explained to their superiors that the climate and the soil on the Morley reserve was unsuitable; agriculture could merely supplement the Stoney's other activities, not replace them.⁵⁶

When confronted by accusations of the Stoney hunting in the park or out of season, the DIA was sometimes willing to work with other government agencies in an attempt to resolve this issue; this was especially the case with park personnel. But, more often than not, Indian Agents simply resigned themselves to the fact that, in their estimation, the Stoney were impossible to control. But the Stoney's unremitting hunting created further fractures within Canadian colonial agencies. For example, after Indian Agent Palmer Grasse received notice that the North West Mounted Police (NWMP) alleged the Stoney were killing everything that they could find regardless of season and within the park, Grasse responded to his superior, Hayter Reed, that the Stoney assured him they did not break the rules, but if any did they should be arrested as they knew the consequences. Grasse ultimately admitted defeat, writing that there was little more he could do as surveillance proved impossible when the hunters were scattered throughout the

⁵³ See: J.P. Wadsworth, *Inspr. Indian Agencies*, to Indian Commissioner, Regina, 18 April 1889, LAC, RG10, vol. 3796, f. 47,441-2.

⁵⁴ S.B. Lewis, 8 October 1898, LAC, RG 10, vol.1641, reel C-14873.

⁵⁵ J.R. Miller uses this term to describe the general Canadian policy of Aboriginal assimilation via conversion to Christianity and to farming. See: *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, 3rd Edition (Toronto: University of Toronto Press, 2000).

⁵⁶ S.B. Lewis, 8 October 1898.

countryside.⁵⁷ Publicly, the DIA assured settlers, tourists and other government agents throughout the 1890s and into the twentieth century that the DIA was doing all it could to prevent the Indians from hunting within the park and elsewhere out of season. Yet Reed, ever searching for the option that was most expedient for the DIA, blatantly lied when he claimed that the DIA had no power to “compel Indians to remain on their Reserves” in response to repeated requests to do just that with the Stoney.⁵⁸

The DIA, concerned with its public and professional image as well as loath to relinquish any of its jurisdictional power, refuted and discredited the claims of sport hunters, guides and even other government officials. DIA officials unanimously agreed that Natives should not hunt in the National Park, but they also viewed allegations of mass slaughter and predictions of game extinction with scepticism. At times, they even blamed whites for preventing the Stoney from following the laws. After guide-outfitter kingpin James Brewster wrote to the *Vancouver Times* in 1906 claiming that the Stoney were eradicating game around Rocky Mountains Park, the local Indian Agent, T.J. Fleetham, completely discredited this information. “If Mr. Brewster, and his friends, or customers who support him in earning his living,” Fleetham wrote, “would respect the game laws, I think the Indians will be kept within bounds, but they must understand the latter know all about white people killing game during the close [season], a fact which cannot be disputed and winked at by the authorities.”⁵⁹ In many respects Fleetham was correct; the guide outfitters and merchants in Banff often flouted the game laws. In fact, the same year Brewster complained of Stoney hunting, he and with his associate Philip Moore, as well as Norman Luxton, another merchant in Banff, were all charged with breaking the game laws, having in their possession mountain sheep and goat heads and skins.⁶⁰ In response to a letter from a New

⁵⁷ P.L. Grasse to the Indian Commissioner, Regina. 15 June 1895, LAC, RG 10, vol. 3796, f. 47,441-2. For additional correspondence regarding this incident, see: A.M. Burgess, Deputy Minister Interior to Hayter Reed, Deputy Superintendent General of Indian Affairs, Ottawa, 31 May 1895, LAC, RG 10, vol. 3796, f. 47,441-2; Hayter Reed, Deputy Superintendent General of Indian Affairs to A.E. Forget, 6 June 1895, LAC, RG 10, vol. 3796, f. 47,441-2.

⁵⁸ Hayter Reed to A.M. Burgess 6 June 1895, LAC, RG 10, vol. 3796, f. 47,441-2. Of course, the Dominion Government had applied a “pass” system in areas of Treaty Four, Six, and Seven beginning in 1885 and lasting as late as the mid-1930s in some cases. See: Sarah Carter, “Controlling Indian Movement: The Pass System,” *NeWest Review* (May 1985): 8-9; and F. Laurie Barron, “The Indian Pass System in the Canadian West, 1882-1935,” *Prairie Forum* 13.1 (Spring 1988): 25-42.

⁵⁹ T.J. Fleetham, Indian Agent, to the Indian Commissioner, Winnipeg, 10 March 1906, LAC, RG 10, vol. 6732, f. 420-2.

⁶⁰ No author, “The Game Laws: Important Cases,” *Banff Crag and Canyon*, 14 July 1906, 4 and 7. Brewster Transport would continue to be charged and fined for breaking the game laws throughout the years. For examples, see: “Most Interesting Case Ever Tried at Banff Has Court Occupied,” *Crag and Canyon*, 18 September 1915, 1, 3;

York zoologist and sport hunter, Madison Grant, claiming much the same as Brewster, Frank Pedley, Deputy Superintendent General of Indian Affairs, ordered a report to be discreetly prepared investigating the extent of both Stoney and Kootenay hunting.⁶¹ Grant's criticism, however, was mostly met with incredulity, even amongst the NWMP. Mr. White, an officer, writing to Minister of the Interior Clifford Sifton, reported:

scientific men are apt to exaggerate...they always want to get specimen heads for themselves and do not hesitate to use the Indians in accomplishing their object – and yet they very seldom return from a hunting trip without raising the cry of ruthless slaughter by the poor Indian, who has the advantage of returning to a home plentifully supplied with more palatable food than Rocky Mountain big horn mutton.⁶²

One Indian Agent even reported that while the Indians might be breaking the law, they were “probably, if the full facts were known, the most law abiding.”⁶³ After digesting all the reports Indian Agents submitted regarding the matter, Pedley reported to Sifton that it was in fact clear the Stoney were hunting game out of season and in the park. Yet he recognized, and to some extent accepted, that the Stoney would resist any attempts to restrict their hunting.⁶⁴

Even while the DIA resented outsider criticisms of what it felt was its own business, the Department was, like conservationist interests, nonetheless embarrassed and frustrated by its impotence to control the Stoney. Writing to the Secretary of Indian Affairs, Indian Commissioner David Laird, perhaps unaware of the extent to which Indian Agents encouraged hunting off reserve in the past, admitted that while “everything done in our power [has been] done to keep the Stony Indians on their Reserve...*the Indians are born hunters*, and so far have ignored the wish of the Department conveyed to them through the local Indian Agent, to give up the chase and settle down upon the Reserve and take up cattle-raising and other industries as a means of self-support.”⁶⁵ Even when the Stoney were brought before the courts for killing out of

“Sensation Caused in Police Court,” *Crag and Canyon*, 4 September 1914, 4; “Lou Crosby Would a Shootin’ Go: First Time Park Regulations as to Confiscation of Entire Pack Train Enforced – Outfit Valued at \$1,000,” *Crag and Canyon*, 23 October 1915, 1; “Corrections in Sheep Killing,” *Crag and Canyon*, 27 May 1916, 1.

⁶¹ White (N.W.M.P) to Sifton, 9 December 1903, LAC RG 10, vol. 6732, f. 420-2. See also: Clifford Sifton to Mr. Pedley, 11 December 1903, LAC RG 10, vol. 6732, f. 420-2; and Frank Pedley to J.H. Gooderham, 18 December 1903, LAC, RG 10, vol. 6732, f. 420-2.

⁶² White (N.W.M.P) to Sifton, 9 December 1903, LAC, RG 10, vol. 6732, f. 420-2.

⁶³ Indian Agent Blackfoot Reserve to Pedley, 4 December 1903, LAC, RG 10, vol. 6732, f. 420-2.

⁶⁴ Frank Pedley to Clifford Sifton, 21 January 1904, LAC, RG 10, vol. 6732, f. 420-2.

⁶⁵ Italics added for emphasis. D. Laird, Indian commission, to J.D. McLean, Secretary of Indian Affairs, Winnipeg, 16 March 1906, LAC, RG 10, vol. 6732, f. 420-2. See also: D.L., Indian Commissioner to The Deputy Commissioner, Department of Agriculture, Regina, 14 January 1903, LAC, RG 10, vol. 6733, f. 420-2.

season, they simply pled guilty and paid the costs of the court and the magistrate trying the case, frustrating their opponents to no end.⁶⁶ Ultimately, then, the Stoney's actions created and reinforced fractures between the DIA and other government agents – a situation Homi Bhabha has argued necessarily arises out of any colonial situation – while simultaneously empowering themselves contrary to the structures arrayed against them.

The Stoney, the Park, and New Opportunities

Subaltern and postcolonial theorists have demonstrated that while colonization erases some opportunities, it also creates new ones. The situation in and around Rocky Mountains Park was no different. The CPR, for example, continued to employ Aboriginal people and many of the relationships with non-Natives formed through this work proved economically and socially fruitful thereafter. The Stoney also sold meat to the CPR, work camps, and to settlers, much to the irritation of their conservationist opponents. William Twin, a Stoney hunter and guide who spoke some English and was very knowledgeable of the Rockies, found opportunity in employment with the CPR, then assisted the Brewster family in starting their guide-outfitting and transport business, and worked for them often throughout his life, as would many other Aboriginal guides.⁶⁷ Indeed, even as sportsmen decried the savage, un-conservationist, un-sportsman-like ways of Natives, they nonetheless valued them if they could be controlled, utilized as a tool to ensure their own hunt was a success.

Enterprising Stoney could benefit economically from their reputation as exceptional hunters and mountain people.⁶⁸ “The Stony Indians,” one traveller through the Rockies described, “are the best men to employ as assistants in hunting in these mountains, as they are industrious hunters and experienced mountain climbers.”⁶⁹ According to popular sport hunter lore, “Indian” horses (“cayuses”) mimicked the traits of their Stoney masters and so were regarded as ideal for mountains and packing. Of course, connecting non-white males to their animals was part of the broader colonial discourse creating racial hierarchies. Nonetheless, the

⁶⁶ Assistant Commissioner, Regina, 17 November 1899, LAC RG 10, vol. 6733, f. 420-2.

⁶⁷ In fact, the Brewster brothers even used the reputation of the Indians as good hunters in their business, advertising that Indian guides were available “if desired.” See: E.J. Hart, *The Brewster Story: From Pack Train to Tour Bus* (Banff: EJH Literary Enterprises, Ltd., 1981), 10.

⁶⁸ WMCR, Chuck Millar Fonds, M313, f. 6 and f. 7. The Stoney continued to find employment throughout the first half of the twentieth century with guide outfitters. For oral recollections of this participation see: Interviews by Kreg O. Sky for “Guides and Outfitters of the Canadian Rockies Project,” 1983-4, WMCR.

⁶⁹ Frank Russel, *Explorations in the Far North: Being the Report of an Expedition Under the Auspices of the University of Iowa During the Years 1892, '93, and '94*. Iowa: State University of Iowa, 1898.

Stoney frequently rented or sold their horses to both visiting sport hunters as well as to outfitting businesses and made a tidy profit from it.⁷⁰ The park's rapid growth as a tourist magnet also provided an ever-increasing supply of customers to whom the Stoney sold Indian "curios." The Stoney also undermined the game laws in engaging in an insatiable black market for game heads and hides, many of which merchants in Banff purchased.⁷¹

The park also presented an opportunity for the Stoney to expand their hunting territory at the expense of other Aboriginal groups. As the Stoney had to avoid detection within the park when hunting, or skirt around it altogether, hunting parties crossed the Rockies with increasing frequency during the early 1890s into an area claimed by the Kootenay. In reprisal, the Kootenay crossed over to hunt in Stoney territory. The DIA, fearing an outbreak of hostilities, brokered an agreement between the two.⁷² Yet by all accounts the Stoney did not adhere to this agreement. Despite complaints from the Kootenay, the Windermere Game Protective Association in British Columbia, and British Columbia's Attorney General, the latter of whom explained that British Columbia's laws prevented Indians outside of the province from hunting there, the Stoney continued to hunt across the provincial border.⁷³

Finally, the Stoney used mimicry and mockery, emphasizing at one moment their desire to abide by colonial discourse and at other times their rejection of it, to consistently avoid complying with the game laws. After one Stoney was arrested for killing game, Chief Bears paw pleaded ignorance, implied that the Stoney wanted to abide by the law like everyone else, and asked for information regarding whether or not the Stoney were allowed to hunt since the matter was "unclear." Of course, the request proved moot since Bears paw later stated that the Stoney

⁷⁰ Visitors sometimes even competed over the Indian horses. See for examples: Mary Shaeffer, "Tepee life in the Northern Hills," manuscript, no date, in WMCR, Schaffer, Mary Fonds, M79/6.; and Pat Brewster, *Weathered Wood: Anecdotes and History of the Banff-Sunshine Area* (Banff: Crag and Canyon, 1977).

⁷¹ Norman Luxton, for example, bought Indian crafts from the Stoney and the Sarcee, as well as hides and heads. See: Laurie Meijer Drees, "Making Banff a Wild West: Norman Luxton, Indians, and Banff Tourism, 1902-1945," (MA Thesis, University of Calgary, 1991), 37.

⁷² Assistant Secretary to the Deputy Minister, "Re: Destruction of Game," 17 December 1903, LAC RG 10, vol. 6732, f. 420-2; and John L. Laurie, "Truce Between the Kootenays and Stonys," GLA, M56-22, f. "Laurie, John L. Completed Manuscripts and copies."

⁷³ Assistant Secretary to the Deputy Minister, "Re: Destruction of Game," 17 December 1903, LAC, RG 10, vol. 6732, f. 420-2. Continued hunting is evidenced by further complaints being received from the North West Mounted Police in 1902, 1903 and 1904. Some reports had the Stoney going as far as Fort Steele. See: White (N.W.M.P) to Sifton, 9 December 1903, LAC, RG 10, vol. 6732, f. 420-2. Moreover, Indian Agent Howard Sibbald reported that he had endeavored to keep the Stoney from crossing over into British Columbia, but they ignored his pleas. See: Assistant Secretary to Pedley, 7 June 1905, LAC, RG 10, vol. 6732, f. 420-2.

“did not want a law hindering them from killing game.”⁷⁴ Bears paw also claimed that the authorities were deceptive and that in this instance the “policeman had pretended to be acting in a friendly way but had deceived them” and had not warned the Stoney hunters days earlier that they would be arrested if they succeeded in the outing.⁷⁵ At the same time, the Stoney insisted that while they knew the game laws existed, Treaty 7 exempted them from these laws and so they acted accordingly. The Stoney were certainly correct in a sense. One of the articles of Treaty 7 stated: “And Her Majesty the Queen hereby agrees with Her said Indians, that they shall have right to pursue their vocations of hunting throughout the Tract surrendered as heretofore described.” In response to such infringements, the DIA would explain that the article also included the clause that this right was “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, trading or other purposes by Her Government of Canada; or by any of Her Majesty's subjects duly authorized therefore by the said Government.” Nonetheless, the Stoney would counter that they had understood the terms quite differently. Indian Agent Sibbald, for example, complained that he had tried to “explain the benefits to be derived from preserving the game, but...they say that when selling the country to the government they did not sell the game and cannot see why they should not be allowed to kill whenever they see fit.”⁷⁶ Game Guardians and sportsmen also frequently emphasized the Stoney’s difference, one Guardian complaining that the Stoney thought themselves, “a privileged class and who are allowed to wander around at their own sweet will.”⁷⁷ In a sense, the Game Guardian was correct; the Stoney continued to do what they wished, sometimes with and sometimes without the DIA’s support, even if continually harassed. As such, the Stoney disregarded the imposition of a new kind of colonial structure (that being the park and conservation) in favour of their own socio-economic and political prerogatives.

⁷⁴ Chief Bears paw to Indian Affairs, date illegible, LAC, RG10, vol. 3796, f. 47,441-2.

⁷⁵ The arrested Stoney, “Stephen Ryder,” claimed that when taken to prison a ball and chain was attached to him, and he denied knowing that the law forbade him to kill deer. Ibid.

⁷⁶ Sibbald, Indian Agent, to Pedley, 23 December 1903, LAC, RG 10, vol. 6732, f. 420-2. For another example of the Stoney explaining that their treaty rights either guaranteed their right to hunt or did not include any restrictions at all, see: Indian Agent Blackfoot Reserve, to Pedley, 4 December 1903, LAC, RG 10, vol. 6732, f. 420-2.

⁷⁷ J.N.W. Chief Game Guardian. “Memorandum: Infraction of Game Ordinance by Indians,” 6 January 1903, LAC, RG 10, vol. 6733, f. 420-2. See also: R.H.A., Game Guardian, Didabury, Alberta, to Commissioner of Agriculture, Regina. 19 December 1902, LAC, RG 10, vol. 6733, f. 420-2.

After Alberta was created in 1905, the Province quickly enacted its own game laws, amending them in 1907 to target the Stoney. Again, the Stoney responded with a mixture of mimicry and mockery, drawing on the same discourses of class and race inferiority, of assimilation, and even of recreation to seek room to manoeuvre in an increasingly colonized space. One lengthy petition in particular is worth repeating in its entirety for its richness in all these discursive strategies. In the first half of the petition the Stoney chiefs engage in clear mimicry emphasizing their position as subordinate “children” to the white state who must be given time and guidance to learn new “white” ways of living:

A new law has been made by the white chiefs at Edmonton. They tell us that we must not hunt the goat and sheep in the mountains; that we must not kill prairie chickens for all this year; and part of next year, that we must not kill more than one moose, one caribou, one deer; and that we must pay \$2.00 before we can hunt. Now, when we made a treaty with your chiefs, we understood that there would always be wild animals in the forest and the mountains. But the white men come every year more and more and our hunting grounds are covered with the houses and fences of white men. We are poor people. We do not learn how to get money, as white men do. We have much to learn. We are not so strong as the white men; and we need your help. Look upon us as poor people. Our agent tells us the laws that you make, and they are good. We try to keep the laws. Whatever the Government tells us to do, we try to do it, and it seems good to us. Our land within our boundaries is not very good. We cannot grow grain to feed us and we have not enough cattle to give us beef. We are people that cannot be strong without meat to eat and our cattle do not give us beef enough for all of us to eat. After treaty payment in the fall of every year, when our hay and the feed for our horses and cattle are all gathered, we like to hunt the deer, the sheep, and the goat that we may eat sweet meat. It is like a play time and holiday for us. At that time the meat of the wild animals is sweet to eat. We do not wish to hunt in summer for the meat is not good. Look kindly upon us, oh, white chiefs. Let us still hunt the game in the fall as our fathers did. We work hard, and make all the money we can and we buy what the white men eat, but sweeter to us than all, is the flesh of the wild animals. We try to keep all the laws but this is too hard for us. If you cannot let us hunt we will be very poor indeed. We do not believe that the Government at Edmonton wish to be hard on us, but we believe that they have not been told the truth about our needs. Listen to us white chiefs and look kindly upon us. We try to do as the agent tells us. We plant our crops of grain and vegetables and we see that it is good. We wish to be friendly to you, as we and our fathers have always been. We ask you to change this law that we may be allowed to hunt as our fathers did. Give us freedom to go into the mountains and the forests to look for meat of the wild animals, and the birds when our children ask us for it. We cannot hear them cry for food, and we are too poor to buy them meat. This is what all our people wish us to say to you. We shake hands with you.

Near the end of the petition, however, it became clear the Stoney were not the passive, complicit and colonized group the earlier rhetoric might have suggested. The change in tone from subordinate to superior and the demands made not only mocks the game laws themselves but clearly demonstrates that the previous passage and its tone were used consciously for political purposes. The Stoney, asserting their own “Otherness,” were, in fact, different from whites and deserved different laws:

We would like to have some man from our Reserve to talk to the white chiefs at Edmonton; when they make new laws so that they will know what we need, and so that they will not make laws that are hard on us. When you make laws for us, our agent listens to us and tells you what we think. But there is no man to speak for us at the Government at Edmonton. We think that when the white men keep us from hunting they should give us something else to make it easy for us to live. A great part of our living, we get by hunting. If we cannot hunt, give us meat instead. All of this country was ours and we gave it to the white men for very little, that we might show our friendship. Let the white men help us now, when our own land is not enough to provide food for us.⁷⁸

Of course, the Stoney had no intention of following the law; they were simply paying lip service to what they thought the government wanted to hear as well as letting their own displeasure be known. The Stoney continued to hunt regardless of the *Game Act*, much to the chagrin of the Province, sport hunters, Game Guardians and a growing number of popular conservationist organizations.

By the end of the twentieth century’s first decade, both the Province of Alberta and its Game Guardians, despite its intensive conservationist war against the Stoney, were at a loss. The DIA, too, had all but admitted defeat when it came to restricting the Stoney. After Howard Sibbald, now Chief Game Guardian, charged several Stoney with infractions of the provincial Game Laws in 1910, the Stoney chose to contest the arrest’s legality in court. Everyone arrayed against the Stoney, as well as the DIA, believed that the court would finally put an end to the quarter-century long conflict. “I think it is only fair to [the] Indians” the Indian Agent at Morley, T.L. Fleetham, wrote, “that this matter should be finally settled, as they believe according to Treaty 7 they are still entitled to hunt in unsettled parts of the province.” Consequently, he continued, the DIA should pay for a lawyer to represent the Stoney, but only because it made economic sense to have this issue permanently settled and to subjugate the Stoney upstarts; the

⁷⁸ Chiefs Peter Wesley, Moses Bearspaw, and Councillors John Mark, Hector Crawler, and George Mclean, to the Government of Canada, 9 April 1907, LAC, RG 10, vol. 6732, f. 420-2.

DIA had zero confidence that the Stoney would win their case. As Fleetham explained: “now [that] these cases have been brought up, [the Stoney] will now understand again they must respect the laws of the Country either Dominion or Provincial...”⁷⁹ Anticipating the court’s verdict, he suggested that the Game Laws would need to be posted in both Cree and English and issued to every “Indian” on the Morley Reserve. What would occur, however, would completely shock everyone involved.

Justice C. A. Stuart, in the case of *Rex v. Stoney Joe*, argued that the federal government had every right to enforce restrictive legislation upon the Stoney. But he also ruled there *was* a serious flaw with both the federal and provincial position that the province’s Game Laws applied to the Indians.⁸⁰ While there was no doubt the Provincial government had included the Indians in its revised provincial *Game Act* (1907), Justice Stuart ruled that the Dominion needed to, in turn, legislate an Act stating that the provincial game laws “shall be binding upon Indians,” or the Superintendent General of Indian Affairs needed to, by public notice, declare that the provincial game laws were in force; neither of these measures had been taken. The Superintendent General, the Judge explained, had only ever applied the Game Ordinances of the North West Territories (1890) – not the provinces – to the Stoney, having done so in 1894, and so only the laws as written at that time applied to the Stoney. The conviction of the two Stoney men was thus “quashed” on what was really a minor legal technicality.⁸¹

Conservationists were in disarray, the Stoney were vindicated, and the DIA was, as ever and always, internally conflicted. Immediately after the verdict Fleetham, so assured of the game laws’ victory and the settling of the hunting issue, wrote simply to the Secretary of the DIA, “From this verdict, I presume, the Indians will continue their hunting in the unsettled parts of the country without license from the Alberta Government.”⁸² David Laird, Commissioner of Indian Affairs, ordered Indian Agents elsewhere in Alberta and Saskatchewan to keep silent on the matter, fearing that if certain bands there discovered the ruling’s implications, they, too, would

⁷⁹ T.L. Fleetham, Stony Agency, Morley, to Secretary, Department of Indian Affairs Ottawa, 27 June 1910, LAC, RG 10, vol. 6732, f. 420-2A.

⁸⁰ Chas. A. Stuart, J.S.C., judgment in *REX vs. Stoney Joe*, LAC, RG 10, vol. 6732, f. 420-2A.

⁸¹ T.L. Fleetham, Stony Agency, Morley, to Secretary Department of Indian Affairs, Ottawa, 27 June 1910, LAC RG 10, vol. 6732, f. 420-2A. For further detail of this case and its implications, see: Robin Irwin, “Not Like the Others: The Regulation of Indian Hunting and Fishing in Alberta,” in *Forging Alberta’s Constitutional Framework*, edited by Richard Connors and John M. Law (Edmonton, AB: University of Alberta Press, 2005), 237-266.

⁸² Fleetham to Secretary, Department of Indian Affairs, 26 October 1910, LAC, RG 10, vol. 6732, f. 420-2A.

choose to circumvent the law.⁸³ Game Guardians complained that they could take no action despite the fact that they knew the Stoney continued to violate the Game Laws, including selling meat to the mining and railway camps dotted throughout the area.⁸⁴ The structure of environmental colonialism was beginning to show serious fractures.

Colonial divisions became even more apparent as different government agencies challenged one another on how to proceed. Was it best to treat the Stoney as equals to whites, assuming *de facto* assimilation, or was it better to emphasize their ongoing difference from whites, and thus provide them with special accommodation as a means for them to bridge such gaps, as the Stoney repeatedly demanded? Surprisingly, the DIA chose the latter, at least for a time, while the Stoney's other opponents would emphasize the former. Rather than simply acquiescing to Alberta's demands that the DIA implement the provincial game laws as Justice Stuart suggested, the DIA delayed. Many officials at the DIA, some at the highest levels, encouraged greater respect for treaty rights, especially in light of the recent legal ruling. In 1911, the same year that the Rocky Mountains National Park was significantly reduced in size thus opening new territories for hunting, Frank Pedley wrote to Superintendent Frank Oliver with worry over Alberta's amended Game Laws which required everyone to purchase a big game license. "They are very stringent, and contain no exemptions in favour of Indians," he remarked, and continued that the Natives actually seemed to be "discriminated against by Section 19" which provided a discount for purchasing licenses only to farmers, a proviso that would "apply to very few [Stoney] Indians." Pedley continued that a big game license was very little privilege for an Aboriginal person since it permitted very few animals to be killed during the open season. He also argued that the Game Laws would bring the Natives down from one of the few positions of power they retained in a colonial society, and concluded that the DIA should defer applying the game laws to the Indian bands of the province.⁸⁵

Alberta refused to budge. The Province, not even a decade old, was insecure in its position in relation to the federal government as a power within their province and sought

⁸³ David Laird, Indian Commissioner, Memorandum for the Secretary, 1 December 1910, LAC, RG 10, vol. 6732, f. 420-2A.

⁸⁴ Benj. Lawton to J.D. McLean, the Secretary Department of Indian Affairs, 21 May 1913, LAC, RG 10, vol. 6732, f. 420-2A.

⁸⁵ Pedley to Oliver, "Game Laws as they relate to the Indians of Alberta," 20 May 1911, LAC, RG 10, vol. 6733, f. 420-2; and D. Laird, Indian Commissioner, to the Secretary, "Memorandum for the Secretary," 30 March 1911, LAC, RG 10, vol. 6732, f. 420-2A. See also: Pedley to Duncan Marshall, Minister of Agriculture, 7 June 1911, LAC, RG 10, vol. 6732, f. 420-2A.

foremost to build upon the sport hunting industry that the creation of the national park had established.⁸⁶ Government Ministers in Edmonton complained that big game was on the brink of extinction and the Chief Game Guardian refused to consider abolishing license fees for Indians. Doing so, he explained, would be unfeasible because it was “almost impossible for Game Guardians to distinguish between many of the Half-breeds and Indians.” Moreover, he continued, revealing the discursive strategy of emphasizing the Natives’ sameness when convenient, and thus their equality under the law: “Indians have been classified as *farmers*, and as such can obtain Big Game Licenses on [a refundable] payment of \$1.00.”⁸⁷ Finally, Lawton insisted, “I can assure you that as far as the government is concerned they [the Indians] will be treated fairly, taking into consideration the fact that *in years gone by* their source of livelihood was obtained from big game, game birds, and fur-bearing animals.”⁸⁸ J.D. McLean, Secretary of Indian Affairs, unconvinced and unimpressed with Lawton’s promises or his conflation of Native and non-Native farmers, responded to Lawton that “the Legislature of your Province is not acting very generously towards the Indians who were the original owners of their country... The Game Act as it now stands places the Indians in no better position than that of farmers residing on their land in the Province.”⁸⁹ Lawton became indignant. Similar to those arrayed against the Stoney before him, he turned to attacking the DIA’s lack of understanding of environmental change and using the Stoney’s reputation for their hunting prowess – now emphasizing their difference from whites – as a weapon. The game, Lawton stated, though without providing any evidence, “will have disappeared like the passenger pigeon and the buffalo... When you take into consideration that the Indians are excellent hunters.” Lawton then sought to persuade the DIA and allay any of their fears, writing, “Up to the present I do not think that this Department has been guilty of treating the Indians unfairly, and I can assure you that it is not my intention to treat any person, not even an Indian, unfairly in the future.” Lawton also relented and agreed to provide licenses

⁸⁶ While Alberta did not receive control over Crown lands until the Natural Resources Transfer Act in 1930, it was responsible for game management and hunting regulations, and quickly developed legislation to oversee this. In particular, the Province sought to restrict subsistence hunting north of fifty-five degrees latitude, while at the same time encouraging and developing the sport hunting industry in the south-western corner of the province. For further information, see: Irwin, “Not Like the Others.”

⁸⁷ Italics added. Chief Game Guardian Lawton to Frank Pedley, Deputy Superintendent General Indian Affairs, 28 March 1912, LAC, RG 10, vol. 6732, f. 420-2A.

⁸⁸ Italics added for emphasis. Chief Game Guardian Lawton to Frank Pedley, Deputy Superintendent General Indian Affairs, 28 March 1912, LAC, RG 10, vol. 6732, f. 420-2A.

⁸⁹ J.D. McLean to Benj. Lawton, 6 May 1912, LAC, RG 10, vol. 6732, f. 420-2A.

free of charge, “*for some years as least.*”⁹⁰ While many in the DIA remained unconvinced, others were swayed by both Lawton and, according to some DIA officials, the multitude of ongoing complaints against the Stoney. The DIA gave public notice in June 1914 that the Game Laws now applied to the Stoney Indians after resisting doing so for nearly four years.⁹¹

The Stoney, content to enjoy the relative freedom to hunt while the Province and the DIA’s attention was diverted, learned of the impending regulations prior to their enactment and so were forced to engage with them. Drawing on an ambivalent discourse that again mimicked the colonial discourse of assimilation and racial hierarchies by appearing to agree with it and then mocking the same by altering it to suit their own needs, the Stoney leaders repeatedly petitioned the DIA along similar lines to the letter of 1907. “We Chiefs and councillors of the Stoney tribe,” one of the longest letters began,

wish to ask for your support in respect to some changes, that seem are going to be made in the game laws, regarding us directly. It seems that the department of Indian Affairs is going to give out a proclamation which would put us under the same laws as those governing the white settlers. We understand that the country is changing from the old days, and have no doubt that we must change also our ways of living; but what we want is to have the change come slowly, not all at once. Our young men are leaving to work and live more and more like the white people, but we also see that many of our people are dying when taking up...the white people’s ways. Now we wish to be left to hunt and live our life at least part of the time and let us get into your ways little by little.⁹²

The petition continued with a rhetorical question that the DIA could not answer affirmatively, mocking, “How would the white people like to change from their way of living to the Indian way in a few years?” Finally, the petitioners called for the DIA to remember that the treaty their “old Chiefs” made with the “White Chiefs” assured them that their hunting rights “would be left unchanged.” Along this line of argument, they then sought not just to maintain the status quo, but to push the boundaries further in their favour using concepts of race to their advantage, arguing that they should be allowed to hunt further afield into places which were their “hunting grounds

⁹⁰ Lawton to McLean, 18 May 1912, LAC RG 10, vol. 6732, f. 420-2A; and Lawton to Duncan C. Scott, Deputy Superintendent General of Indian Affairs, 4 July 1914, LAC, RG 10, vol. 6732, f. 420-2A.

⁹¹ Superintendent General of Indian Affairs, “Public Notice of Laws Respecting Game in Force in the Province of Alberta to Apply to Stoney Indians,” 11 March 1914, LAC, RG 10, vol. 6732, f. 420-2A.

⁹² George MacLean, Peter Hunter, Tom Chininoquoich, Hector Crawler. Georgia MacLean, Peter Hector, Tom Chiniquy, Hector Crawler, David Bearspaw, John Dixon, Jonas Benjamin, to the Minister of Indian Affairs, 15 March 1914, LAC, RG 10, vol. 6732, f. 420-2A.

at the time of the treaty.”⁹³ Though ultimately unsuccessful in getting their demands met, as in 1907, the Stoney Chiefs would continue asking for exemptions and for the DIA to ease conservation restrictions throughout the First World War and beyond.⁹⁴ More importantly, their actions would continue to be directly responsible for the ongoing fission among colonial authorities.

Some in Indian Affairs responded disingenuously to these repeated Stoney requests, now deploying conservationist discourse as their own rhetorical tool. First, they drew on the prophecy of inevitable extinction that many in the Department continued to dismiss. “The Department is of the opinion,” J.D. McLean wrote to the Stoney, “that the time has now arrived when it is necessary in order to prevent the extermination of certain kinds of game...that the Stony [sic] Indians be brought under the provisions of the Provincial Game Laws.” McLean continued, with a mix of paternalism and the belief in the inherent inability of lower-class and non-white peoples to exercise restraint:

It must be recognized that there is no class to whom the preservation of game is of more importance than are the Indians, and that if precautions are not taken on their own behalf, that before many years all the large game will have disappeared as in the case of the buffalo...It is hoped that the Stoney Indians will recognize that the action taken is in their own interests and that [they] will be prepared to conform to the regulations relating to the preservation of game in the Province of Alberta.⁹⁵

Second, the DIA would wash its hands of responsibility for the Game Laws, deceptively telling the Stoney that the Dominion had neither a role in nor power over what the province did. Instead, McLean told the Stoney that they were fortunate to be granted free licenses to hunt. He insisted, despite the Stoney’s and DIA’s complaints throughout the years to the contrary, that, “The Provincial Game Guardians have shown a disposition to deal leniently with the Indians in the matter of their securing game for their own needs.”⁹⁶ Conservation rhetoric, then, was a tool that continued to be deployed from various quarters, though always in a manner justifying the Stoney’s subjugation.

⁹³ Ibid.

⁹⁴ During the First World War the Stoney asked the DIA to ease restrictions due to the added hardships that the wartime conditions were causing. See: George McLean, Chief of the Bears paw Band, Tom Chiniquy, Chief of the Chinique Band, and Peter Wesley, Chief of the Wesley Band, to D.C. Scott, 21 January 1915, LAC RG 10, vol. 6732, f. 420-2A.

⁹⁵ J.D. McLean to Stoney Chiefs, 8 April 1914, LAC, RG 10, vol. 6732, f. 420-2A. Frank Pedley responded in kind to the 1907 Stoney letter to the Minister of Indian Affairs. See: Frank Pedley, Deputy Superintendent General of Indian Affairs, to The Chiefs and Councillors, Stony Reserve, 27 April 1907, LAC, RG 10, vol. 6732, f. 420-2.

⁹⁶ J.D. McLean to Stony Chiefs, 1 February 1915, LAC RG 10, vol. 6732, f. 420-2A.

Others in the DIA felt differently from those above and local Indian Agents continued to defend the Stoney and to criticize the Province and its Game Wardens. J. Waddy, Morley's Indian Agent in 1915, was angered by what he regarded as a lack of compassion Game Guardians showed towards the Stoney in disallowing them to hunt for food, and complained to both the DIA and the province about what he saw as unnecessary viciousness towards the Stoney. The law, for example, required any Stoney who wanted to hunt while in "want of starvation" to draft a letter and apply to the Game Guardian at or Edmonton or Calgary – the latter being James Brewster who continued to grow rich from his outfitting and hunting business and who had himself been charged and found guilty of poaching in Banff's highest profile poaching case. Writing to Lawton directly, Waddy argued that by the time the proper correspondence had been completed, the Stoney individual would have starved. "Since I have been Agent here," he continued, "I have helped you in every possible manner, and I think the Indian Department deserves slightly better consideration from you than you seem willing to give."⁹⁷ Lawton refused to budge, and Waddy would complain to D.C. Scott that Lawton was a "pretty shifty individual [who] will not keep his word under any circumstances if it suits his purpose to change it." Waddy also echoed the Stoney Chiefs' repeated requests – that they be granted leniency – and he even suggested that the DIA repeal the public notice which brought the Stoney under the provincial *Game Act*.⁹⁸

Again, the Stoney were not willing to acquiesce; their promises of assimilation and of abiding by the law, made since the creation of Banff's hunting regulations, proved to be a mockery of the colonial system rather than the mimicry which the colonizers had envisioned. They continued to hunt, and the various conservation authorities within the Province, including an emergent multitude of conservationist associations composed largely of white sport hunters and wildlife biologists, continued to complain.⁹⁹ These complaints culminated in 1932 when the Stoney found themselves in another high profile court case. William Wesley was charged for hunting contrary to the game laws. N.B. Peacock, a former Indian Agent, lawyer and a well-known Indian rights advocate who believed the Stoney could and should regulate hunting

⁹⁷ J.D. McLean to J.W. Waddy, Indian Agent at Morley, 3 April 1915, LAC, RG 10, vol. 6732, f. 420-2; and J. Waddy to Lawton, 24 April 1915, LAC RG 10, vol. 6732, f. 420-2A.

⁹⁸ J. Waddy to D.C. Scott, 23 April 1915, LAC, RG 10, vol. 6732, f. 420-2A.

⁹⁹ For example, a local Advisory Board on Wild Life Protection, composed of academics desirous of preserving nature for "biological investigations," sent the minutes of their meeting to D.C. Scott, which included their distain at reports of the Stoney killing elk. See: Advisory Board on Wild Life protection, "Minutes," 12 January 1927, LAC, RG 10, vol. 6732, f. 420-2A.

themselves, took Wesley as a client.¹⁰⁰ Again, as in 1910, the Province and the broader settler society would be shocked at the outcome of *Rex. v. Wesley* (1932). Judge P.M. Saunders ultimately upheld the Stoney's right to hunt, though limited this right to hunting for food. Saunders ruled that the Natural Resources Transfer Agreement of 1930 between Alberta and the Dominion government explicitly stated that while Indians would be held accountable to the provincial game regulations, they were also assured the right to "hunt, trap or kill game or fish for food [in] unoccupied Crown lands."¹⁰¹ Alberta unsurprisingly launched an appeal, but lost this too. The appeal judge, Justice J.J. McGillvray, upheld Saunders' judgement, stating that Indians could ignore conservation measures in their entirety when hunting for food so long as they stayed on "unoccupied Crown land." "In turning over to Alberta the public domain of the province," McGillvray explained,

the Dominion has sought and the province has given an assurance which has been confirmed by the Imperial Parliament, that Indians hunting for food may kill all kinds of wild animals regardless of age or size, wherever they may be found on occupied Crown or other lands to which they may have access at all seasons of the year, and that they may hunt with dogs or otherwise as they see fit and that they need no license...to entitle them to do so.¹⁰²

Just as after the decision in *Rex. v. Stoney Joe* in 1910, all the fears of those campaigning against the Stoney were realized. The Stoney were now legally entitled to kill at any time, with hunting dogs, and to ignore the restrictions on killing the females or the young. While the Judge's decision at first seemed a victory for the Stoney as an event which empowered them within the colonial structure in which they found themselves, the restriction of hunting for food, and only being able to do so on "unoccupied" land, actually provided the Stoney's opponents with a tool to finally succeed in enforcing their order on the Stoney.¹⁰³

Provincial authorities intensified their efforts to subjugate the Stoney. Though the Stoney felt that, once again, the courts had upheld their interpretation of Treaty 7 and other promises from the Crown, their opponents launched a campaign to restrict these rights. The Province

¹⁰⁰ N.B. Peacock to Department of Indian Affairs, 1932, LAC, RG 10, vol. 6732, f. 420-2C.

¹⁰¹ No author, "Case Will Decide rights of Indians: New Light on Hunting and fishing Rules by Jurisdiction Change," *Ottawa Evening Journal*, 2 April 1932, LAC, RG 10, vol. 6732, f. 420-2A. Peacock tried to have two Indians present who were at the signing of the treaty in 1877 to show that under the treaty the Indians believed that they were permitted special hunting and fishing privileges, but Judge Saunders refused the request.

¹⁰² No author, "Appeal by Indian Upheld by Court: Tribes Have Unrestricted Right to Hunt Despite Alberta Game Act." *Montreal Gazette*, 8 June 1932, LAC, RG 10, vol. 6732, f. 420-2C.

¹⁰³ Once land was made a park or designated "grazing land," for example, it ceased to be "unoccupied" under the terms of the Natural Resources Transfer Agreement.

focused on curtailing any Stoney hunting activities that it could prove were commercial in nature and constantly harassed them. Provincial authorities also instructed Game Wardens to pressure the Stoney at every opportunity, and to call for assistance from the R.C.M.P. In one instance, the R.C.M.P. arrested George Soldier of the Morley Band for intent to sell muskrat skins. Soldier was loath to comply, especially after the previous judgement that had seemed in the Stoney's favour, and so, according to the police report, "defied [the police] to take him into custody," which they obliged using force.¹⁰⁴ Stoney individuals were also arrested and fined for killing elk and other big game.¹⁰⁵ Game Guardians and Forest Rangers had additional incentive to resist the courts' rulings. Alberta, in order to save money, only paid Game Guardians and Forest Rangers for seven months of the year, but also gave them exclusive hunting and trapping rights; the Stoney thus threatened their livelihood, much as Banff's outfitters continued to complain that the Stoney threatened theirs.¹⁰⁶

Conservationist groups also vehemently opposed the Stoney, the DIA and the courts. Though game organizations had operated since the turn of the century in this area, such groups exploded in popularity during the early 1920s and into the 1930s, spurred on by what they regarded as reckless Indian policies that threatened both Banff National Park and the surrounding areas, the latter of which just so happened to be their own favoured hunting locations.¹⁰⁷ Conservationist propaganda against the Stoney intensified to a level not before seen. It continued to be couched in the same classed, gendered and racialized rhetoric of the past half century: the Stoney were unecological savages who did untold damage to the natural environment – only

¹⁰⁴ L.D. Oliver, Const. "R.C.M.P Report Re: George Soldier – Morley Indian – Inf. Game Act Section 6," 4 May 1932, LAC, RG 10, vol. 6732, f. 420-2C.

¹⁰⁵ See, for examples: Christen Jungst, Supt. Commanding Southern Alberta District, "Police Report Re: Isaiah Two Youngmen, Stony Indian, Morley, Alta. Alberta Game Act," 21 December 1931, LAC, RG 10, vol. 6732, f. 420-2A; and H.J. Wilson, Assistant Deputy Attorney General to Deputy Supt. General Indian Affairs, 9 March 1932, LAC, RG 10, vol. 6732, f. 420-2A.

¹⁰⁶ Trap lines throughout the Bow River Forest Reserve, for example, were all claimed by Forest Rangers stationed there. DIA attempts to purchase those which came up for sale always failed because resident Forest Rangers were given the first opportunities of purchase. See: M. Christianson to Secretary, Department of Indian Affairs, 2 June 1936, LAC RG 10, vol. 6732, f. 420-2C; C. Jackson, Secretary, to N.B. Peacock, LAC, RG 10, vol. 6733, f. 420-2, LAC; and J.M.R. Iredale, Acting Indian Agent, to the Secretary Indian Affairs Branch, Ottawa, 28 February 1941, LAC, RG 10, vol. 6733, f. 420-2-2. Forest Rangers operating within the park, too, were in a position to abuse their station. One prospector, for example, complained to Canada's first Commissioner of Dominion Parks, J.B. Harkin, that Rangers killed game and other fur bearing animals in the park illegally, including trading them for whiskey. See: J.J. McGee to J.B. Harkin, 28 December 1930, LAC, RG84, vol. 7, f. B300pt3.

¹⁰⁷ For a celebratory history of the origins of these groups, and conservation in Alberta more generally, see: Federation of Alberta Naturalists and the Fish and Wildlife Historical Society, *Fish, Fur and Feathers: Fish and Wildlife Conservation in Alberta 1905-2005* (Altona, Manitoba: The Fish and Wildlife Historical Society and the Federation of Alberta Naturalists, 2005).

white sportsmen and naturalists could temper themselves and had the scientific ecological knowledge with which to manage game resources. The Alberta Fish and Game Association sent a lengthy letter to the DIA, incorrect in its appraisal and inflammatory in its hyperbole, which represents this viewpoint:

...the recent decision of the Alberta Appeal Court in the case of William Wesley... means that [Indians] can...break any game law in existence...As the Stoney are inveterate killers...you will appreciate the grave menace to our wild animal and wild bird life. The province will appeal this case to the Supreme Court of Canada and probably to the Privy Council, if necessary, but meanwhile, the damage will be done...An officer familiar with the Indians, their habits, their thoughts and actions [should be appointed to] represent your department in respect of reasonable conservation.”¹⁰⁸

Unsurprisingly, they knew just such a person: Hugh Miller, a former Indian Agent, “one of the finest all-round sportsmen in Canada, thoroughly equipped as an administrator and diplomat,” and a gentleman who could “provide splendid service...to the cause of conservation.”¹⁰⁹

Thomas Murphy, the Minister of the Interior, responded that the Department had no jurisdiction to appoint a conservation officer, and chastised the letter writer’s incorrect assumption that the Stoney were above the law. The Natives, he continued, according to Clause 12 of the Agreement between Canada and Alberta, could only hunt and trap for food; if game was killed “wantonly” then the Indians would fall under the Game Laws of the Province. “Therefore,” Murphy explained, “it seems that the Province is in a position to adequately protect its game resources owing to the restrictions quoted above.”¹¹⁰ Unconvinced by the Minister’s reply, the Alberta Fish and Game Association passed a resolution decrying the supposed – and again incorrect – legality of Indians to hunt in parks and protected areas at their leisure without fear of reprisal and to stop them from doing so “by any means that may be found to be available.” This included, ironically, a suggestion that Natives be provided with bison meat from annual culls in nearby national parks.¹¹¹

The Association kept its word to press the issue and lobbied various government departments with letters requesting action. Again, discourses of paternalism, extinction and game

¹⁰⁸ Old Kirkwold, President, Calgary Fish and Game Association, and C.A. Hayden, President, Canadian Fish and Game Protective Association to Hon. Thos. Murphy, Minister of the Interior, 22 June 1932, LAC, RG 10, vol. 6732, f. 420-2C.

¹⁰⁹ Ibid.

¹¹⁰ Thomas G. Murphy to Kirkwold, 30 August 1932, LAC, RG 10, vol. 6732, f. 420-2C.

¹¹¹ Alberta Fish and Game Protection Association, “Special Resolution #37,” 6 October 1933, LAC, RG 10, vol. 6732, f. 420-2C.

decline, and economics were interwoven into a general assault on the Stoney hunters that mirrored the campaign against them since the park's creation. The preservation and conservation of wildlife, one letter writer argued, is important for Natives most of all. Another conservationist group, the High River Fish and Game Protective League, blamed "so called 'white' men [for]... corrupting the Indians by purchasing from them meat and hides of animals which they have slaughtered."¹¹² Lower-class whites and Natives were usurping upper-class sportsmen who could no longer obtain "a fair return for their outlay by way of trophies etc."¹¹³ Finally, conservationist groups argued that the DIA neither understood nor cared about conservation.¹¹⁴

In reality, however, the problem never was one of environmental conservation, though conservationist groups and others certainly convinced themselves it was so. Despite ongoing Stoney hunting, conservation efforts allowed game populations to rise from their nadir at the turn of the century. These increases would have proceeded more quickly if sportsmen could have restrained their own need to hunt, a proposition that was met with much disdain. By the 1920s the Rocky Mountains Park culled elk, bison and other wildlife annually. Park employees further reported that booming game populations were filtering to outlying areas where hunting was permitted. The only wildlife which had declined, for the most part, was "predators," a result of conservationist beliefs that predators upset the balance of nature.¹¹⁵ This lack of predatory species in turn allowed other stocks to stretch, and sometimes exceed, the limits of their ecological niche's carrying capacities. In fact, without the Stoney continuing to hunt game animals, it seems likely the ecological problems would have been exacerbated.

Game extinction was thus a constructed threat. Only when upper-class, non-Native sportsmen could no longer prevent "Indians," as well as non-Native lower-class settlers and labourers, from unrestricted hunting did ecological declension form a plausible trope. These hunters threatened an idealized social order, one where the socio-economic and political balance would be upset much as if a peasant had hunted in the King's forest. The self-serving stance of

¹¹² Italics added for emphasis. "Resolution," submitted to Alberta Fish and Game Association from High River Fish and Game Protective League, 6 Oct 1934, LAC, RG 10, vol. 6732, f. 420-2C.

¹¹³ G.N. Sprago, Secretary-Treasurer of Alberta Fish and Game Association to Superintendent General of Indian Affairs, 6 February 1935, LAC, RG 10, vol. 6732, f. 420-2C.

¹¹⁴ George Sprago to A.F. MacKenzie, 11 July 1935, LAC, RG 10, vol. 6732, f. 420-2C.

¹¹⁵ See for examples: Report of Peyto, Fire and Game Warden, received 9 May 1924, LAC, RG 84, vol. 513, f. R210; J.B. Harkin to Superintendent, Banff National Park, 20 November 1930, LAC, RG 84, vol. 513, f. B299Pt4; R. J. Jennings, Superintendent, to W.B. Murray, Indian Agent, 20 October 1937, LAC, RG 84, vol. 513, f. B299Pt4; "Memorandum Re: Surplus Elk, Banff National Park," no date, LAC, RG 84, vol. 6, f. B299pt1; and K.B. Mitchell, Chief Park Warden, "Report on Elk Slaughter, Winter 1946-7," LAC, RG 84, vol. 6, f. B299pt2.

these conservationist associations was never made clearer than in 1930, when the Alberta Game Protection Association's members expressed outrage at Banff National Park's expansion into "their" hunting territory.¹¹⁶

Demonstrating characteristic fluidity in their rhetoric and position, the DIA countered these assaults upon the Natives' character in the 1920s and beyond. Tired of being accused by conservationists and the Province of disregarding their jurisdictional duty and of allowing environmental damage to go unchecked, as well as buoyed by court cases affirming the Stoney right to hunt, the DIA sought, as they did at the turn of the century, to reverse the accusation of game mismanagement by arguing that it was actually the white accusers who were the guilty parties. This time, however, the DIA also deployed the rhetoric of the Ecological Indian to further defend their position. In doing so they contradicted the DIA officials in 1914 who portrayed Natives as incapable of restraining their hunting activities. Now, instead of their racial background being a flaw, the Stoney's unique racial difference made them inherent stewards of natural resources, a position that they themselves promoted annually at Banff's Indian Days. The contest between conservationists and the DIA thus continued to be one based upon identity boundary maintenance.¹¹⁷ While the DIA agreed that Indians should be restricted from hunting for sport or commercial purposes,¹¹⁸ its officials labelled white sport hunters and other newcomers as the real threats to conservation. After one Game Warden complained he had received reports of Natives shooting moose and deer whenever they needed meat, for example, the DIA agent reported: "I had a good long friendly talk with him and advised him to leave them alone...these Indians are entitled to kill game for their own use...and I did not see any waste or excess meat in any camp."¹¹⁹ In another instance, after receiving ongoing complaints from the Alberta Fish and Game Association, Inspector of Indian Agencies M. Christianson expressed his belief that:

¹¹⁶ No author, "Gov't Curtails Hunting Ground in Banff Areas: Association Protests Move Will Cause Loss to Province," *The Calgary Herald*, 28 August 1930, LAC, RG 84, vol. 7, f. B300pt3. The Alberta Fish and Game Association also paid the park service to secure elk meat for their annual banquet. See: J. Smart to Superintendent, Banff National Park, 27 January 1942, LAC, RG 84, vol. 6, f. B299pt1.

¹¹⁷ This ecological Indian identity – equating Natives with Nature – was being reinforced each year during the Banff Indian Days by both non-Natives and Aboriginals. This is discussed in Chapter 3.

¹¹⁸ For examples see: A.F. MacKenzie, Secretary, to all the Indian Agents in the Prairie Provinces, 12 July 1932, LAC RG 10, vol. 6732, f. 420-2C; and R. Hinton to Secretary, Department of Indian Affairs, 22 August 1932, RG 10, vol. 6732, f. 420-2C.

¹¹⁹ Henry Stelfox to Mr. Christianson, 10 December 1932, LAC, RG 10, vol. 6732, f. 420-2C.

our Indians are the best Game Wardens in the country and I have often heard White men who are thoroughly conversant with this matter express this same opinion. Indians do not kill game *wantonly for sport*, but merely kill what is necessary for food, and no meat is wasted...no one living in the country is more anxious to preserve game than the Indians: When an Indian goes out trapping or hunting for big game, he only hunts for his immediate use, as he wants to *farm* both big game and fur-bearing animals; and the Indians all over the country, and especially in the North, are constantly bringing to my attention that the White trappers use snares, poison baits, etc., and are cleaning up the country of fur-bearing animals.¹²⁰

Christianson continued that, in response to the Game Association's accusation that there was "An alarming decrease in all game," he did not "share his opinion in this matter." "In fact," he continued, "I am under the impression that there is more big game in the province today than there has been for years." Christianson went on to blame "white people" for excessive game destruction.¹²¹ In another report, Christianson suggested that it was not the game which were disappearing, but the authentic Stoney hunter, with only a few good ones remaining on the Morley reserve.¹²²

The DIA also deployed the Ecological Indian rhetoric when seeking to secure the Stoney exclusive hunting zones. W.B. Murray, an Indian Agent in Morley in 1934, requested an area of land near the Morley Reserve that was a Forest Experiment Park to become an exclusive hunting, fishing and trapping area for the Stoney. "The game would last a long time," Murray argued, "as the Indians are not wanton killers; they only take enough for their immediate needs."¹²³ Peacock, in response to a radio address by the Minister of the Interior decrying the probable extinction of game across the Dominion, argued he had been trying to get the Alberta Government to set aside a certain areas recently removed from the Banff National Park after its boundaries changed in 1930 (see Figure 2.2) for the protection of the Natives. He explained the situation thus:

What actually takes place is...A white man gets a trapper's license. He traps and kills all the animals in his particular district; and in a year or two there are no wild animals left. He then moves onto the Indian's trapping line, and orders him off. Now, the

¹²⁰ Italics added for emphasis. M. Christianson to Secretary, Department of Indian Affairs, 5 March 1935, LAC, RG 10, vol. 6732, f. 420-2C.

¹²¹ M. Christianson to Secretary, Department of Indian Affairs, 5 March 1935, LAC, RG 10, vol. 6732, f. 420-2C.

¹²² M. Christianson to Doctor McGill, Report on Inspection of Stony Agency, 15 May 1936, LAC, RG 10, vol. 6732, f. 420-2C.

¹²³ The Assistant Deputy Minister of the Interior responded, however, that the Province had not relinquished control of the game, only the land, and so such a designation was impossible. W. B. Murray, Indian Agent, to the Secretary, Department of Indian Affairs, 15 November 1934, LAC, RG 10, vol. 6732, f. 420-2C; and M. Christianson, Inspector of Indian Agencies, Alberta Inspectorate, to Secretary DIA, 10 December 1934, LAC, RG 10, vol. 6732, f. 420-2C.

Indian will preserve the game if left unmolested, but when molested is liable to retaliate and kill whatever he can, as he realizes the white man will get the game if he does not.¹²⁴

Without a reserve set aside for the Natives, he rationalized, “we are not only to have a depletion of wild life, but the Indians are going to be in want.”¹²⁵ The Province of Alberta, completely uninterested in granting Indians special rights, dismissed these proposals and would continue to harass Native hunters throughout the twentieth, and into the twenty-first, centuries.¹²⁶

Native-Newcomer Relations in Banff and Beyond

Rocky Mountains Park was originally intended for upper-class tourists, including wealthy sportsmen, to enjoy. It was meant to be an island of colonized civilization amidst a sea of yet-to-be-colonized wilderness. “Undesirables,” including “Indians,” found themselves in many ways marginalized in this new structure. Though the Stoney were desired for their contributions to the economic growth of the park, and especially valued for their ability to assist sportsmen in affirming their manliness, they were simultaneously denigrated and chastised when they acted in any way which was perceived to unbalance the colonial and socio-economic structure in which the park was created. This desire to control the Stoney was made blatantly apparent when the park’s boundaries were expanded to abut the Stoney Reserve, a move made to overtly challenge the Stoney’s ongoing claims to their traditional hunting territories. However, the most important impact of Rocky Mountains Park was its ripple effect on the areas beyond its boundaries, a key aspect of park history that historians of North American national parks tend to ignore.

Conservation of game in the immediate area surrounding national parks in both Canada and the United States became the prism through which Native activities were viewed, through which government policy was created, and through which Aboriginal peoples would have to navigate if they were to have any power.

Conservationists and others actually expected the Stoney to accept – mimic – the sudden park restrictions and game laws as a necessary good. The Stoney did recognize the power that could come from mimicking colonial discourse and participating in the park’s economy; they especially capitalized on, and perpetuated, their reputations as superlative hunters and in doing

¹²⁴ N.B. Peacock to T.A. Crerar, Department of Indian Affairs, 26 February 1937, LAC RG 10, vol. 6733, f. 420-2.

¹²⁵ Ibid.

¹²⁶ For example see: Claudia Notzke, *Aboriginal People and Natural Resources in Canada* (Concord, ON: Captus Press, 1994), 115, 119.

so augmented the colonial structure within Rocky Mountains Park. As discussed in the next Chapter, the Stoney *en masse* travelled to Banff each year beginning in the 1890s to star in the Banff Indian Days, an event which for decades brought in more tourists (and tourist dollars) than any other single attraction in the park. Many Stoney even became life-long friends with some of the very sportsmen and outfitters who were most vocal in demanding hunting restrictions for the Stoney. Stoney individuals continued to work as hunting guides throughout the twentieth century. All these actions drew visitors to the park (visitors who expected to see wildlife and so condemned Stoney hunting) and helped to ensure the park's economic viability. Further, they also believed they were acting within the parameters of the law as they interpreted through Treaty 7. Yet the Stoney's mimicry was never far from mockery; if a restriction was placed upon them which they felt was unnecessary or unfair, they simply stated their acquiescence but acted according to their own social mores. This tactic succeeded so often because of fractures among colonial powers, divisions that then spread because of subsequent Stoney actions. Non-Native authorities could not agree on how best to restrain the Stoney, and they constantly expressed their frustration over the Stoney thwarting every attempt to convince them otherwise, whether via persuasion or coercion. But doing so had consequences. By allegedly threatening the integrity of the park and its surrounding area, and in frequently avoiding compliance with the attempts to constrict their actions, the Stoney posed a rebellious pocket – indeed, a very real menace – to colonial hegemony and the Canadian nation-building enterprise.

Perhaps most surprising in this history is the role the DIA played, especially considering its principal mandate of assimilation and its typical negative, one-dimensional portrayal in both popular and academic discourse. While the Stoney certainly had their fair share of long-standing disputes with the DIA,¹²⁷ when it came to hunting the Stoney had an ally, though it was an ambivalent one, tasked as it was with assuring Canada's colonial project progressed. Sport hunters and other conservationist groups, too, acted ambivalently towards the Stoney. As much as they were awed by the Stoney's hunting prowess, the Stoney also repulsed them because of the preconceived racist ideals sportsmen held. The Stoney threatened a host of gender, race and class hierarchies upon which the young Province of Alberta and the pastime of sport hunting, not to mention Canadian colonialism itself, were built. "Indians" could not be allowed to supersede

¹²⁷ Claudia Notzke, "Spatial and Landuse Change on Two Indian Reserves," in *Essays on the Historical Geography of the Canadian West: Regional Perspectives on the Settlement Process*, ed. L.A. Rosenvall and S.M. Evans (Calgary: University of Calgary Press, 1987), 95-121; and Snow, *These Mountains Are Our Sacred Places*.

the needs of Anglo-Saxon men, nor could they threaten regional economic development. As George Colpitts has observed, many in the West associated numbers of game animals with territorial wealth; the “Indians” could not be allowed to ruin Alberta’s potential.¹²⁸ After decades of maintaining their hunt, even if constantly impeded, few Stoney could depend upon subsistence hunting after *Rex v. Wesley*. They were increasingly pushed out of too many of their traditional hunting territories via increasing numbers of private property owners and other land designations, including parks and protected areas which made Crown lands “occupied.” The Stoney’s mimicry and mockery of colonial discourse that had served them so well since the creation of the park could not compete with the increasing number of colonizers to the region. But the Stoney would find new ways to interact with colonial society, and the relationships they forged would continue to be ambivalent.

¹²⁸ George Colpitts, “Wildlife Promotions, Western Canadian Boosterism, and the Conservation Movement, 1890-1914,” *American Review of Canadian Studies* 28.1/2 (Spring/Summer 1998): 105.

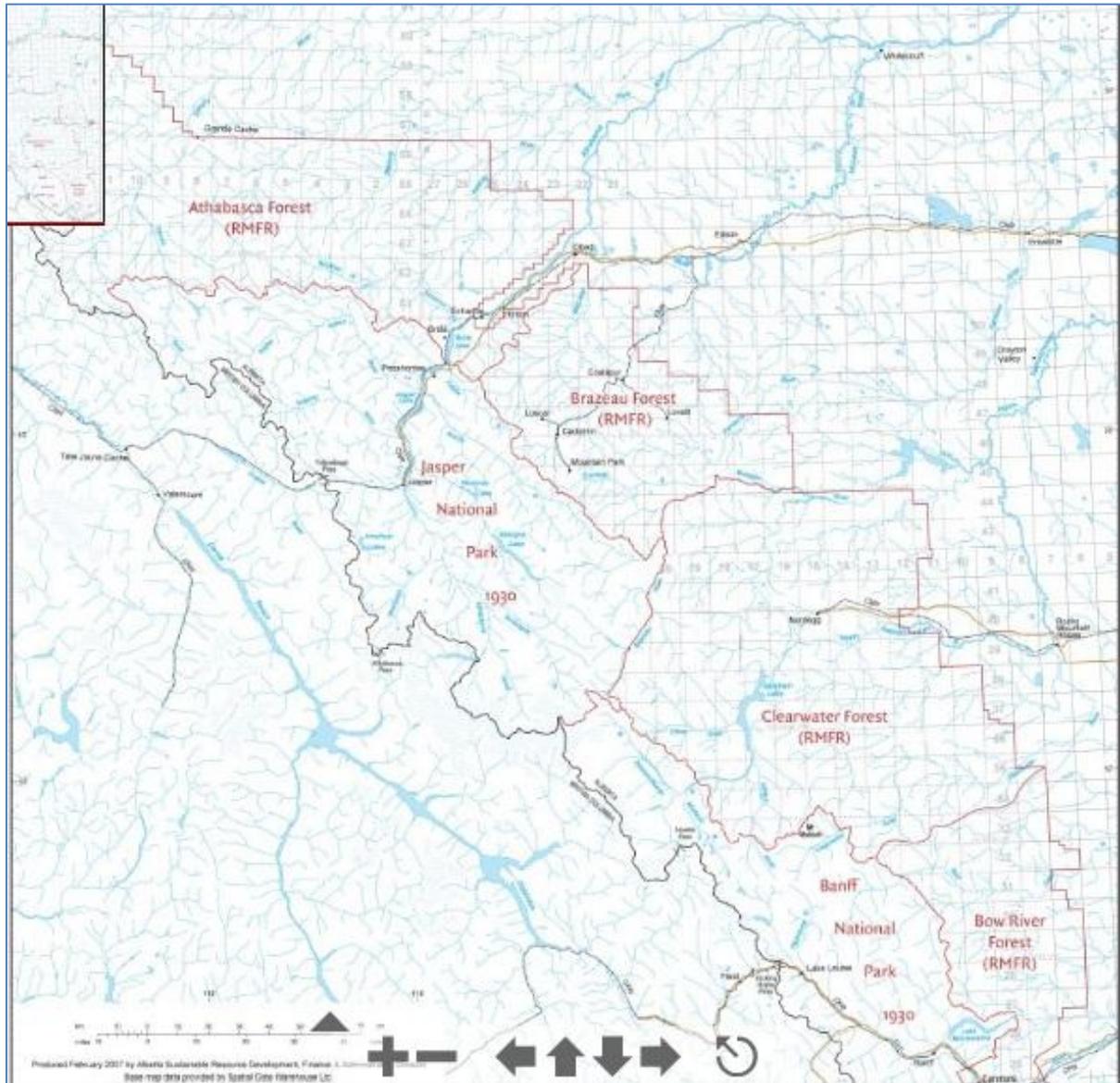


Figure 2.2: Banff National Park, 1930, and surrounding forest reserves. From: Ian McLaren, ed., “Map Addendum 3.6,” in *Culturing Wilderness in Jasper National Park* (Edmonton: University of Alberta Press, 2007).

- CHAPTER THREE -

Naturalizing Race Relations:
Spectacle and Environment at the Banff Indian Days

*As an Indian he is an object...of amazing unreality – but I ask you, what civilized human being is going to even bother to cross the street to look at another civilized human being? It would be ridiculous when all the tourist has to do is look at himself!*¹

Norman Luxton, Banff Indian Days Committee

Rocky Mountains (Banff) National Park is renowned for its many natural attractions. Sweeping mountain vistas, glaciers, clear lakes and abundant wildlife together form the core of park advertisements and tourist literature. From the 1890s through to the 1970s, however, one of the park’s greatest tourist draws would be cultural rather than natural. The Banff Indian Days reportedly drew crowds in the hundreds at its start and over ten thousand at its peak. The Indian Days involved a yearly, three to five day spectacle varying from a couple hundred to over one thousand Native participants from various First Nations, though the vast majority of these were

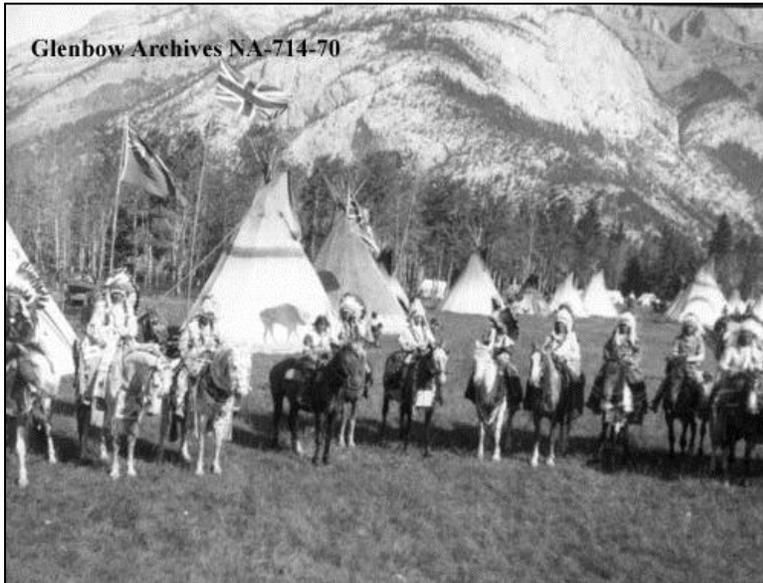


Figure 3.1: A group of Stoney pose for a picture at the Banff Indian Days in 1923. Photograph by Dan McCowan. Glenbow Archives NA-714-70.

Stoney travelling from the nearby Morley reserve. Once there, they would set up a tepee camp, decorate themselves in “traditional” regalia, and provide a scene that was, according to the event’s boosters, a glimpse into how “real” Indians lived “100 years ago.” Activities varied yearly, but mainstays included parades, sporting competitions such as archery and races, and drumming, singing, and dancing.

Popular historical narratives of the Banff Indian Days’ history have been overwhelmingly positive. Such descriptions have used this event as evidence of Aboriginal participation in, and

¹ “To the President and Members of the Banff Park Board of Trade,” no date, WMCR, Luxton Family Fonds, box LUX/I/D3a-2, f. 4 “Note for Banff Indian Days – Suggestions by N.K. Luxton – Year 1950 – July 20th to 23rd inclusive.”

support for, the Rocky Mountains National Park – evidence that the park’s residents and visitors treated Natives well.² While many of the individual relationships that emerged between Natives and newcomers were indeed long lasting and positive, uncritical narratives whitewash Banff’s colonial past by ignoring the fact residents and visitors effectively colonized Indigenous territory, lobbied for the prohibition of Aboriginal hunting and resource gathering activities within and outside of park boundaries, and used Aboriginal people for significant economic gain all while applauding the Stoney at the annual event.³

Rodeos, fairs, ethnographic expositions, and Wild West shows have captured the attention of social and cultural historians.⁴ Approaching their topic with a critical eye, these scholars situate such pageantry within processes of colonialism and nation building, of ethno-/Eurocentrism, and of the strategic deployment of Aboriginal identity by both Natives and newcomers to simultaneously challenge and maintain unequal race relations.⁵ The Banff Indian Days share many similarities with these other events and an analysis of the Indian Days can certainly be informed by this historiography. Yet the Indian Days differ from the vast majority of these other spectacles in one significant way: they occurred within a structure governed by an ideology of constructed wilderness and a discourse of nature preservation. While Raymond

² Banff’s newspaper, the *Crag and Canyon*, provides the greatest evidence for this. Patricia Parker, a non-Native Indian Days organizer, continued this portrayal in *The Feather and the Drum: The History of Banff Indian Days 1889-1978* (Calgary: Consolidated Communications: 1990).

³ For select examples of histories that appraise the Banff-Aboriginal history positively but do not discuss the Indian Days see: Pat Brewster, *Weathered Wood: Anecdotes and History of the Banff-Sunshine Area* (Banff: Banff Crag and Canyon, 1977); E.J. Hart, *The Brewster Story: From Pack Train to Tour Bus* (Banff: E.J.H. Literary Enterprises, 1981); Eleanor G. Luxton, *Banff: Canada’s First National Park* (Banff: Summerthought, 1975); Harriet Hartley Thomas, *From Barnacle to Banff*, 2nd ed (Calgary: Western Printing & Lithographing Co., 1945); and R.W. Sandford, *The Book of Banff: An Insider’s Guide to Being a Local in Banff* (Banff: The Friends of Banff National Park, 1994).

⁴ While Drees argues that the Indian Days represented a reincarnation of the Wild West Show, most Indian Days promotional material explicitly rejects this comparison. Drees, “Making Banff a Wild West: Norman Luxton, Indians, and Banff Tourism, 1902-1945,” (MA Thesis, University of Calgary, 1991); and Drees, “‘Indians’ Bygone Past,” 7-28; “Banff Indian Day July 18th & 19th,” *BCC* 12 July 1913, 3; “Future Indian Anniversaries,” *The Rocky Mountain Courier* 27 July 1917, 8; and “Banff’s 34th Indian Day Celebration July 22nd and 23rd,” *BCC*, 12 July 1924, 1.

⁵ For a small but representative selection of this historiography, see: Mary Ellen Kelm, “Riding Into Place: Contact Zones, Rodeo, and Hybridity in the Canadian West 1900-1970,” *Journal of the Canadian Historical Association* 18.1 (2007): 107-132; Raymond Corbey, “Ethnographic Showcases, 1870-1930,” *Cultural Anthropology* 8.3 (Aug. 1993): 338-369; H.V. Nelles, *The Art of Nation-Building: Pageantry and Spectacle at Quebec’s Tercentenary* (Toronto: University of Toronto Press, 1999); Lucy Maddox, “Politics, Performance and Indian Identity,” *American Studies International* 40.2 (June 2002): 7-37; Wade A. Henry, “Imagining the Great White Mother and the Great King: Aboriginal Tradition and Royal Representation at the ‘Great Pow-Wow’ of 1901,” *Journal of the Canadian Historical Association* 11 (2000): 87-108; Myra Rutherford and J.R. Miller, “‘It’s Our Country’: First Nations’ Participation in the Indian Pavilion at Expo 67,” *Journal of the Canadian Historical Association* 17.2 (2006): 148-173; and Ian Radforth, “Performance, Politics, and Representation: Aboriginal Peoples and the 1860 Royal Tour of Canada,” *Canadian Historical Review* 84.1 (March 2003): 1-32.

Corbey observes that ethnographic spectacles desired to display civilizing peoples that were still wild – such as showing an old Indian in shabby traditional clothes next to his son in a neat new suit – Banff’s Indian Days organizers sought instead to preserve and market the “savage Indian” much as they did the same with the “wilderness” environment in which Banff was supposedly situated.⁶ The way in which the Indian Days was framed and organized paralleled in many ways the conservation/management of flora and fauna within the park.

Environmental historians have observed that parks and “wilderness” spaces are not natural but social constructions that reflect race (or ethnic), class and gender hierarchies.⁷ Working from this premise, I argue that the Banff Indian Days were a physical manifestation of a broader dialogue, renegotiated annually, between spectators and participants over how and to what extent Aboriginal peoples would be included within the structures of Canada’s burgeoning parks and protected areas. Ultimately, this relationship was ambivalent. Park officials, residents and visiting sport-hunters viewed “Indians” as a predatory species that would slaughter all the wildlife in the park if given the opportunity. Yet they also believed “Indians” could be a marketable part of the park’s historical ecology. By enclosing Aboriginal participants within the structure of outsider expectations and restricting them to highly regimented Indian Days’ schedules, the event’s non-Native organizers believed Aboriginals posed a threat neither to the established colonial hierarchy nor to the park’s environment as they did while uncontrolled. Ironically, however, while the Indian Days’ success hinged upon emphasizing “Indian” difference, much as the park’s appeal revolved around selling its environmental uniqueness, non-Natives also expected Aboriginal participants to mimic colonial discourse concerning race, gender and class.

Aboriginal people wanted to reinstate themselves in the park and so, at least for the first half-century of the Indian Days’ existence, reacted enthusiastically to the opportunity the event presented, especially as they had friendly relationships with many non-Native organizers. Just as park officials found with the flora and fauna they struggled to control in the park, however, Native participants proved autonomous and unpredictable. For participants restoration meant

⁶ Corbey, “Ethnographic Showcases,” 345.

⁷ William Cronon is often credited for pushing this idea to the forefront of environmental history. See: William Cronon, “The Trouble with Wilderness; or, Getting Back to the Wrong Nature,” in *Uncommon Ground: Rethinking the Human Place in Nature* ed. William Cronon (New York: W.W. Norton, 1995), 69-90.

going beyond – and in effect mocking or subverting – many of the boundaries which the Indian Days’ organizers did not envision them crossing.

Taming the Wild, Restoring the Indian

According to various interpretations, the Banff Indian Days began sometime between 1887 and 1897.⁸ During one of these years a heavy rain washed out a series of wooden train bridges in the Rockies and many of the Banff Springs Hotel’s wealthy guests became stranded and bored. Tom Wilson, one of Banff’s premier hunting guides, former employee of the CPR, and a friend of many prominent Stoney, convinced the Stoney to ride to Banff and “amuse” the stranded passengers with horse races and other skills competitions, for which there would be prize money awarded. The Stoney agreed and their resulting performance was incredibly well received. Consequently, the spectacle would repeat as a loosely organized event until Banff’s foremost businessmen, Norman Luxton, Jim Brewster, and Wilson, recognizing its economic potential, formed the Indian Days Committee to organize the first formal Indian Days beginning in 1902.⁹ Impressed, Frank Oliver, then Minister of the Interior and in charge of Canada’s parks, granted the Town of Banff acreage for a permanent camp ground and race track.¹⁰

The Banff Indian Days, of course, did not occur within an ideological vacuum. Rather, it was created within the confluence of a number of intellectual currents prevalent at the turn of the century. The romanticization of both “vanishing Indians” and “vanishing wildernesses” spurred movements to salvage each. Historians including Frederick Jackson Turner, philosophers such as Henry David Thoreau, and ethnographers including Edward Curtis all contributed to the trope of the “vanishing Indian.”¹¹ Salvage ethnographers specifically aimed to collect as many “authentic” Indian artefacts, including photographs and oral recordings, as possible before “real

⁸ No author, “The Stony Indians of Alberta,” Whyte Museum and Archives (hereafter WMCR), box M70, f. 101; also Patricia Parker, *The Feather and the Drum*, 56-7; Drees, “‘Indians’ Bygone Past,” 7; and Robert E. Campell, *I Would Do it Again: Reminiscences of the Rockies* (Toronto: The Ryerson Press, 1959), 104-5.

⁹ Norman Luxton to Mabel Knight, “Re: Story of Indian Days for Christian Science Monitor,” 12 February 1946, WMCR, Banff Indian Day Fonds. Robert Campell, however, recalls that after this first instance the Indian Days did not repeat until Norman Luxton organized them in the early 1900s. See: Campell, *I Would Do It Again*, 105-7.

¹⁰ Norman Luxton to Mabel Knight, “Re: Story of Indian Days for Christian Science Monitor,” 12 February 1946, WMCR, Luxton Family Fonds, LUX/I/D4-4, f. 3.

¹¹ Banff’s *Crag and Canyon* perpetuated the same ideologies. For example, one article discussed how Indian populations were at best staying the same or slightly decreasing, and that their manner of living was changing as they accepted “modern influences.” It was not until 1939 that an article occurred in Banff’s newspaper stating that the Indian population of Canada was increasing. See: “Indians Much Changed: Canadian Indians Are Influenced by Modern Surroundings,” *Crag and Canyon*, 24 January 1915, 3; and “Indian Population of Canada Increasing,” *Crag and Canyon*, 14 July 1939, 3.

Indians” either died out physically or were subsumed and corrupted by the inevitable process of assimilation.¹² Whereas salvage ethnographers regarded the juggernaut of modernity as guaranteeing the disappearance of “real Indians,” park promoters held out hope that “Indians” within their natural environment might fare better. Similarly, wilderness advocates planned to preserve vast areas that best represented their idea of both sublime and picturesque nature – immense mountains, deep canyons, and dark forests full of wild animals – before it, too, was subsumed in what James Harkin, Canada’s first commissioner for national parks, termed “the economic pressure of civilization.”¹³

The Indian Days’ non-Native organizers and advertisers strategically framed the spectacle within both these discourses, even uncritically conflating them. Park superintendents and residents were obsessed with protecting both wildlife – particularly bison – and “Indians” as symbolic of near- or impending-extinctions through encounters with non-Native greed, overconsumption, and lack of foresight. Owing to park efforts to acquire a handful of bison, including those capable of reproducing, for Banff’s zoo, one newspaper article exclaimed, “there is no danger of the species becoming extinct.” Instead, bison would become as they were “100 years ago” – the same slogan used to portray the “Indians” at the Indian Days.¹⁴ In another instance, an article on national parks as wildlife preserves, and the need to protect wildlife so future generations could experience them, was juxtaposed beside an article stating that that no effort should be spared to “preserve” the Indian “in their primitive grandeur.”¹⁵ Natives, moreover,



Figure 3.2: A page from a CPR advertisement, c. 1929. Whyte Museum of the Canadian Rockies, Banff Indian Days Fonds.

¹² Exactly such a view was represented throughout the *Crag and Canyon*. See for example: “Valuable Indian Portraits,” 7 August 1909, 2.

¹³ James Harkin quoted in E.J. Hart, *The Place of Bows: Exploring the Heritage of the Banff-Bow Valley, Part 1 to 1930* (Banff: E.J.H. Literary Enterprises, 1990), 223.

¹⁴ “The Buffalo,” *Crag and Canyon*, 1 June 1907, 2.

¹⁵ “Banff Indian Days Colourful and Historical Event,” *Crag and Canyon*, 10 July 1942, 1; and “National Parks As Wildlife Sanctuaries,” *Crag and Canyon*, 10 July 1942, 1.

were equated with Nature. Their clothes, their mode of life, and their religion, were “inspired” by the environment “from an epoch unknown to the pale faces.”¹⁶ As one year’s program excitedly exclaimed, the “tribal songs and dances [exemplify]...the storm, the glory of the sun and other manifestations of nature as she appears to their unclouded eyes.”¹⁷ One particularly romantic, though inaccurate, article, periodically reprinted *verbatim*, sought to highlight a true “Indian’s” fundamental difference from whites:

The Indian has no songs according to our standards, he does not sing of the emotions or put his feelings into words, his songs do not deal with abstract ideas, such as love, war, patriotism, humor and the like. He goes much higher; his songs are reproductions of the results of the forces of nature... When he sings of a storm he does not describe it in words, no matter how poetically chosen, instead he literally sings the storm. One hears, if one is sufficiently educated to follow the nuances of sounds, the roar of the thunder, the patter of the rain upon the leaves and the dashing of waves upon a lake shore.¹⁸

Newspaper articles and Indian Days advertisements repeatedly referred to Aboriginal people as “child[ren] of nature.”¹⁹

Banff’s Indian Days were thus promoted as something unique – a place where that which was disappearing elsewhere was flourishing – and worth the extensive travel and cost required to attend. Native visitors to the park were portrayed in stereotypical stoic, static, romantic, and tragic ways that reinforced this fusion of place and people. “Many times during their three-day visit,” one Indian Days supplement described, “older Indians stand and gaze steadfastly at the surrounding peaks. Arms folded, oblivious to all the activity around them... there is no doubt that for them the wheels of time have temporarily rolled back, and in imagination they are once more standing as they did when young – as did their fathers before them – lords of the mountains and the plains – majesty amidst the majestic.”²⁰ The Rocky



Figure 3.3: Photograph of a "stoic Indian" to promote the Banff Indian Days. From: Banff Crag and Canyon, 16 July 1937, 1

¹⁶ “Indian Days are Here Once More,” *Crag and Canyon*, 10 August 1939, 1. See also: “Banff Indian Days Will Start on Friday Next,” *Crag and Canyon*, 10 August 1934, 1.

¹⁷ “Indian Days One of Banff’s Most Colorful Attractions,” *Crag and Canyon*, 26 May 1939, 10. See also: “1929 Indian Days Program,” WMCR, M62, Banff Indian Day Committee Fonds.

¹⁸ “Banff Indian Days Both Interesting and Educational,” *Crag and Canyon*, 12 July 1946, 2.

¹⁹ For example see: “Bridge for Bean Pot: Old Surveyor Tells of Experience with Indians,” *Crag and Canyon*, 10 June 1911, 4; and “The National Museum Films Stony [sic] Indians,” *Crag and Canyon*, 8 August 1930, 1.

Mountains, in other words, were incomplete without Natives amongst them and tourists who departed Banff without seeing the two together had viewed a partial environment. Like other potentially dangerous, predatory species, however, “Indians” could not be left to simply roam freely throughout the park. Further, being cast as “children” also implied that “Indians” were immature and irresponsible.

Colonial discourse portrayed “Indians” as more racially basic or more primitive than Anglo-Saxons and thus incapable of restraining themselves.²¹ Only if Natives could be controlled while invited into the park would they be allowed in and perceived as non-threatening by the very people who called for their exclusion otherwise. This rhetoric was no different from the portrayal of “marauding” bears or mountain lions, which either had to be either exterminated or captured and placed in Banff’s zoo.²² Consequently, evidence of a tamed “Indian” came about through a number of means, all of which reinforced social hierarchies while simultaneously treating Natives as something that could be restored to the park, “known,” and managed properly.

In fact, the Aboriginal body itself was often discussed as a specimen. One newspaper article described many of the “Morley Indians” as “very fine looking, the men being tall, well-built good looking young fellows and the girls pretty and healthy looking.”²³ Norman Luxton even argued that Indian Days organizers should remind Aboriginal participants that “...you are an Indian...act your part. You are a specimen on exhibition, your work is being looked at critically.”²⁴ Despite wanting an “untainted specimen,” however, the “Indian” nonetheless had to be sufficiently civilized to behave orderly to exist within park boundaries. Park personnel and the Indian Days organizers argued that the Stoney and others had been taught to act appropriately – to mimic Anglo-Saxon values and regulations – within the park. Their foremost concern was to ensure rigid social boundaries kept the event “authentic” and maintained the park’s wilderness appeal. Thus, only Natives were allowed to participate in sporting competitions or parades, and

²⁰ “Indian Days Supplement,” *Crag and Canyon*, 17 July 1931, 1.

²¹ Gail Bedermen reveals this discourse especially well in *Manliness & Civilization: A Cultural History of Gender and Race in the United States, 1880-1917* (Chicago: University of Chicago Press, 1995).

²² For examples see: “Big Bear Hunt Full Excitement,” *Crag and Canyon*, 24 July 1915, 1; “Shoot Bad Bear,” *Crag and Canyon*, 27 May 1916, 1. E.J. Hart describes the park’s predator control policy in *J.B. Harkin: Father of Canada’s National Park* (Edmonton: University of Alberta Press, 2010), 107-8.

²³ “Change in Style of Beadwork Noticed in Indian Parade,” *Crag and Canyon*, 21 July 1939, 1.

²⁴ “To the President and Members of the Banff Park Board of Trade,” no date, WMCR, Luxton Family Fonds, LUX/ID3a-2, f. 4 “Note for Banff Indian Days – Suggestions by N.K. Luxton – Year 1950 – July 20th to 23rd inclusive.”

those Natives wearing “white man’s clothes” or showing signs of modernity were supposed to be refused admission, though this was rarely enforced.²⁵ Despite the continuing emphasis on the “Indian’s” difference from non-Natives, moreover, it was their supposed mimicry of white, upper-class characteristics of good behaviour that was highlighted as making them acceptable within the park. One article, for example, described Chiefs McLean and Benjamin as “the leading spirits of the Stony tribe” both of whom exhibited “well-spoken English and [a] courteous manner.”²⁶ It was also often noted both that the Aboriginal visitors supported the colonial enterprise and recognized that they were a conquered people. Chiefs, especially, were described as “staunch friends of the British Empire in Canada,” who represented a “conquered and disappearing race.”²⁷ But when Native participants exhibited traits of equality or superiority these were discursively pacified; non-Natives mocked their attempts at mimicry through backhanded flattery that emphasized the “Indian’s” harmless attempts in their acts of authority. Stoney Chief Bears paw, and Councillors Hector Crawler and Tom Chinequey, for example, were described one year as great attractions because of “their stolid, real old-time ‘Big-Chief-Me’ manner.”²⁸

Natives were also symbolically controlled through their creation as hunting targets for onlookers to capture, though, of course, not with the gun but with the camera. Numerous postcolonial scholars of Africa have noted how taking photographs consists of

“loading,” “aiming,” and “shooting,” making the camera the “sublimation of the gun.”²⁹ James Ryan has applied these ideas to his analysis of African game parks to show how “photography



Figure 3.4: Photograph of a photographer trying to get Stoney children to pose. “Shots” of “shy Indian papooses” were particularly prized. Photographer unknown, 1929, Whyte Museum of the Canadian Rockies.

²⁵ N. L. Luxton, “Note for Banff Indian Days,” 20-23 July 1950, WMCR, Luxton Family Fonds, LUX/I/D3a-2, f. 4.

²⁶ “Twenty-Fifth Anniversary of Indian Days a Success,” *Crag and Canyon*, 24 July 1915, 1.

²⁷ “Valuable Indian Portraits,” *Crag and Canyon*, 7 Aug 1909, 2.

²⁸ “Twenty-Fifth Anniversary of Indian Days a Success,” *Crag and Canyon*, 24 July 1915, 1.

²⁹ James R. Ryan, *Picturing Empire: Photography and the Visualization of the British Empire* (Chicago: University of Chicago Press, 1997); Wolfram Hartmann, Jeremy Silvester and Patricia Hayes, eds., *The Colonizing Camera:*

was used in parallel with practices of hunting and taxidermy to capture and reproduce ‘wild’ animals and how such practices were interrelated and bound up with broader discourses of ‘nature,’ colonialism,’ and ‘preservation.’”³⁰ When it came to managing Indigenous hunters, Ryan demonstrates that “for many [white, male] hunters and naturalists Africans were ‘savage’ peoples seen as a form of ‘wildlife to be managed, controlled and even hunted by Europeans.’”³¹ Though hunting game within Rocky Mountains Park was legally prohibited in 1890, and sport hunters, among other conservationists, railed against Native hunters both within and outside of the park, promotional material discursively linked the thrill of the hunt to the Indian Days. Nearly every newspaper account and promotional advertisement describing the Indians Days emphasized its photographic appeal, promising visitors the opportunity of a lifetime – to capture an allegedly authentic “Indian” (image) where none existed elsewhere. Photographers sought the best shot, the most shots, and shots that were different or rare and thus the most prized. As one article exclaimed, “. . . thousands of snap-shots of the Indians are taken by tourists to be carried away as treasured possessions and exhibited to friends all over the world.”³² Native subjects reluctant to have their picture taken were described in terms similar to baiting game. As Figure 3.4 demonstrates and one article recounted: “[Then] there is the shy little papoose, who is requested many times to pose for the camera, but often the photographer would be disappointed. A five cent piece or a chocolate bar would often be sufficient to coax the little ones to smile before the lens.”³³ Still photographs, and then motion pictures, were both a means of capturing Natives as well as preserving them alongside Banff’s natural environment.

Finally, it was also necessary to have appropriate non-Native, male, upper-middle class authorities organizing the Indian Days themselves. Newspaper editorials pointed out that the Indian Days were successful because of the strong leadership of non-Natives, especially Luxton, Wilson and Brewster. “Indians being rather difficult to handle,” one account indicated, “it

Photographs in the making of Namibian History (Cape Town: University of Cape Town Press, 1998); and Paul S. Landau, “Empires of the Visual: Photography and Colonial Administration,” in *Images & Empires: Visuality in Colonial and Postcolonial Africa* eds. Paul S. Landau and Deborah D. Kaspin (Berkeley and Los Angeles: University of California Press, 2002), 141-171.

³⁰ James R. Ryan, “‘Hunting with the Camera’: Photography, Wildlife and Colonialism in Africa,” in *Animal Spaces, Beastly Places: New Geographies of Human-Animal Relations* ed. Chris Philo and Chris Wilbert (New York: Routledge, 2000), 205.

³¹ Ryan, “‘Hunting with the Camera,’” 209.

³² “Biggest and Best in its Annals,” *Crag and Canyon*, 12 August 1919, 1.

³³ “Tourists Thrilled at the Sight of Stony Indians in Native Attire,” *Crag and Canyon*, 24 July 1925, 1.

requires experienced men to fill the bill to the satisfaction of all concerned.”³⁴ Efficient organization of the Indians was also required, one organizer recalled, to avoid delays caused by Natives operating on “Indian time.”³⁵ Moreover, though the Banff Indian Days were to be “Indian only” in all events, these organizers, along with the Royal North West Mounted Police, would prominently lead the Indian Day parades. Even into the 1960s and 1970s non-Natives portrayed the police presence as ensuring that “Indian” participants acted appropriately, the unruly ones being intimidated into behaving or jailed.³⁶

With such authority also came the rhetoric of class obligation. Indian Days’ organizers portrayed their work as an act of charity, one that benefitted the participants as much as it did, if not more than, the town of Banff and the merchants’ wallets, and one that excused the colonial dispossession that the creation of the national park entailed. As one article mockingly stated:

For eon[s] the ancestors of the Stony Indian tribe ruled thousands of square miles in what is now known as the Bow Forestry Reserve, the Banff and Jasper National Parks and far into Montana and east to the Red Deer and Saskatchewan boundary. Today they rule under officialism and a treaty forgotten, a little over a hundred square miles. . . . These people were a prosperous tribe, splendid hunters and trappers, warriors and proud, they bowed to no nation. Then came the white man, and bowing to the inevitable trusting ‘white man’s’ promises, they traded a kingdom for what is the Stony Reserve today. . . . [Banff Indian Days allows them to] visit once more what was their finest hunting grounds – there they can sit around the hundred teepees they pitch and dream of splendours past and what might have been theirs today.³⁷

In some instances this charity work continued beyond the Indian Days and the efforts to do so were sincere. Luxton, for example, organized annual winter clothing drives on behalf of Stoney. Nonetheless, by being presented as poverty-stricken charity cases who were a shadow of their former selves and held from the brink of cultural extinction only by the annual Indian Days, the Natives were portrayed as nonthreatening and so acceptable to be returned, at least temporarily, to park space.

The Banff Indian Days were not just a spectacle to be enjoyed by outside observers, nor did its non-Native organizers have complete control. Participants and organizers quickly

³⁴ “Banff Indian Days and the Citizens,” *Crag and Canyon*, 6 July 1928, 3.

³⁵ Parker, *The Feather and the Drum*, 83.

³⁶ For select examples see: Earle Hooker Eaton, “Stoney in Gala Indian Garb to Parade at Banff this Week: Tribesmen to Pass in Review Before Canadian Rockies Resort,” *New York Herald Tribune*, 18 July 1937, np; and “Banff Indian Days Show Great Improvement Over Former Years’ Celebrations,” *The Banff Mercury*, 26 July 1928, 1; and Parker, *The Feather and the Drum*, 111.

³⁷ “Annual Indian Days July 17 to 20,” *Crag and Canyon*, 27 June 1941, 1.

negotiated a mutually agreeable middle ground wherein the performers and spectators had their assigned roles to play, though roles that Aboriginal people would often spontaneously expand to problematize racial expectations and binaries. Nearly all scholars commenting upon Native-newcomer spectacle and performance, including one analysis of the Calgary Stampede and the Banff Indian Days, have noted that such impromptu boundary crossings during such events were met with criticism, confusion, exclusion, and “trouble.”³⁸ Yet boundary crossings throughout the first half-century of the Indian Days were a surprise that caught non-Native spectators off guard but one which, by all accounts, they relished.³⁹ Moreover, there is no evidence to suggest that the Native participants felt exploited or perceived their role as subservient until the latter 1960s.⁴⁰ This is borne out by the fact that the historic record, including oral recordings, is absent of complaint and full of stories regarding the length to which Native people would go to make it to the Banff Indian Days each year. Stoney Frank Kaquitts provided one memorable account whereby he snuck out of the hospital outside of Morley while extremely sick and hitch-hiked his way to Banff for the Days.⁴¹ Overall, Native participants regarded the Indian Days (along with the Calgary Stampede) as, borrowing from class rhetoric, a “holiday” – a break from work on the reserve – and a chance to meet up with old friends and make new ones. Moreover, various First Nations who participated in the Days did not have to stretch their social structure much to incorporate the activities they were expected to perform in at the Days. The Stoney had already been holding annual sporting competitions which included many of the same activities. The Stoney (among other Aboriginal groups) had also been participating in the Calgary Stampede

³⁸ Marilyn Burgess, “Canadian ‘Range Wars’: Struggles over Indian Cowboys,” *Canadian Journal of Communication* [online] 18.3 (1993).

³⁹ This exclusion even occurred in an event similar to, and no doubt inspired by, the Banff Indian Days – the Yosemite Indian Field Days – as Body Cothran describes in “Working the Indian Field Days: The Economy of Authenticity and the Question of Agency in Yosemite Valley,” *The American Indian Quarterly* 34.2 (Spring 2010), 194-223. Amy M. Ware, however, observes a similar process of unexpected surprise and acceptance in her case study of Will Rogers, the Cherokee cowboy, though she continues that his self-representation as a cowboy limited the public’s recognition of him as an Indian. “Unexpected Cowboy, Unexpected Indian: The Case of Will Rogers,” *Ethnohistory* 56.1 (2009): 1-34.

⁴⁰ While Jan Penrose correctly argues that Indian Days and stampede promoters were wealthy businessmen who used exhibitions and stampedes to publicize their own cities and their individual power within them, her assertion that the men who ran them “seldom had first-hand contact with Indians” is completely inaccurate regarding the Indian Days, and very likely the Calgary Stampede as well. See: “When All the Cowboys are Indian: The Nature of Race in All-Indian Rodeos,” *Annals of the Association of American Geographers* 93.3 (2004): 695-6.

⁴¹ “Unidentified Indian (Frank Kaquitts?) 1969,” in WMCR, Whyte Sound Recordings, S37/64.

since the mid-1880s.⁴² Even prior to the establishment of the reserve system, various Aboriginal groups were used to congregating at different locations – including Banff – to feast, socialize, trade, and renew alliances.⁴³

In fact, the Stoney staunchly resisted any attempts to exclude them from the Indian Days. This was most apparent when the Department of Indian Affairs sought to halt the Stoney's annual migration to Banff beginning in 1938.⁴⁴ Though the DIA had long sought to stymie the participation of Natives in stampedes and rodeos elsewhere in Western Canada, its objection in this case was unexpected.⁴⁵ Indian Agents had, up to that point, largely supported the Banff Indian Days, valuing it as a means of reducing the budget spent on supporting the Morley residents. Aside from the money that all Natives participating in the event made, Parks provided support to the Stoney in terms of rations from culled elk and bison.⁴⁶ In fact, Indian Affairs and Parks arranged for yearly meat donations even outside of the Indian Days.⁴⁷ This agreement lasted into at least the 1960s, with an annual transfer of 50,000-60,000 pounds of meat, and even allowed Indian Affairs to refuse providing the Stoney their annual beef rations.⁴⁸ Yet the purpose of the Indians Days, a celebration of “traditional Indians” in their “natural” (i.e., pre-modern) state was antithetical to the Indian Affairs program to assimilate the Native people into Canadian, and more broadly Anglo-Saxon, civilization. Indeed, legislation expressly forbade such performance and ceremony. This restriction first took form in the *Potlatch Law* (1885), which stated that anyone participating in an Indian festival, dance or other ceremony was guilty of an indictable offence. Indian Agents used subsequent amendments made to the *Indian Act*, combined with “locally imposed government restrictions on cultural behaviour that went

⁴² Walter Wilcox, *The Rockies of Canada: A Revised & Enlarged Edition of Camping in the Canadian Rockies*. Foreword by Neil Wedin (Vancouver: Rocky Mountain Books, 2008), 198; and Hugh Dempsey “The Indians and the Stampede,” in *Icon, Brand, Myth: The Calgary Stampede*, ed. Max Foran (Edmonton: AU Press, 2008), 47.

⁴³ See for example: “Stony Indian Feast: Entertain Blackfeet, Sarcees, and Crees on New Year Day,” *Crag and Canyon*, 9 January 1915, 4.

⁴⁴ “Report of the Indian Days Conference,” 24 July 1938, Luxton Family Fonds, Box LUX/I/D3a-2, f. 4, WMCR; “Indians Days will Proceed as Usual for this Year,” *Crag and Canyon*, 1 July 1938, 1; Penrose, “When all the Cowboys are Indian,” 693-4.

⁴⁵ Kelm, *A Wilder West*, 52-3.

⁴⁶ R.J. Jennings to A. Gibson, Director of Lands, Parks and Forest, 23 September 1937, RG84, v. 513, f. B299pt4, Library and Archives Canada (LAC); R. J. Jennings to W.B. Murray, Indian Agent. 20 October 1937, RG84, v. 513, f. B299pt4, LAC; K.B. Mitchell, Acting Supervising Warden, “Memorandum to the Superintendent, Banff National Park,” 17 February 1945, RG84, v. 513, f. B299pt4, LAC

⁴⁷ See for examples: F.H. Williamson to Harold W. McGill, Director of Indian Affairs, 12 March 1937, RG84 v. 69, f. B234pt2, LAC; Williamson to Superintendent, Banff National Park, 25 March 1937, RG84, v. 69, f. B234pt2, LAC; A. W. J. Banfield, to Dewis, 23 December 1946, RG84, f. B299pt1, LAC.

⁴⁸ For detailed correspondence see: RG84, v. 513, f. B299pt4, LAC; and RG84, v. 513, f. 312-2, LAC.

‘beyond the law’,” to suppress Aboriginal “traditionalism” elsewhere.⁴⁹ Meanwhile, the Banff Indian Days worked to do the complete opposite. Thus, as much as Indian Affairs valued their relationship with Parks, at times they resented the Indian Days. In this instance the DIA requested Parks delimit Stoney attendance.

The Parks Branch was similarly conflicted. Canada’s premier national park benefitted immensely from the Indian Days with very little government expenditure, as the Indian Days were organized by volunteers and was financed by donation, mainly through business sponsorship. Parks had shown its support by providing grounds to host the event, as well as some of the facilities and food for Native participants. At the same time, Parks officials had long complained to Indian Affairs of Native – especially Stoney – hunting within the park and had demanded the local Indian Agent exercise restraint over the Stoney.⁵⁰ As Indian Affairs largely complied, it was up to Parks to reciprocate in kind: they did, decreeing that only 150 Natives be permitted to attend that year’s Indian Days.⁵¹

Luxton, outraged, argued that the restriction irreparably tarnished the “real spirit” of the Indian Days as wholly unrestrictive.⁵² The Stoney Chiefs, upon learning of this decision, appealed directly to Banff’s population for support in an open letter to the *Crag and Canyon*:

Mr. Luxton has told us of the trouble in Banff about how someone that he did not know is telling how many Indians can come to Banff on Indian Days. He told us that you are our friends and all the men in Banff are too. This makes us very glad, so now we tell you how we feel. We thank you and your friends to talk about us, that is good, and we have a meeting at Morley last Sunday and we tell you that we are sorry that only a few Indians are allowed to go to Banff. Then we will have to all stay at Morley. Indians like Banff...and we would not have a good time if someone had to stay home. So we tell you now that you are our friend that we all stay home this year if like all the time before then we will all go once more.⁵³

Luxton further invited nine Stoney chiefs and councillors and three other important Stoney individuals to an Indian Days Committee meeting in July 1938 where both Parks and Indian Affairs representatives were present. The Stoney unanimously rejected the government’s request

⁴⁹ Katherine Pettipas, *Severing the Ties that Bind: Government Repression of Indigenous Religious Ceremonies on the Prairies* (Winnipeg, MB: The University of Manitoba Press, 1994).

⁵⁰ Binnema and Niemi, “‘Let the line be drawn now’”; and Jonathan Clapperton, *Stewards of the Earth: Aboriginal Peoples, Environmentalism and Historical Representation* (PhD Diss., University of Saskatchewan, 2012).

⁵¹ “Committee Starts Preparations for Indian Days’ Fete,” *Crag and Canyon*, 10 June 1938, 1.

⁵² *Ibid.*, 13.

⁵³ Jacob Two Young Men, Chief of the Chinequay Band, Moses Jimmy John, Chief of the Wesley Band, David Bearspaw, Chief of the Bearspaw Band, and Councillors Jonas Rider, Moses Two Young Men, John Powderface, and Judas Hunter, quoted in “Indians Days Will Proceed as Usual for This Year,” *Crag and Canyon*, 1 July 1938, 4.

to curtail their attendance. But neither were the Stoney simply tools of the Committee's agenda. Chief Walking Buffalo rejected Luxton's counter-proposal that the Stoney forego attending all other similar events, such as the Calgary Stampede, to attend the Indian Days. Many of the Stoney also used the forum to criticize the DIA's Indian policies, in effect arguing that it was to blame for the Stoney's mass exodus each year. Chief Jacob Two-Young-Men glibly proposed that "if the department is willing to give the Stoneys enough work to make all Indians live on the reserve that will suit them and they will only go to Banff Indian Days each year." Chief Bears paw seconded Two-Young-Men, explaining the psychological and economic importance of the Indian Days for himself:

I'm old man now...Mr. Stanley [of the DIA] says cut numbers in half, old man then will feel confinement. When I left Morley I had 25 cents in my pocket, I now go back home with full belly and with money to buy food at store at Morley. I come to Indian Days now a long time and never feel for kill Indian Days. If Department put up enough money to give Indians work, Indians stay home from Stampedes.⁵⁴

Johnny Powderface criticized the DIA on social terms, rejecting any idea of exclusion:

Banff Indian Days called that for everybody. If only some come then I feel for me to come up here...feel for rest of those who stay home hungry while me have good time. For the whole tribe, like big family children, like to have lots to eat and have good time like everybody else. The Government have all kinds of ways of making money for grub, but doesn't look after Indians like look after themselves. Feel if me come here and let poor people go hungry on the reserve, it not fair to them, and we Indians don't have money and don't always be looking for enjoyment, not having money to do it...everybody come here for one week, holiday for us, and all get enough to eat while most get a little money.⁵⁵

Jonas Rider explained that the DIA would be ruining a positive relationship between the Stoney and the non-Native populace, the DIA's very objective.⁵⁶ Regardless, the Superintendent of Indian Affairs responded, patronizingly offering, "Suppose 250 come this year, and 250 come next year, it will be a bigger treat for those coming this year." Two-Young-Men, clearly frustrated, angrily rejected the proposal and exclaimed, "IF ALL CANNOT COME THERE WILL BE NO INDIAN DAYS NEXT YEAR!"⁵⁷ The meeting ended with no resolution.

The Indian Days appeared on the brink of ending. But public opposition, spurred by the Stoney's refusal to accept any compromise and led by the Indian Days Committee and the Banff

⁵⁴ "Report of the Indian Days Conference," 24 July 1938, in WMCR, Luxton Family Fonds, Box LUX/I/D3a-2, f. 4.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

National Park Board of Trade, overcame Indian Affairs' objections.⁵⁸ That year's Indian Days occurred with the provision that the Indian Days Committee and the Parks and Indian Affairs Departments meet thereafter to create restrictions for Stoney participation for subsequent years. It appears, however, that no such meeting ever transpired. The next year the Indian Days occurred again with no restrictions in place, and the DIA's objection to the Indian Days vanished. The Stoney had successfully mobilized the Indian Days Committee and Banff's population, and vice-versa, in their support to evade the restrictive, paternal policies of the DIA and to vindicate their freedom to venture to Banff in unlimited numbers.⁵⁹

Crossing Boundaries: Race, Class and Gender Subversions in the National Park

Nearly the entire Stoney population would make the trek to Banff each year, drawn there for many reasons aside from thwarting the wishes of their Indian Agent. Economics provided a strong incentive as did the complimentary social benefits of gathering and celebrating "Indianness" in a newcomer forum. The Stoney and other Native participants received all fees collected as admission to the event (minus expenses), though this was a far from proportionate share of the income it generated in tourist spending in Banff. Cash payment was given out to every tepee owner and those who took part in the parade, with additional prizes handed out for the winners of various competitions including most "authentic" looking "Indian", best "Indian" tepee, best decorated horse, etc. Prizes in the sporting competitions, including the rodeo aspects of the Indian Days when it occurred, could also add up to a substantial sum for especially talented individuals. The Indian Days Committee and Parks department also provided participants with rations, an aspect the Stoney would especially utilize during the dire conditions on their reserve throughout the 1930s.

Aside from economic incentives, the Days provided Native individuals the opportunity to cross a number of race, class and gender boundaries, crossings for which they had and continued to face criticism in other forums.⁶⁰ At times this occurred impromptu and for fleeting moments.

⁵⁸ Luxton, "To the Patrons of the Banff Indian Days," 1 July 1939, WMCR, LUX/I/D3a-4; "President Tells of Accomplishments of Board of Trade," *Crag and Canyon*, 16 June 1939, 1.

⁵⁹ The only mention of Indian numbers at the Indian Days for 1939 is a statement by George Noble, the President of the Banff Board of Trade, asking that the Indian Days include no population restrictions. See: "President Tells of Accomplishments of Board of Trade," *Crag and Canyon*, 16 June 1939, 1.

⁶⁰ Sarah Carter, Jean Barman, and Adele Perry, among other historians, have described the discrimination and condemnation of inter-racial mixing between Natives and whites during the latter nineteenth and into the twentieth century. See: Barman, "Taming Aboriginal Sexuality: Gender, Power, and Race in British Columbia, 1850-1900,"

During the parade, for example, Aboriginal participants dressed in “cowboy” garb would use their lariats to rope “pretty girl[s] from amongst the spectators.”⁶¹ This contact took place more often and for far longer periods of time during the annual dance. During the 1928 Indian Days the Stoney Enos Hunter “invited the whites to join the dance and white men and smiling squaw and white girl and feathered brave hopped round and round the circle to the...steady beat of the tomtoms...”⁶² After this instance, deemed a resounding success, it became fairly standard practice for Native women and men to choose non-Native counterparts as their dance partners. As one article described, “There is one dance in which every squaw takes a paleface from among the spectators for a partner, while the braves each secure a white woman to dance with. This dance is always popular with the whites and they are the most insistent for encores.”⁶³ At other times this boundary was crossed when Stoney men provided escorts to non-Native beauty pageant winners and contestants including Banff’s Snow Queen of the Canadian Rockies, Miss Canada, and the Queen of the Calgary Stampede. When a limited number of Stoney participated in Banff’s recurring Winter Festival the Stoney always formed part of the “honour guard” for the Queen, in at least one instance carrying her upon a palanquin and in another engaging in a mock “hunt” for her, eventually finding her in one of their tepees.⁶⁴

Non-Native participants revelled in this classed and racial mixing and the way gender relations broke racial boundaries and undermined sexual taboos. The Banff Indian Days were likely one of the few forums in which they would have had the opportunity to do so, or in which they would feel comfortable doing so. Moreover, the Indian Days provided (often upper class) non-Native women a chance to enter a fantasy world being made popular within contemporary romance novels. “Capture” narratives, in particular, led the reader into a world where white women could experience a daring romance through abduction, interaction, and copulation with

BC Studies 115/6 (Autumn/Winter 1997/98): 237-266; Barman, “Invisible Women: Aboriginal Mothers and Mixed-Race Daughters in Rural Pioneer British Columbia,” in *Beyond the City Limits: Rural History in British Columbia* ed. R.W. Sandwell (Vancouver: UBC Press, 1999), 159-179; Carter, *Capturing Women: The Manipulation of Cultural Imagery in Canada’s Prairie West* (Montreal; McGill-Queen’s University Press, 1997); and Perry, *On the Edge of Empire: Gender, Race, and the Making of British Columbia, 1849-1871* (Toronto: University of Toronto Press, 2005).

⁶¹ “Indian Days at Banff: Banff a Riot of Colors for Three Days,” *Crag and Canyon*, 29 July 1927, 1.

⁶² “Banff Indian Days Show Great Improvement Over Former Years’ Celebrations,” *The Banff Mercury*, 26 July 1928, 1; and “Banff Indian Days Supplement,” *Crag and Canyon*, 17 July 1928, 4.

⁶³ “Banff Indian Days Supplement,” *Crag and Canyon*, 17 July 1931, 4.

⁶⁴ “All Roads Lead to Banff,” *Crag and Canyon*, 4 March 1927, 1; “New Carnival Queen,” *Crag and Canyon*, 17 February 1928, 1; and “Final Arrangements Are Being Made for Calgary Day,” *Crag and Canyon*, 1 February 1929, 1.

the “savage other.”⁶⁵ Moreover, the same elements that made romance novels attractive to women, including “protecting the reader from any realistic aspects of the capture – trauma, stress, or terror,” were manifested at the Indian Days.⁶⁶ Indeed, the façade of non-Native control of the “Indian” performers as well as the (supposedly) structured nature of the Indian Days program allowed women to cross the racial and gender boundaries of propriety by being lassoed, dancing with, or being “hunted” by an “Indian” in a way that permitted blushing but that stopped short of manifesting in feeling ashamed or afraid.⁶⁷

Stoney Chiefs or Councillors also used the Banff Indian Days and their privileged position within it to assert their prominence amongst both non-Natives and their own people. They received more money for their participation than other tribal members and prized tepee spots were reserved for higher-status Stoney. They also had the power to symbolically adopt white, often upper class or elite, individuals into their band. Doing so inverted the colonial power structure – it was white elites who were adopted *by* the Natives – on a highly visible stage. Such high ranking figures (in the first half-century of the Indian Days exclusively men) included the Duke of Connaught (Canada’s Governor General), the Prince of Wales, Sir Harry Braustyn



Figure 3.5: The Prince of Wales is made a chief of the Stoney, September 1919. Photograph by W.J. Oliver. Glenbow Archives NB-16-62.

Hylton-Foster (Solicitor-General of England), and dignitaries from both France and the United States. Though, of course, Banff Indian Days organizers utilized these encounters as publicity, the Stoney employed them to overtly criticize Canada’s Indian policy and to remind representatives of the Crown and the audience of their (broken) promises to Aboriginal people, especially the Stoney. Adopting non-Natives into the band also

⁶⁵ For further reading on romance novels and the “Other,” see: Zane Grey, *The Vanishing American* (New York and London: Harper, 1925); Evelyn Bach, “Sheik Fantasies: Orientalism and Famine Desire in the Desert Romance,” *Hecate* 23.1 (1997): 9-41; and Jessica Taylor, “And You Can Be My Sheik: Gender, Race, and Orientalism in Contemporary Romance Novels,” *The Journal of Popular Culture* 41.6 (2007): 1032-1051.

⁶⁶ Anne K. Kaler, “Conventions of Captivity in Romance Novels,” in *Romantic Conventions* ed. Anne K. Kaler and Rosemary E. Johnson-Kurek (Bowling Green, OH: Bowling Green State University Popular Press, 1999), 94.

⁶⁷ Sarah Carter aptly describes the revulsion or fear that women were supposed to feel in unequal power interactions with Native men in *Capturing Women*.

ritualistically placed upon these individuals Stoney expectations of the same support from them as they would expect from other members of the tribe. When meeting with the Duke of Connaught in 1916 – the same time the Stoney were petitioning the DIA and the province of Alberta for leniency in hunting regulations implemented in 1914 – Chief George McLean presented the Duke with “a huge disc of silver, bearing on one side the words ‘Treaty Medal of 1877’.” McLean then reminded him of the treaty between Great Britain and the Blackfeet, Bloods, Piegan, Sarcees, Southern Crees and the Stoney.⁶⁸ The Stoney would later utilize the adoption ceremony – held at least every few years at the Banff Indian Days, post-World War II, to induct non-Native individuals who had worked to assist the Stoney in their claims against the government and who were equally as critical of the colonial process and its racism. John Laurie, an ardent support of Native rights, and Philip Godsell, an author and activist, among many others were given honorary chieftainships and recognized for their hard work.⁶⁹

The Stoney were also able to use the Banff Indian Days as an opportunity, despite the attempts by outsiders to stereotype them and present them *as* nature, to show themselves as hybrid *people* with complex identities stemming from both Native and newcomer influences. This was most apparent when an increasing number of both men and women arrived in “modern cowboy dress” despite regulations stipulating that Native participants should wear “traditional Indian” garb. While non-Natives sometimes accepted this cowboy-Indian transgression as part of the show – the most popular Banff Indian Days advertising poster (Figure 3.6) showing Natives in mixed dress – non-Natives also resisted fully accepting this hybrid-identity as authentically “Indian.” It was Stoney male youth, outsider

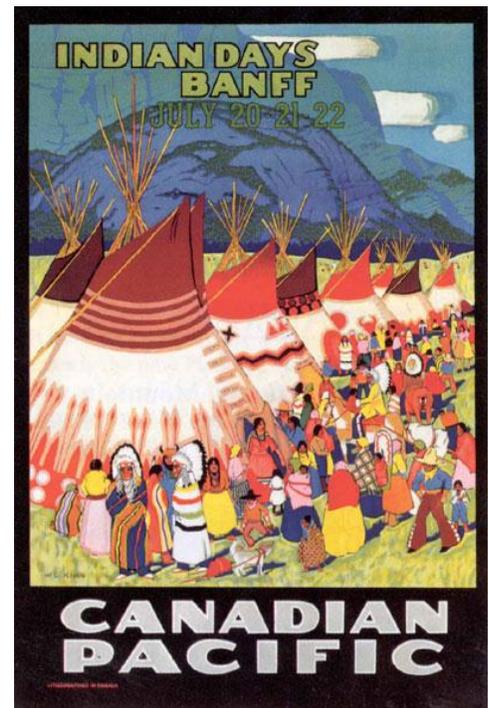


Figure 3.6: A Canadian Pacific advertising poster. 1926. By Wilfrid Langdon Kihn, Whyte Museum of the Canadian Rockies. Courtesy Canadian Pacific Archives.

⁶⁸ “The Duke of Connaught a Chief of the Stony Tribe,” *Crag and Canyon*, 22 July 1916, 1.

⁶⁹ Italics added for emphasis. “Banff Indian Days Draws Thousands of Spectators,” *Crag and Canyon*, 19 July 1946, 1; and “Attendance at ‘Indian Days’ Celebration Sets New Record,” *Crag and Canyon*, 26 July 1946, 1. Others inducted into the Stoney tribe included: Helen Keller, Guy Weadick (involved with Calgary Stampede), and Ernie Kerh, It also included, somewhat ironically, James (Jim) Brewster in 1946 despite the Brewster family’s opposition to special Stoney hunting rights within and beyond park boundaries.

accounts of the cowboy's popularity amongst the "Indians" explained, who had lost their culture by donning such a persona. Indeed, the poster mentioned above portrayed younger-looking Natives in cowboy dress while the older Natives and all the women were all dressed in "traditional" regalia. One news report rationalized that the younger men had lost their connection to their ancestor's place – it was direct evidence that the "Indian" was indeed in danger of extinction without preservation – "for their contact with the whites and the different environment in which they have been raised has to a certain extent dimmed the lustre of the memories and the traditions to which the older Indians cling."⁷⁰ Nonetheless, non-Natives embraced and encouraged this rodeo aspect of the Days; it remained one of the most popular and profitable events of the Days until the Indian Days Committee ejected it from the program in 1971. Moreover, in continuing to cast off outsider expectations of what activities "real Indians" participated in, Native men were exercising their own agency and resistance.

Aboriginal participants at the Indian Days also used the forum to reverse popular negative racial stereotypes, including those being perpetuated during the event. Chief Walking Buffalo, for example, utilized the opportunity to mock tourists by reversing the "savage" uncivilized stereotype, telling them "I know I might not understand what 'civilization' means, it's your language, but I still think lots of times that you *white savages* do not know nothing about your word, the meaning of civilization."⁷¹ Walking Buffalo recalled another instance when a tourist asked him straight-out why Natives were lazy. Using humour to veil a threat and to criticize what he perceived as endemic white competition for power, money, and the need to advance one's class standing, he countered: "I don't mind being relaxed because I'm not trying to get everything...I know how to stop you

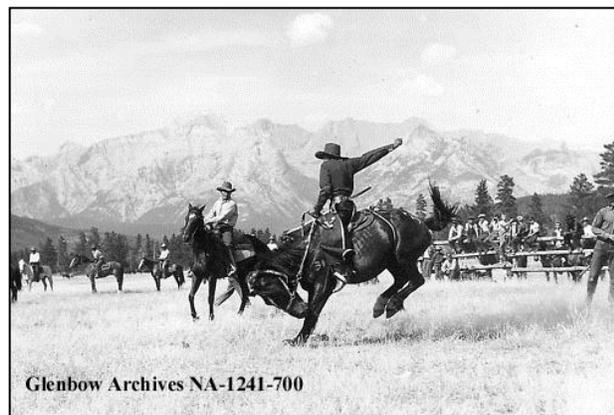


Figure 3.7: Rodeo events at the Banff Indian Days, 1941. Photograph by F. Gully. Glenbow Archives, NA-1241-700.

⁷⁰ "Banff Indian Days Supplement," *Crag and Canyon*, 17 July 1931, 1.

⁷¹ Italics added. George McLean, interviewed by Jon and Catherine Whyte, 28 October 1953, WMCR, Sound Recordings, S37/68.

from going too fast. I've got a bow and arrow. And I'm behind you. I can shoot you...with a bow and arrow from behind and that'll make you turn back, that'll stop you..."⁷² He concluded, covertly critiquing his opinion of white, elite leaders who did not take care of their own people, "You'll soon be at the end of the world, and then if you turn, I'll be the leader...I would... look after you too."⁷³ No doubt other such instances occurred countless times as Natives and newcomers interacted throughout the decades, though unfortunately these have been lost to the historic record.

Finally, the Stoney specifically benefitted from and used the Indian Days to cement their claim to Banff and the surrounding territory. As co-organizers in the event, albeit arguably unequal ones, the Stoney assumed *de facto* control over this space. Stoney leaders took responsibility for inviting other First Nations to the event, a power that they let the Indian Days Committee know they would not relinquish.⁷⁴ Popular discourse within the newspaper and Indian Days promotional material often only highlighted the Stoney as participants, and this discourse was reinforced by the Stoney themselves. This claim ignored, and sometimes even blatantly erased, that of other First Nations. Chief Walking Buffalo, for example, claimed Banff, and much of the Rocky Mountains, as long-term Stoney territory. He explained that the Stoney's expansive territory began north of Jasper into British Columbia "all through the summit of the Rockies between Alberta and British Columbia right past the boundary of the United States...Then up into Alberta and Montana." McLean, in a politics of exclusion, stated matter-of-factly, "That was all our Stoney Indians territory. And no other tribe at all live[d] in the region..."⁷⁵ In fact the Stoney, according to both oral history and historical evidence, were relative latecomers to the mountains.⁷⁶ The Stoney regularly invited the Kootenay, Blackfoot, Cree, Sarcee and other Aboriginal groups, including those from Montana, to the Indian Days as honoured guests. By coming, these guests in turn provided at least implicit recognition of the Stoney's control over the territory.

Overall, Native agency as noted above was regarded as a benefit to the park because the Days continued to attract an increasing numbers of visitors to Banff and was one of the most

⁷² McLean, interviewed by Jon and Catherine Whyte, 28 October 1953, WMCR, Sound Recordings, S37/68.

⁷³ Ibid.

⁷⁴ "Banff Indian Days Committee Meeting Minutes," 10 April 1969, WMCR, box M62, f. "Banff Indian Days Committee."

⁷⁵ McLean, interviewed by Jon and Catherine Whyte, 28 October 1953, WMCR, Sound Recordings, S37/68.

⁷⁶ Janet Jackson, "The Stony People," 16 October 1995, GMA, f. "Stoney Indians – Culture & History."

important infusions of cash for Banff during the year. Perhaps even more importantly, Banff residents and park personnel could relax with the knowledge that the Days were fleeting. It was regularly stated that the Indian Days were to be only a short-lived “invasion”, that when girls in the audience were lassoed by “young bucks” the ropes were “easily cast off,” and that the mixed-race dances formed only a very small part of the program. Non-Natives always believed that the Aboriginal participants existed within a highly structured regimen, one that could be tightened should the organizers feel their vision, and by extension the salvage preservationist enterprise and Banff’s social façade, threatened. As time passed, however, non-Natives began to worry that slack once given would be difficult, if not impossible, to rescind. The social structure that accommodated both Native and non-Native needs began to crack.

Control and Conflict at the Banff Indian Days

Throughout the post-World War II years rifts between the Indian Days Committee, the general public, and the Stoney became increasingly apparent. Much like the Indian Days’ genesis, such tensions were spurred by a changing atmosphere of park and wilderness ideology. While Banff was created and developed foremost for economic and nation-building principles, the degree to which “development” of the park was acceptable became contested. Beginning with the 1930 *National Parks Act*, and then especially noticeable in the 1960s and beyond, preservationists clashed with those in favour of ongoing infrastructural expansion.⁷⁷ Environmentalists called for the protection of indigenous species within the park and the expulsion of introduced flora and fauna.

Simultaneously, a split arose between those who wanted to continue allowing the Indian Days to maintain their hybrid quality and those who sought to “purify” them. This latter group regarded these transgressions as further proof of a vanishing authentic “Indian” identity, a process that they paternalistically argued needed to be corrected before it was too late and one that they perceived as being detrimental to the atmosphere of Canada’s premier national park. In one commentary, an observer questioned why “Miss Canada,” being made a princess of the

⁷⁷ Numerous historians and park reports have described the progression of Canadian park policy from being primarily conservationist to preservationist. See: Janet Foster, *Working for Wildlife: The Beginning of Preservation in Canada* (Toronto: University of Toronto Press, 1998); Paul Kopas, *Taking the Air: Ideas and Change in Canada’s National Parks* (Vancouver: UBC Press, 2007); E.J. Hart, *The Battle for Banff: Exploring the Heritage of the Banff-Bow Valley, Part II 1930 to 1985* (Banff: EJH Literary Enterprises, 2003); and Walter Hildebrandt, “Historical Analysis of Parks Canada and Banff National Park 1968-1995,” (Banff: Banff-Bow Valley Study, 1995), 1-15.

Stoney at the Banff Springs Hotel grounds, was dressed in a cow-girl costume when she was “supposed to be an Indian.”⁷⁸ Another letter to the local newspaper titled “Only Red Indians, Please” complained about whites – whom the author termed “pink Indians” – participating in the Indian parade and the dances. Revealing a lack of historical knowledge, the author then continued that “dancing with the Indians has never been done before,” and called for a stop to such cross-racial mixing, and concluded, “I speak for my Indian friends and my Banff neighbours. *We do not want an adopted Indian in this show.*”⁷⁹ Norman Luxton, too, who would retire from the Indian Days Committee in 1951, sought to halt expansions to the Indian Days that included parade floats among other “non-traditional” activities. He explained the Days’ appeal by emphasizing the Indians’ difference, in both race and class, and argued for strict lines to be kept between Natives and non-Natives even though he himself knew such boundaries had been crossed for decades before.⁸⁰ Further, in response to a suggestion to set up a display at the Indian Days highlighting the assimilation and civilization of the Stoney and other Native peoples, Luxton wrote, outraged, at the attempt to suggest an Indian be portrayed as assimilated:

Just let your mind’s eye picture an open plain set in the heart of a valley, surrounded by mountains. On the face of that plain is an almost complete circle of tepees, painted with many strange and weird designs of nature. About these simple dwellings roam horses, dogs and human beings. *At first you, (a tourist) are not positive that they are human*, but on closer observation you see that they are very poorly clad, yet apparently very contented human beings...No trace of civilization is found, yet there is beautiful bead work, wonderful costumes, and a feeling of peace with nature. Are you not a little envious and more than a little curious – don’t you want to hear their songs and see their dances?...Now just picture the same valley, those same tepees, and those people – but in the midst of it all erect a large marquee, a truly modern affair and a credit to civilized man. Beside it there is a large sign for all to see, stating that inside the marquee may be seen the sewing, the writing, the art, and the weaving, done by the native tribe under the supervision of a civilized man. Is your desire to see this very great – no – of course not. Why should you waste valuable time looking at the work done by *inferior people* that you could do yourself? Why – this Indian is

⁷⁸ Avis Raasch, “From Crag to Crag,” *Crag and Canyon*, 29 July 1955, 4. Susan L. Joudrey describes a similar occurrence when Evelyn Eagle Speaker, a young Kainai woman, became the first Aboriginal Queen of the Calgary Stampede; the Queen’s body becomes a site for “negotiating the boundaries of race and gender,” and when those negotiations do not result in the appropriate expectations of racial stereotypes, tension results. See: Susan L. Joudrey, “The Expectations of a Queen: Identity and Race Politics in the Calgary Stampede,” in *The West and Beyond: New Perspectives on an Imagined Region* ed. Alvin Finkel, Sarah Carter and Peter Fortna (Edmonton: AU Press, 2010): 133-155.

⁷⁹ Italics added. F.M., “Only Red Indians, Please,” *Crag and Canyon*, 25 July 1952, 2.

⁸⁰ “To the President and Members of the Banff Park Board of Trade,” 1950, WMCR, Luxton Family Fonds, box LUX/I/D3a-2, f. 4 “Note for Banff Indian Days – Suggestions by N.K. Luxton – Year 1950 – July 20th to 23rd inclusive.”

nothing but a poor civilized creature, not even worthy of your attention or consideration... Give the tourist the Indian as he is and the tourist will help pay for the Indian's next meal unknowingly and gladly: but give the tourist the Indian as a civilized man and he will say, 'let the fellow work, I work and so should he, besides what can he show me that I do not know.'"⁸¹

The juxtaposition of the Indian and nature here is particularly apparent. Natives were a part of primal nature and everything they crafted belonged there. A marquee – a symbol of change and modernity – did not belong, and neither did the image of a “civilized Indian”; both were an affront to the park's salvage ethno/ecological paradigm, a paradigm so necessary to economic profit.

Despite Luxtons and others' warnings that such change would lead to the downfall of the event and push tourists away, an increasing number of Canadians could afford to travel to the park during the period of post-War affluence and expansion of the middle class that saw all of Canada's parks experience levels of patronage not before seen. The Indian Days, too, continued to rise in popularity. Nonetheless, competing visions of the Indian Days – and by an extension of the role of Natives in the park – had become the rule rather than the exception. “Indians” were no longer a “picturesque” part of the natural surroundings of Banff, their hybridity an abnormality brought in from the outside and in contrast to the national park ideal of static nature preservation and a well-ordered-yet-wild environment. Complaints from the Indian Days Committee and other organizers included the fact that too many Natives were making the more than forty mile trip to Banff in motor vehicles rather than riding horses.⁸² As one editorial stated, signs of modernity allowed “Indians” to evade their photographic hunters, paying customers who were forced to leave without their trophy: “Tepees at the Indian grounds were colorful and plentiful although the owners' cars – parked beside the tents – made it impossible to get ‘authentic’ pictures of Indian life as it was 100 years ago which is the main purpose of the Indian Days.”⁸³

⁸¹ Italics added for emphasis. “To the President and Members of the Banff Park Board of Trade,” no date, WMCR, Luxton Family Fonds, box LUX/I/D3a-2, f. 4 “Note for Banff Indian Days – Suggestions by N.K. Luxton – Year 1950 – July 20th to 23rd inclusive.”

⁸² Jon Whyte, *Indians in the Rockies* (Banff: Altitude Pub., 1985), 78.

⁸³ “Banff Indian Days Successful Event,” *Crag and Canyon*, 25 July 1962, 1.

Other complaints included a lack of contestants for the bow and arrow and tepee pitching contests,⁸⁴ and the dwindling number of Natives taking part in the annual parade.⁸⁵ Moreover, the “Indians”, according to many of Banff’s residents, were out of control; the issue of self-restraint became a defining one. “Indian” participants left Banff a mess, refusing to pick up after themselves, and were often drunk while there.⁸⁶ Editorial cartoons such as those in Figure 3.8 even began reinforcing negative stereotypes of the “drunken Indian” or the “inauthentic” or “assimilated” Indian” who could not remember how to drum or the words to traditional songs – hardly the stoic, noble people at one with nature and in tune with their ancestors as depicted.

By the mid-1960s, the Banff Indian Days Committee, in an effort to turn back the clock, sought to re-emphasize the original, salvage intention of the Days. As with wildlife policy in the park, they thought this could be achieved most efficiently through population control and through selecting those who best represented “real Indians.”⁸⁷ In 1967, for example, the Indian Days Committee let the Stoney know they were going to post a sign-up sheet at Morley reserve in the spring, after which time an Indian Days Committee

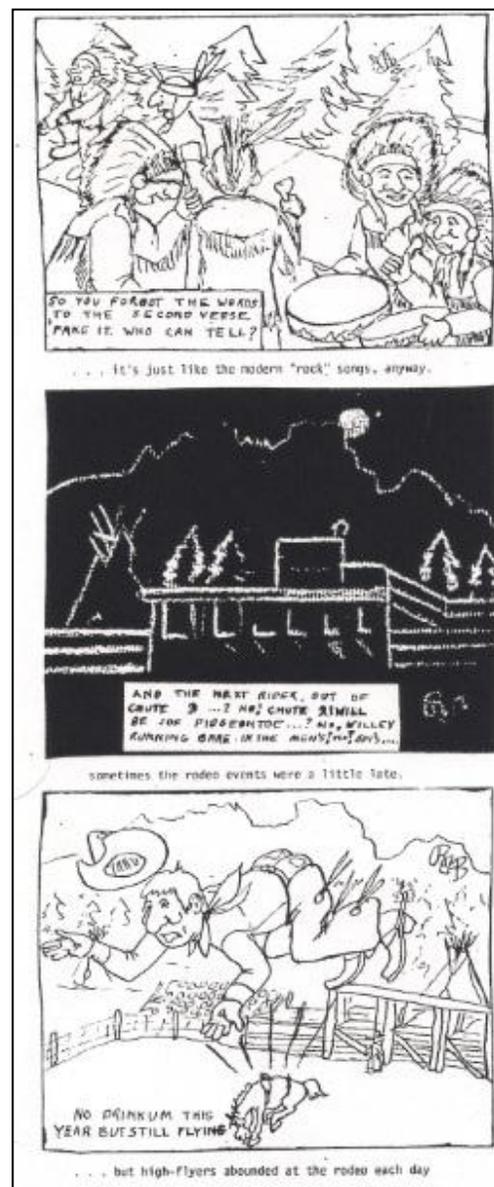


Figure 3.8: Commentators on the Banff Indian Days participants mocked their seeming lack of authenticity. From: *Crag and Canyon*, 23 July 1968, 3.

⁸⁴ “Miss Wesley Elected Queen of Banff Indian Days for Next Year,” *Crag and Canyon*, 24 July 1957, 1.

⁸⁵ “Banff Indian Days Successful Event,” *Crag and Canyon*, 25 July 1962, 1.

⁸⁶ Pat Parker, “Behind the Scenes at the Indian Grounds,” *Crag and Canyon*, 4 August 1970, 4-5; and “Editorial Cartoon,” *Crag and Canyon* (13 August 1975), 7.

⁸⁷ For example see: “Dates for Banff Indian Days Changed,” *Crag and Canyon*, 30 March 1966, 1.

member would visit the reserve and “interview the signees, inspect their equipment and otherwise make sure that they were willing and able to ‘deliver’ as promised.”⁸⁸ In 1969 the Indian Days Committee sent a letter to the Stoney informing them that only fifty tepees would be allowed on a first-come first-served basis – thus undermining the traditional authority of high-status Stoney who had previously established spots.⁸⁹ Moreover, all participants would be required to sign contracts agreeing not to consume any alcohol and to leave all their vehicles in the parking lot. Finally, participants were obligated to open their tepees to allow tourists to enter and observe “Indians in their natural condition” at least twice every day.⁹⁰ Most importantly, the Indian Days Committee, in consultation with some Stoney who favoured emphasizing cultural revival, ended the rodeo in 1971, further emphasizing “traditional Indian” culture. Such restrictive measures were designed to, once again, tame the Natives and provide the non-Native organizers with confidence that “Indians” would no longer run wild in the park but would appear to be the “Indians of 100 years ago.” Ironically, while the result was applauded for its appearance of authenticity, its tameness was judged based upon its conformity to middle class standards of family responsibility and propriety. One journalist, for example, praised the revised event after she witnessed “whole families” cleaning up litter every morning and “Indian” children, rather than acting out, being “polite, well-mannered and a real tribute to the upbringing given them by their parents.”⁹¹

Many Aboriginal participants were willing to accept these new rules and regulations in order to maintain the social networks they had established at the Indian Days, and others applauded ending the rodeo, which they felt did not fit with their priorities. Indeed, many Stoney and other First Nations became proponents of a pan-Indian cultural revival as part of the growing “Red Power” movement beginning in the late 1960s. They fought what they saw as the corrupting influences of modernization and called for a return to “tradition,” which included being part of nature. Chief Walking Buffalo, through much of the 1950s to his death in 1967, promoted these changes, including a return to learning from what he termed “Nature’s

⁸⁸ “‘New Deal’ Promised for Banff Indian Days: Right Now There’s More ‘Cowboys’ Than ‘Indians,’ *Crag and Canyon*, 17 August 1966, 1.

⁸⁹ “Letter from Indian Day Chairman to ‘Dear Indian Friends,’” 1969, WMCR, M62 Banff Indian Days Committee Fonds, f. 3.

⁹⁰ “Banff Indian Days Contract,” WMCR, M62 Banff Indian Days Committee Fonds, f. 3

⁹¹ Pat Parker, “Indian Days ‘Switch’ Proves Successful,” *Crag and Canyon*, 28 July 1971, 1.

University.”⁹² Other Aboriginal participants, however, refused the increasing constraints on their identity. Coinciding directly with the rise of anti-colonialism of the late 1960s and into the 1970s, and Aboriginal – especially Blackfoot – accusations of racism at the Calgary Stampede, a significant number of Stoney lashed out against the Banff Indian Days.⁹³ In 1969, just as the Indian Days Committee was seeking greater control over the Days, a dispute between the Stoney and the Committee emerged over the ownership of the Indian Days grounds. The Stoney claimed that they were the rightful owners, whereas the Indian Days Committee refuted this and eventually asked the federal government to intervene. The government decreed that the land had never been transferred and that it was still Crown land.⁹⁴ Nonetheless, when it came time to decide how to pay for repairs to the Indian Days grounds, the Committee suggested that such expenses should come from the Native participants’ (increasingly meagre) share of the proceeds.⁹⁵

Unimpressed by what they saw as ongoing discrimination, some Stoney persisted in their complaints. Led by Chief John Snow, these Stoney claimed that the Indian Days were exploitative – and indeed they had a case to make since the pay for participants had barely risen from the earliest days of the spectacle – and in 1971 many Stoney complained that they were never paid.⁹⁶ Snow was not the only Stoney to criticize the Indian Days, and criticism also came from the non-Native population. As one non-Native observer condemned the Indian Days for its exploitative, classist practices:

On the surface, this is an exhibition of Native culture and crafts in the context or the mosaic of Canadian peoples within this National Museum (BNP)...Emotions felt at the parade were slightly tarnished by the commercial selling of Banff Indian Day Coins amidst the parade. These initial feelings were later confirmed by personal interaction and conversation with the Natives. I discovered there was a certain lack of enthusiasm, poor wages (\$4 at the most for a performance) and a superficial illusion of grandeur which was far from the true feelings of these peoples...Is this a money-making exploitation or does the event enable those visitors to the Park to get a glimpse of the Native people of this country? Those that were there to experience the

⁹² George McLean, interviewed by Jon and Catherine Whyte, 28 October 1953, WMCR, Sound Recordings, S37/68; Brian Brennan, *Romancing the Rockies: Mountaineers, Missionaries, Marilyn and More* (Calgary: Fifth House, 2005), 71-2; and Grant MacEwan, *Tatanga Mani: Walking Buffalo of the Stonies* (Edmonton: M.G. Hurtig, 1969), 176, 200-204.

⁹³ Dempsey chronicles these complaints, including the threat of a boycott, in: “The Indians and the Stampede,” 65-66.

⁹⁴ Banff Indian Days Kiwanis Committee Meeting, “Minutes,” 10 April 1969, in WMCR M62 Banff Indian Days Committee Fonds, f.3.

⁹⁵ *Ibid.*

⁹⁶ Whyte, *Indians in the Rockies*, 78.

event will surely not forget the bigotry and alienation that will be a reflection of their opinions to the rest of the world.⁹⁷

The Banff Indian Days Committee did, in fact, attempt to pay out as much as possible to the Native participants, but costs to operate the Days had risen and Banff's business community was providing much less in donations; the result was that the Indian Days Committee constantly posted a deficit in the 1970s.

Nonetheless, Snow, in an act that proved fateful for the future existence of the Indian Days, publicly claimed that the Banff Indian Days Committee was exploiting the Aboriginal participants, called for a boycott of the event in 1972 and planned a competing festival in Morley. The Indian Days Committee, especially its chair, Wally Dohaniuk who was friends with many Stoney, was shocked, hurt, and angry. While the Committee considered ending the spectacle altogether, they decided instead to invite other First Nations to replace the Stoney. While some of those invited refused on the grounds that they did not want to create any friction, some Sarcee and Blackfoot bands accepted the invitation, as did Robert Smallboy. Chief of a Cree band, Smallboy fit perfectly the persona of what the Indian Days Committee wanted. In 1968 he left the Hobbema reserve, south of Edmonton, to move to the Kootenay Plains in the foothills of the Rocky Mountains with twenty-seven families to establish a "wilderness settlement," in order to live "in harmony with nature," and to leave the "contamination" of the modern world.⁹⁸ Nonetheless, while Cree, Sarcee, Blackfoot and Kootenay participants, along with some Stoney, would return the following years, the Indian Days would never recover from the dispute. After further conflicts and dwindling private sector financial support, the Indian Days ended in 1978. The Stoney, meanwhile, would host rodeos and, increasingly, pow-wows, which continued to draw non-Native spectators but over which the Stoney had complete control. In 2005, the Stoney renewed the Banff Indian Days with a completely new structure, designed first and foremost for First Nations participants, with some events even prohibiting non-Native observers.

⁹⁷ Katie Anderson, "Indian Days," *Centrefold* 1.4 (August 1978): 1. Ironically, Banff's residents were, at the same time, fighting for municipal autonomy from the federal government, even calling federal control "Colonial Rule." As one newspaper editorial stated, the residents of Banff wanted "the opportunity to decide their own future under the laws of the Province of Alberta" and that Banff's residents "should enjoy the same rights and responsibilities in governing their own affairs as other citizens." See: "'Colonial Rule' Seen as Issue," *Crag and Canyon*, 23 August 1972, 1.

⁹⁸ Brennan, *Romancing the Rockies*, 188-189; and Gary Botting, *Chief Smallboy: The Pursuit of Freedom* (Calgary: Fifth House, 2005).

Aboriginal Identities and Banff National Park

The Banff Indian Days provide an excellent window into the Native-newcomer socio-economic structure in which the annual festivity took place. Much as non-Native conservationists saw national park boundaries as a means to conserve or protect unspoiled Canadian nature before it was swallowed up by the inevitable march of “progress,” Indian Days organizers hoped that Natives could be viewed in Banff in all their pre-colonial splendour. Additionally, they expected that, like the flora and fauna of the park, Native people could be returned to the park as part of a highly regulated environment. They were “specimens” to be preserved and managed. Native people, however, did not see it that way. They relished the opportunity to return to their traditional territory, and found that they could exercise a greater degree of agency in the supposedly rigidly orchestrated event than they could, in many situations, outside of it. Non-Native spectators and Indian Days organizers for the first half-century or so of the Indian Days, feeling secure in the fact that such agency was temporary, perceived such actions as enriching – rather than diminishing – the value of the cross-cultural interactions taking place. This perception was most apparent when the Indian Days assisted the national park to grow in economic importance and lined the pockets of Banff’s merchants.

But the Banff Indian Days, as a recurring event, also reveals how the structure in which it occurred changed over time. Indeed, shortly after World War II the mutually-agreeable social structure that accommodated both Native and newcomer desires became more rigid, cracked, then fell apart. Economically, the park no longer relied upon the draw that the Indian Days provided, and those businesses who had once helped finance the Days complained that they received little return on their investment. Moreover, as perceptions about what parks should be increasingly turned towards one of preservation of the authentic, anything seen as “foreign” to the indigenous environment was questioned, if not condemned. Unfortunately, then, an inverse relationship in the park existed between environmental protection and social justice. As environmentalists sought to do right by nature by protecting the threats to it from development of the park, a situation simultaneously arose whereby the hybrid nature of the Indian Days became targeted as impure. A growing number of non-Native voices, in addition to some Native ones, complained that Aboriginal hybridity did not fit within the park. The Indian Days organizers

turned to selective population control in an attempt to reincarnate the Indian Days as an “Indian” only event.

Meanwhile, as time progressed and the Native participants witnessed the vast amount of wealth being poured into Canada’s natural playground while continuing to experience economic and social marginalization in Canadian society in general, many resented what they felt was a lack of gratitude for their efforts. Though the Stoney wanted to continue to be a presence in Banff, a backlash against anything that was perceived to threaten the park’s mythos prevented the Indian Days from continuing. As within other Canadian parks, First Nations surrounding Banff National Park continue waiting for their dynamic presence to be considered capable of co-existing within the national park system and the popular psyche.

- CHAPTER FOUR -

Environmental Colonialism and Decolonization in Washington State's Olympic Peninsula

*New scientific methods assure us that despite what we may do, our forests will still be here in 400 years... with careful management of natural resources, the Quinault Indian Nation will be here to help celebrate Washington's second hundred years... Our children will be able to say that we have remained faithful to the Great Spirit; that we made our best effort to live up to a simple prayer: the Moon's Prayer. O Mighty Spirit, Great Father, forgive them for not loving Mother Earth, but save her for the children.*¹

Joseph DeLa Cruz, President, Quinault Indian Nation

*Thousands of outsiders pass through La Push each year in search of the 'noble savage.' They are usually disappointed. Not only are there no teepees and feathers, but the Indians don't seem particularly noble, or, for that matter, very savage. Where is the comfortable television stereotype of Indians?*²

Jay Powell and Vickie Jensen, *Quileute*

Over the past two decades a growing body of scholarship and journalism has sought to expose the process known as “environmental colonialism” or “green imperialism.” In particular, these exposés reveal how foreign governments or “BINGOs” (Big International non-Government Organizations including the Worldwide Fund for Nature, Conservation International, and The Nature Conservancy) regularly coerce “developing” states to structure their environmental regimes after supposedly superior “Western,” characterized as bureaucratic and scientific, ones. Indeed, no program is more iconic of the ongoing process of colonial mimicry than the “debt-for-nature” exchanges where cash-starved, “Third-World” countries receive financial relief if they agree to a conservation program dictated by their “Western” sponsors. Such programs, these studies unanimously agree, fail to “protect” the environment and further economically and culturally victimize already marginalized local (often Indigenous) peoples.³ Environmental

¹ Pauline K. Capoeman, ed., *Land of the Quinault* (Seattle: Continental Publishing, 1990), 8-9.

² Jay Powell and Vickie Jensen, *Quileute: Introduction to the Indians of La Push* (Seattle and London: University of Washington Press, 1976), 15.

³ For a broad sampling of this canon see: Jonathan S. Adams, *The Myth of Wild Africa: Conservation Without Illusion* (Berkeley: University of California Press, 1996); John S. Akama, “The Evolution of Wildlife Conservation Policies in Kenya,” *Journal of Third World Studies* 15.3 (1998): 103-117; Datuk Seri Mahathir Bin Mohamed, “The Green Flag of Eco-Imperialism,” *New Perspectives Quarterly* 16.2 (Spring 1999): 8-9; Raymond Bonner, *At the Hand of Man: Peril and Hope for Africa's Wildlife* (New York: Alfred A. Knopf, 1993); Paul Drissen, *Eco-Imperialism: Green Power, Black Death* (Bellevue, WA: Free Enterprise Press, 2003); Glenna Freeman, “Green Imperialism,” *New Internationalist* (October 2005): 7-8; Robert H. Nelson, “Environmental Colonialism: ‘Saving’ Africa from Africans,” *The Independent Review* 8.1 (Summer 2003): 65-86; Roderick P. Neuman, *Imposing Wilderness: Struggles Over Livelihood and Preservation in Africa* (Berkeley: University of California Press, 2002); John F. Oats, *Myth and Reality in the Rain Forest: How Conservation Strategies are Failing in West Africa*

colonialism has thus become one of the latest schemes to save “Indians” or non-white peoples from themselves, making them a modern-day, “white-man’s burden” running parallel to ongoing religious, economic, and political attempts at control.

Despite the fact that these exposés are well-intentioned and apt at revealing an understudied aspect of (neo)colonialism, there are nonetheless deficiencies therein. First, critics have tended to focus on “exotic” locales such as the Brazilian Rainforest, the African savannah, or the dense wetlands of Papua New Guinea. This purview has not only created a new “Orient” but it gives the false impression that environmental colonialism only occurs “over there,” in “developing” states, rather than in “Western” countries such as the United States and Canada.⁴ Second, this approach romanticizes Indigenous peoples and their knowledge of the environment by creating binary, normative characteristics of them and “Westerners;” the knowledge of Indigenous people is essentialized as “ancient,” part of the Earth, benevolent, localized, and thus superior while Western bureaucratic, scientific ecological knowledge is distant, cold, dehumanized, and designed to separate people and nature, ergo inherently flawed.⁵ Such characterizations uncritically reproduce the “ecological Indian” trope and reinforce a static, unrealistic view of Indigenous people – a view that forms the very basis for colonialism and its discourse. Third, critics also create a binary of Natives versus the government and its supporters without adequately recognizing the complexity of relationships among these groups, especially the state. In reality, and as will be shown in the following chapter, the situation is much “messier” with various levels of government (i.e., federal, state) fighting amongst one another, and branches of the agencies within those governments doing the same. Consequently, there is seldom a clear divide between those groups opposed to, and those supportive of, Indigenous peoples’ efforts; in fact, the relationships between all parties is ambivalent, wherein they simultaneously seek to undermine one another and yet recognize they are dependent upon one another’s support and success. Bluntly stated, the recent surge of critiques surrounding

(Berkeley: University of California Press, 1999); and Ariffin Yohan, “On the Scope and Limits of Green Imperialism,” *Peace Review: A Journal of Social Justice* 22.4 (2010): 373-381.

⁴ In using the idea of a constructed “Orient” I refer to Edward Said’s seminal work on how Europeans constructed as the Orient (Asian, North African and Middle Eastern) countries as an “Other” culture, inferior to their own. *Orientalism* (New York: Vintage Books, 1978).

⁵ James C. Scott, who has likely influenced many of the critics of environmental colonialism, provides a strikingly similar critique of central governments’ attempts to force uniformity – what he terms *legibility* – on disparate human and ecological systems, losing vital local knowledge in the process. See: *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998).

environmental colonialism has failed to move beyond colonial discourse; it has merely reversed the valuations therein.

Washington State's Olympic Peninsula, 6200 square miles of land renowned both for its "wilderness" and rich natural resource base, has long held the gaze of both popular and state conservationists.⁶ Native American tribes, their reservations lining the perimeter of the Peninsula, have attracted attention from the same. Multiple levels of government – both federal and state and the various branches within – demanded these tribes adopt "modern" environmental conservation programs which mimicked the governments' own as early as the turn of the twentieth century. The official aim of these programs was paternalistic and benevolent: to create a sustainable Native-nature relationship in order that both might thrive into the future. In reality, such programs have served colonial interests at the expense of both Natives and the natural environment. Indeed, Washington State's Olympic Peninsula has a lengthy history of human-induced, state-sanctioned environmental degradation.

As outsider-induced environmental change has affected the Native American reserves within the Olympic Peninsula, Native Americans themselves have taken an increasingly active role in effecting environmental control and change, both on their own and in partnership with outsiders. Most scholarly appraisals of Native American environmental management on the Peninsula focus on either the pre-contact era or the past few decades, largely mirroring the style and periodization of the canon of environmental colonialism literature discussed above.⁷ Tribes living within the Olympic Peninsula, however, did not resist the imposition of an environmental management regime as determined by outsiders in order to implement a "traditional" one of their own making, nor is their history of "modern" environmental management only a scant few decades old. Instead, Native Americans did quite the opposite: they reproduced (mimicked) nearly all of the ecological management apparatuses – including people ("experts") and

⁶ The Native American reserves and tribal groups with lands encompassing the Olympic Peninsula focussed upon throughout this chapter owing to space constraints are the Quinault, the Hoh, the Quileute, the Makah, and the Lower Elwha S'Klallam. I do acknowledge and recognize, though, that others including the Nisqually, Chehalis and Skokomish have also taken part in many similar actions to those of other tribes detailed in this chapter.

⁷ See for example the majority of articles in Richard L. Clow and Imre Sutton, eds., *Trusteeship in Change: Toward Tribal Autonomy in Resource Management* (Boulder: University of Colorado Press, 2001); Darby C. Stapp and Michael S. Burney, *Tribal Cultural Resource Management: The Full Circle to Stewardship* (Walnut Creek, CA: Altamira Press, 2002); Jovana J. Brown, "Treaty Rights: Twenty Years After the Boldt Decision," *Wicazo Sa Review* 10.2 (Autumn 1994): 1-16; Ann M. Tweedie, *Drawing Back Culture: The Makah Struggle for Repatriation* (Seattle and London: University of Washington Press, 2002); and Charles Wilkinson, *Messages from Frank's Landing: A Story of Salmon, Treaties, and the Indian Way* (Seattle and London: University of Washington Press, 2000).

structures (bureaucracies) – which outsiders insisted they use from very early on. Specifically, I contend that non-Native governments and popular conservationists, through demanding Native Americans access and wield the tools – both physical and discursive – of ecological management within a “Western” paradigm, opened a space within the dominant colonial structure for Indigenous peoples to mock it.

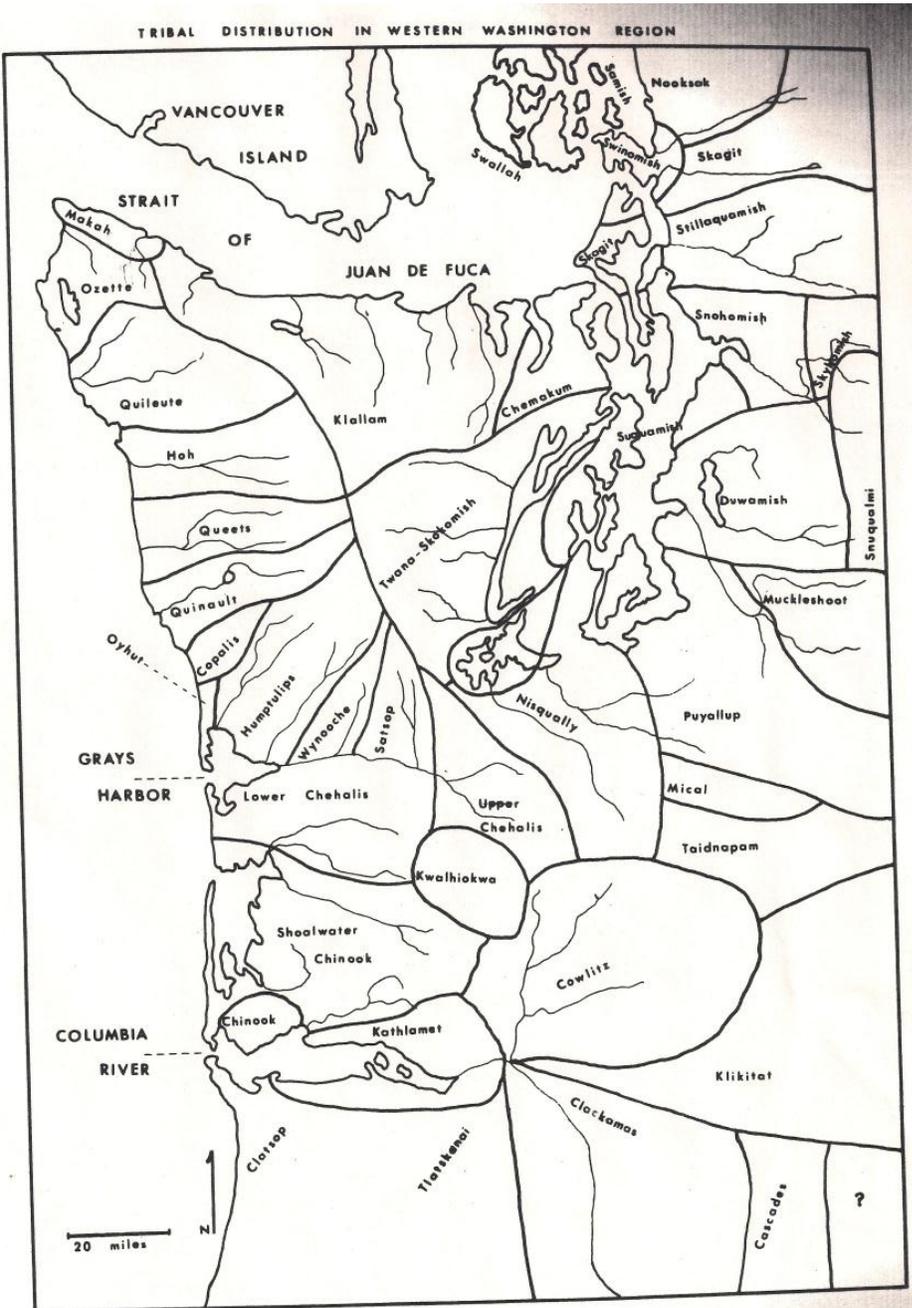


Figure 4.1: Tribal distribution in Western Washington State. From: William Dietrich, *The Final Forest: Big Trees, Forks, and the Pacific Northwest* (Seattle: University of Washington Press, 1992).

The Roots of Environmental Colonialism in Washington State

Colonial dispossession of Native Americans' access to, and management of, their natural resources in what would become Washington State began in the mid-1850s. Amidst an influx of non-Native settlers to the resource-rich region in the 1850s, Governor Isaac Stevens "negotiated" (with threats of violence and land dispossession) a series of treaties with the region's Indigenous inhabitants from 1854 to 1856.⁸ The ink was hardly dry, however, before disputes over treaty interpretations arose, a situation unsurprising considering the radically different proprietary paradigms within which Natives and newcomers operated, and the use of the linguistically impoverished Chinook jargon (with its less than 800 word vocabulary) as a means of communication at the treaty negotiations.⁹ Indigenous signatories apparently believed they had secured much of their traditional territory and its resources from non-Native incursions, including, most importantly, "the right to hunt and fish at all usual and accustomed grounds," while non-Natives seemingly understood that the "Indians" had agreed to reside on a few small reservations.¹⁰ Native Americans thereafter witnessed the denial of their treaty guarantees. Prior to the treaty, Native Americans were able to utilize the natural resources throughout their

⁸ On the Olympic Peninsula these are: the Treaty of Point No Point that included the Jamestown S'Klallam, Port Gamble S'Klallam, the Lower Elwha and the Skokomish tribes, signed on January 26, 1855, the Treaty of Neah Bay with the Makah on January 31, 1855, and the Treaty of Olympia (sometimes referred to as the Quinault Treaty), signed by the Quinault on July 1, 1855 as well as, later, the Hoh and Quileute on January 6, 1856. The history of treaties in Washington State, and the conflict following them, has received ample attention from scholars though the "Puget Sound Tribes" receive most of the attention while those of the Peninsula and elsewhere far less. See: Brad Asher, *Beyond the Reservation: Indians, Settlers, and the Law in Washington Territory, 1853-1889* (Norman: University of Oklahoma Press, 1999); Wm. Compton Brown, *The Indian Side of the Story* (Spokane, WA: C.W. Hill, 1961); J.A. Eckron, *Remembered Drums: A History of the Puget Sound Indian War* (Walla Walla, WA: Pioneer Press Books, 1989); Harmon, *Indians in the Making*, 1998; David L. Nicandri, *Northwest Chiefs: Gustav Sohon's Views of the 1855 Stevens Treaty Council* (Washington: Washington State Historical Society, 1986); Carole Seeman, *The Treaties of Puget Sound* (Lanham, MD: University Press of America, 1986); Clifford E. Trafzer, ed., *Indians, Superintendents, and Councils: Northwest Indian Policy, 1850-1855* (Lanham, MD: University Press of America, 1986).

⁹ For further reading on the possible effects of Chinook jargon on treaty interpretations and Native-newcomer relationships thereafter, see: Cecelia Smith Carpenter, *They Walked Before: The Indians of Washington State* (Tacoma, WA: Tacoma Research Service, 1989), 29-30; Seeman, *The Treaties of Puget Sound*, 24-25; Barbara Lane, "Makah Economy Circa 1855 and the Makah Treaty: A Cultural Analysis," Unpublished Report for the Makah Tribal Council, 20 December 1972, 4-7, Centre for Northwest Pacific Studies, box 14.; Mary B. Isely et. al., *Uncommon Controversy: Fishing Rights of the Muckleshoot, Puyallup, and Nisqually Indians* (Seattle: University of Washington Press, 1970), 21-24; and James L. Holton, *Chinook Jargon: The Hidden Language of the Pacific Northwest* (San Leandro, CA: Wawa Press, 2004).

¹⁰ Those tribes who refused to agree to move to such reservations, such as the Hoh, Quileute and S'Klallam, would eventually receive their own reserves but only after much hardship, including the Port Gamble S'Klallam's village site being put to the torch. See: Asher, *Beyond the Reservation*, 45; and Gina Beckwith, Marie Hebert and Tallis Woodward, "Port Gamble S'Klallam," in *Native Peoples of the Olympia Peninsula: Who We Are*, ed. Jacilee Wray (Norman: University of Oklahoma Press, 2002), 55.

traditional territories without non-Native interference; after the treaties were signed, however, they were increasingly unable, or at best restrained, from doing so.

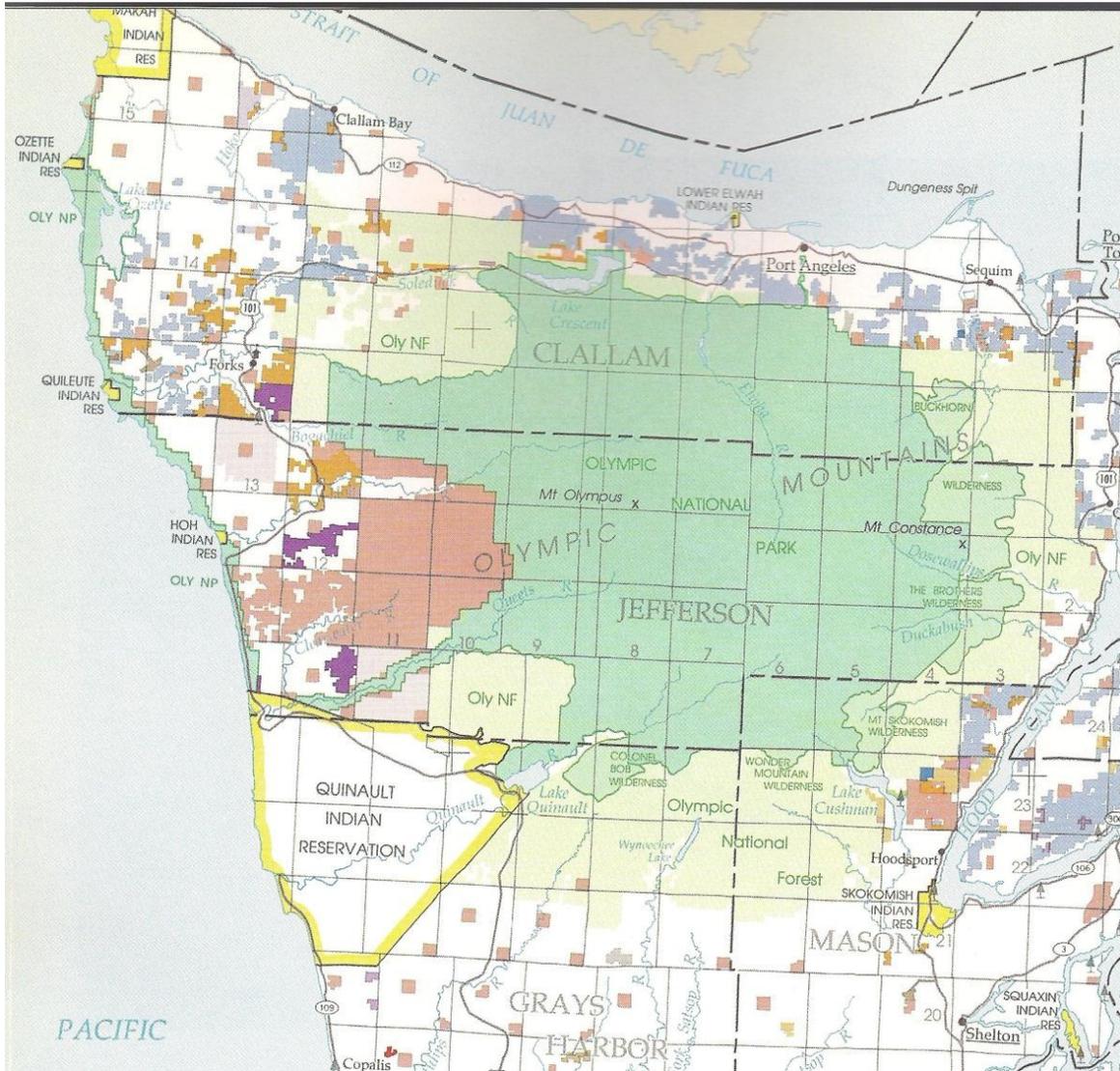


Figure 4.2: Olympic National Park, Olympic National Forest, and surrounding Native Reservations. From: Capoeman, *Land of the Quinault*, 238.

Conservation laws and protected area strategies would eventually become one of the primary ways in which colonial authorities structured Native resource use. Beginning in 1897 President Grover Cleveland, in order to avert a perceived national “timber famine,” set aside national forest reserves throughout the United States. The Olympic National Forest (1897), one of this system’s jewels, encompassed two-thirds of the Olympic Peninsula. President Theodore Roosevelt subsequently created the Olympic Mountain Range as a 620,000 acre National Monument in 1909, largely to protect elk calving grounds. Congress later re-designated the

Monument as a National Park in 1938.¹¹ Native Americans were restrained from accessing the resources within both federal protected areas. Washington State, too, enacted its own conservation measures with the intent to circumvent treaty guarantees of off-reserve hunting and fishing for Native American signatories.¹² In 1910, for instance, state law required a license to fish, which Native American tribal members were unable to obtain because they were wards, and not U.S. citizens.¹³ It is clear that one of the most pivotal events in this history occurred in 1925 when Washington State, pandering to the interests of angling clubs, declared steelhead as a game fish reserved for sportsmen, institutionalizing the battle between sportsmen, the state Department of Game, and Native Americans that would last the rest of the century and beyond.¹⁴

As much as both federal and state governments claimed their actions benevolent, they were easily swayed (and often paid) to bypass conservation laws when expedient; in this new colonial structure, power was nested equally in the hands of politicians and industrial capitalists (often one and the same). As Robert Bunting observes, government and corporate bureaucracies in the Pacific Northwest found common ground more often than not.¹⁵ The now infamous Elwha dam, approved by the State of Washington and completed in 1913, ignored an 1890 state law requiring fish escapement and ruined one of the world's largest salmon runs. Between 250,000-500,000 salmon once returned here annually to spawn, but that number plummeted to a few

¹¹ Today, the National Park Service has designated ninety-five percent of Olympic National Park "wilderness space" and thus human interference is supposed to be absent from the park. This has been a source of contention for Native Americans who wish to continue to hunt game, fish, and conduct other resource extraction activities within the areas of Olympic National Park that are their traditional territory and is explained further in Chapter 5.

¹² This early conservation is discussed in some detail in: Fronda Woods, "Who's In Charge of Fishing?" *Oregon Historical Quarterly*, 106.3 (2005): 412-441.

¹³ Jamie Valadez, "Elwha Klallam," in *Native Peoples of the Olympia Peninsula: Who We Are*, ed. Jacilee Wray (Norman: University of Oklahoma Press, 2002), 25; and Homer L. Morrison, *A Clallam Community: A Study of the Rehabilitation of the Clallam Indians in the Valley of the Lower Elwha in Clallam County, Washington* (Seattle, WA: Office of the Superintendent of Indian Education, 1939).

¹⁴ See for a state and federal example, two of which only touch on the lengthy history of the state using conservation to circumvent treaty rights: Edward G. Swindell, "Report on the Source, Nature and Extent of the Fishing, Hunting and Miscellaneous Related Rights of Certain Indian Tribes in Washington and Oregon Together with Affidavits Showing Locations of a Number of Usual and Accustomed Fishing Grounds and Stations," (Los Angeles: United States, Department of the Interior, Office of Indian Affairs, Division of Forestry and Grazing, July 1942); and John J. O'Connell, "Indian Rights and Enforcement Problems: A Collection of Attorney General's Opinions and Other Articles Pertinent to the Law of Indian Treaty Rights and Enforcement Problems in the State of Washington, June 1958," Unpublished Report, June 1958: 3-4, Washington State Library, Tumwater. Judge George Boldt would also recognize this dubious circumvention of court rulings and treaty rights in his landmark 1974 ruling. See: Fay G. Cohen, *Treaties on Trial: The Continuing Controversy over Northwest Indian Fishing Rights* (Seattle: University of Washington Press, 1986), 13.

¹⁵ Robert Bunting, *The Pacific Raincoast: Environment and Culture in an American Eden, 1778-1900* (Lawrence, Kansas: University of Kansas Press, 1997), 157-158.

thousand.¹⁶ Elwha Klallam individuals recall watching tens of thousands of salmon struggling in vain at the base of the dam. They also remember being fined by game wardens for catching the doomed salmon, or even gathering dead ones.¹⁷ Washington State also licenced more sportsmen and industrial enterprises (commercial fishing, logging) to intensify their activities with each passing year. At the federal level, President William McKinley, responding to pressure from Washington State’s logging industry, reduced the Olympic National Forest reserve by one third in 1900, and President Woodrow Wilson reduced the Olympic National Monument in 1915 by nearly half, again because of state and industry opposition.¹⁸ Even John Collier, Commissioner of Indian Affairs from 1933-1945, since valorized for his defence of Native American culture, proposed legislation for Native American fish conservation off-reserve to placate Washington State’s government, businessmen, and sportsmen. “In order to avoid further harm to the salmon fishing industry and Indian-State relationships,” Collier wrote in a 1942 report, “everyone should work toward stopping Indian commercial fishing during the state close season.”¹⁹ Collier’s views represented normative discourse among Indian Affairs officials discussing the conservation situation in Washington State.

The federal government was more likely to bypass its own conservation measures if it thought doing so would encourage Native Americans to assimilate into non-Native society and become “productive” members of a labouring class or yeoman farmers. In the Olympic Peninsula, this meant cutting down forests and the Office of Indian Affairs used this ideology to justify colluding with the timber industry. Indeed, logging outfits have always eyed resource-rich Native American reservations – spaces that were not locked away from the axe as in the neighboring national parkland – with hunger. After 1900 Indian Affairs pressed for increasingly “liberal” congressional authority to dispose of green, standing tribal timber. Even though Gifford

¹⁶ National Park Service, “Elwha River Ecosystem Restoration Implementation: Final Supplement to the Final Environmental Impact Statement,” U.S. Department of the Interior, Olympic National Park, Washington, July 2005.

¹⁷ The Elwha Klallam eventually built a tribal hatchery in the 1970s since their livelihood and culture centered on the salmon, but it has not been able to keep up to the tremendous losses imposed by the dam. Those operating the dam were continually able to renew its license through political backroom deals, including with conservation agencies including the National Park Service. See: Robert H. Keller and Michael F. Turek, *American Indians and National Parks* (Tucson: University of Arizona Press, 1998), 100-1. Most fish populations are expected to return to the river as the process of removing the dam recently began in September 2011, after a lengthy campaign by the Elwha Klallam and a coalition of environmentalists, ecologists, the National Park Service, and anglers.

¹⁸ William Dietrich, *The Final Forest: The Battle for the Last Great Trees of the Pacific Northwest* (New York: Simon & Schuster, 1992), 22.

¹⁹ John Collier to O.C. Upchurch, Supt Tulalip Indian Agency, 7 February 1942, National Archives, Seattle (hereafter NA), RG-75 BIA Tulalip Indian Agency Decimal Files, box 53, f. 921 1933-1944.

Pinchot, Chief of the U.S. Forest Service (1905-1910), forecast it would spell the end of Indian forestlands, Congress passed the *General Timber Act* (1910) to allow for greater commercialization of Indian timber reserves. The Office then developed a professional Indian Forest Service, made up primarily of non-Natives, to oversee tribal forest reserves. Natives, the Office believed, could not be trusted to manage the environment without “wasting” it. The BIA then used tribal money to pay the salaries of what was often woefully inexperienced and improperly-trained forest service staff.²⁰

The federal government and timber industry especially targeted the large, timber-laden Quinault Reservation, though others such as the Makah Reserve were intensively logged as well. As early as 1903 timber cruiser E.L. Follett called for the opening of the Quinault Indian Reservation to logging companies. After the Office of Indian Affairs, in control of Quinault forestlands, auctioned off the Quinault’s timber rights to different logging companies for stumpage rates the Quinault would later argue were exceptionally low, these logging companies began removing timber from the reserve in 1920.²¹ Employing both Native and non-Native labourers, these companies clearcut much of the Quinault reserve over the next few decades leaving slash and debris in their wake and destroying many fish and game habitats.²²

Federal departments with conservation mandates, including Indian Affairs which was supposed to ensure that Indians managed their reserve’s resources wisely, walked the ambivalent line between calling for greater Indian conservation efforts and ridiculing the arguments of sportsmen and commercial enterprises for their obvious use of environmental concern as a false front to target Native Americans. For example, Clifford C. Presnall, the agent in charge of Indian Reservation wildlife in the Fish and Wildlife branch of the Department of the Interior, wrote a series of reports regarding conservation and resource depletion on the Olympic Peninsula in the early 1940s. These reports represent the extent and kind of federal support for Native American-

²⁰ See: Alan S. Newell, Richmond L. Clow and Richard N. Ellis, *A Forest in Trust: Three-Quarters of a Century of Indian Forestry, 1910-1896* (Washington, D.C.: U.S. Department of the Interior, Bureau of Indian Affairs, 1986), s. 2.11; s. 3.3; s. 3.8.

²¹ In 1922, the same year the Quinault Tribal Council was created but which had no power regarding the timber resources of its reserves, the “Great Quinault tract” was sold. This allegedly marked one of the largest timber deals ever made in the Northwest. See: Quinault Department of Natural Resources, “Time Was...Quinault Country Chronicle,” *Quinault Natural Resources*, 14.2 (Summer 1991): 42, Washington State Archives, Olympia (hereafter WSA), Sue Lean Donation, Indian Affairs Clippings, AR-20070112-01, box 2, f. Quinault Natural Resources, 1989-91; and “Interview with Joe De La Cruz by Clifford Mowitch,” 1973, Centre for Pacific Northwest Studies, Bellingham (hereafter CPNWS), Northwest Tribal Oral History interviews 1/5.

²² Robert E. Ficken, “Pulp and Timber: Rayonier’s Timber Acquisition Program on the Olympic Peninsula, 1937-1952,” *Journal of Forest History* 27.1 (1983): 11-13.

controlled environmental management. Rejecting a growing chorus of voices blaming Native Americans for the rapid decline in the salmon population, he stated: “Indian responsibility is not so great as might be inferred from the furor that has been raised about it, for even though Indians catch many salmon as they enter spawning streams, White-operated purse-seiners, etc., catch larger quantities in the Pacific Ocean and Puget Sound before they have a chance to enter the streams.”²³ Yet Presnall, like his contemporaries, believed Native American tribes needed to become “progressive” through the implementation of a bureaucratic conservation structure that included “principles upon which to base tribal enactment and secretarial approval,” and deferred to both government and scientific approval for any conservation plans. Furthermore, while Presnall argued the tribal councils would, at some undetermined future date, be “freed from necessity of official approval” and conservation placed wholly in the hands of the tribes themselves, he envisioned that tribal resource managers would always work under the technical supervision of the Fish and Wildlife Service.²⁴ In fact, all federal bureaucratic agencies sought to slot the Native American tribes under, rather than above, and never outside of, the expanding non-Native conservationist structure.

Such cases of outsider conservation demonstrated to Native Americans the ulterior motives of state and federal conservationist agencies, despite the benevolent rhetoric that they sought only to assist Natives in becoming ecological. Yet, as noted, federal and state conservationists were certainly not on the same side. Simply by defending its wards, Indian Affairs created tension between it and the state government. Conflict between other federal departments and the state, too, intensified state-federal animosity. Native Americans, in turn, would adroitly identify this friction and use it – combined with the environmental management tools forced upon them – to their advantage.

Native American Conservation and State Ambivalence Towards the Environment

Nobody in the federal and state governments believed that Native Americans could successfully enact a conservation program on their own. All, however, wanted the state’s Native

²³ Clifford Presnall, “Indian Salmon Fishing in Oregon and Washington,” 19 December 194., NA, RG-75 BIA Tulalip Indian Agency Decimal Files, box 53, f. 921 1933-1944 (2).

²⁴ Presnall to Kenneth R.L. Simmons, U.S. Indian Service, 18 April 1942, NA, RG-75 BIA Tulalip Indian Agency Decimal Files, box 53, f. 921 1933-1944. See also: R.L. Simmons, District Counsel, to Warner W. Gardner, Solicitor, Department of the Interior, 10 November 1942, NA, RG-75 BIA Tulalip Indian Agency Decimal Files, box 53, f. 921 Fish and Fishing 1933-44 (2).

Americans to mimic the state's conservationist efforts to the extent that they would "progress," via non-Native assistance and encouragement, and become "good" (i.e., obedient) environmental stewards. Native Americans of the Olympic Peninsula, meanwhile, recognized the utility of conservation practices and programs in giving them additional power over the environment and those who used it, Native or otherwise, within a colonial structure.

Native American cultures long before contact had structures via rules and protocols for effectively managing their environment, and these could be labelled conservationist. Tribal authorities continued to implement these regulations after signing treaties and being restricted to reserves while adapting these regulations to changing colonial contexts.²⁵ The Quileute, for example, refused to trade salmon to outsiders as early as 1881 because they feared that salmon populations were declining and they wanted to ensure the viability of their most valuable resource. The Quinault enacted salmon conservation regulations for tribal members in 1907 which led, in 1912, to Washington State declaring that the Quinault had the "best fish protection of any river in the State of Washington."²⁶ Such praise from Washington State, however, was exceptional, especially once it became apparent that Native Americans could master the art of using bureaucratic conservation to gain exclusive access to, and control over, the environment. In other words, actions once perceived as mimicry reinforcing the colonial structure became regarded as mockery serving more to undermine it.

²⁵ For examples: Native American tribes stripped bark from trees in a manner that allowed the tree to continue living; they used fire to manage the landscape for myriad purposes; and they observed cultural taboos that regulated hunting and fishing during certain time periods or provided for species reproduction and sustainable growth. See: Susan Charley, A. Paige Fischer, and Eric T. Jones, "Integrating Traditional and Local Ecological Knowledge into Forest Biodiversity Conservation in the Pacific Northwest," *Forest Ecology and Management* 246 (2007): 14-28; Ram Raj Prasad Singh, *Aboriginal Economic System of the Olympic Peninsula Indians, Western Washington* (Sacramento: Sacramento Anthropological Society, 1966), 29-30; Wray, *Native Peoples of the Olympic Peninsula*, 2002; Twedie, *Drawing Back Culture*; Jacilee Wray, *Olympic National Park Ethnographic Overview and Assessment* (Port Angeles, WA: Olympic National Park, National Park Service, 1997); Erna Gunther, *Ethnobotany of Western Washington: The Knowledge and Use of Indigenous Plants by Native Americans* (Seattle: University of Washington Press, 1973); and Robert Boyd, ed., *Indians, Fire and the Land in the Pacific Northwest* (Corvallis: Oregon State University Press, 1999).

²⁶ Richmond L. Clow and Imre Sutton, "Tribes, Trusteeship and Resource Management," in *Trusteeship in Change: Toward Tribal Autonomy in Resource Management*, Richmond L. Clow and Imre Sutton, eds. (Boulder, Colo.: University Press of Colorado, 2001), xl. Washington State approved of the Quinault's fish protection program only until non-Natives entered the area and commercialized this fish a few years later, which led to greater state regulation, gross overfishing, and a marked decline in salmon returns. See: Cato Sells, Commissioner, to Senator Hon. Miles Poinxdexter, 26 May 1919, NA, RG-75BIA Taholah Indian Agency Decimal Files Correspondence, box 1, f. Fishing/Education Law & Order 1919-1921; and No Author to The Commissioner of Indian Affairs, no date, NA, RG-75BIA Taholah Indian Agency Decimal Files Correspondence, box 1, f. Fishing/Education Law & Order 1919-1921.

The Quinault Indian Nation, despite being an amalgamation of multiple tribes – and thus also serving as an excellent case study because of broad multi-tribal interests represented therein – was particularly adept at identifying state pressure for Indians to adopt conservation measures a situation rife with the possibility for social change and Native American empowerment.²⁷ Quinault Lake, located within the Quinault Rain Forest and bordered on its east side by Olympic National Forest and on the north side by Olympic National Park, quickly gained a reputation for its angling, tourism and camping opportunities. The Quinault Lodge, in particular, capitalized on attracting sportsmen and recreationalists to the area, even highlighting the “primitive” nature and Natives of the area as shown in the artwork depicted on Figure 4.3. Yet the Quinault Indian Nation (then governed by the Quinault and Quillehute Tribal Council), whose reserve borders the south and west sides of Quinault Lake, have jurisdiction over the use of the lake. After complaining that permits were being issued by

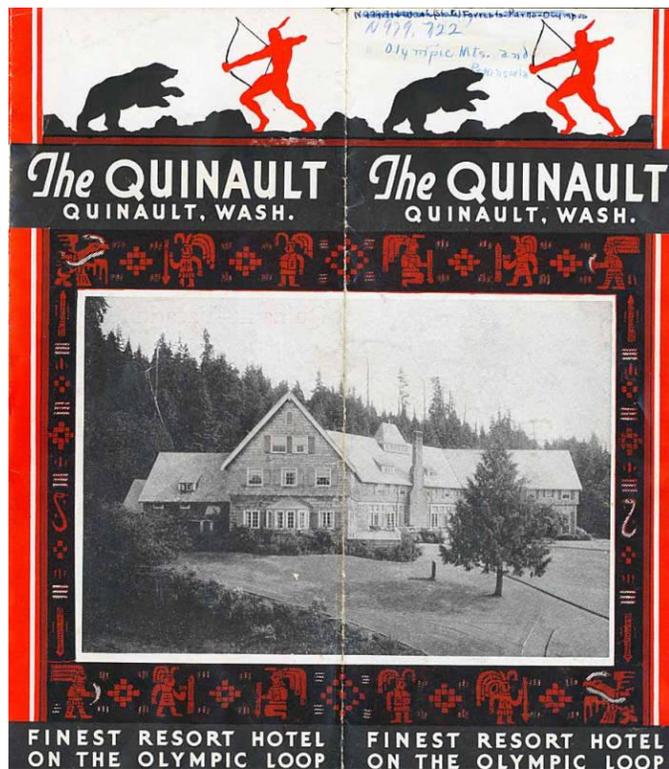


Figure 4.3: Quinault Lodge advertisement, 1935. University of Washington Special Collections Pamphlet and Textual Documents Collection, f. 979.722 Olympic Mountains and Peninsula.

²⁷ The Quinault Reserve, in the minds of Governor Stevens and other non-Natives involved in crafting the 1856 Treaty of Olympia, and then as well in the 1873 Executive Order enlarging the Quinault Reserve, was to include an amalgamation of tribes including the Quinault (then often spelled Quilaelt), the Quileute (then often spelled Quillehute and Quilleyhute), the Hoh and “other tribes of fish-eating Indians on the Pacific Coast.” The Quileute and Hoh tribes received their own reservations in 1889 and 1893 respectively. Nonetheless, because of the small size of these latter reserves, Congress passed an act in 1911 directing the Secretary of the Interior to make allotments for Hoh, Quileute and Ozette Indians on the Quinault Reservation as stipulated in the 1856 treaty. These allotments ended soon thereafter, in 1913, due to a shortage of available farming and grazing lands. Allotments began again in 1924 after the Supreme Court ruled that they must include forested lands. In 1931 the Supreme Court ruled that Chehalis, Cowlitz and Chinook Indians were also entitled to allotments on the Quinault Reservation. For further detail see: Robert H. Ruby and John A. Brown, *A Guide to the Indian Tribes of the Pacific Northwest* (Norman and London: University of Oklahoma Press, 1986); Frank W. Porter III, “In Search of Recognition: Federal Indian Policy and the Landless Tribes of Western Washington,” *American Indian Quarterly* 14.2 (Spring, 1990): 113-132; and Justine E. James, “Quinault,” in *Native Peoples of the Olympic Peninsula: Who We Are* (Norman: University of Oklahoma Press, 2002), 99.

the federal government without their knowledge to hunt and fish on Quinault reserve land, and arguing that doing so increased the risk for forest fires, the Tribal Council secured from Indian Affairs the exclusive right to sell and issue permits to sportsmen and to exercise control over both game and food fish within reserve boundaries.²⁸ The Tribal Council also required sportsmen to hire Native boatmen or guides if fishing on Quinault River rather than Quinault Lake. Native police patrolled both, reversing the dominant colonial-Native knowledge and power/surveillance dynamic.²⁹

Sportsmen who had enjoyed essentially unfettered access up to this point were, to put it mildly, unsatisfied with these restrictions to a resource to which they felt entitled. In 1930, Isaac Walton (angling) clubs, backed by Washington State Game Wardens, responded by financing legal action banning the sale of steelhead, a “game” fish, from the open market for conservation purposes. Many Quinault who depended upon this trade for winter income recognized the real motives of the action. Nor did the irony of the situation escape the local Indian Agent, W.B. Sams. Sams reported that the proposed ban “caused a great deal of ill feeling between the Indians and the white people, especially the sportsmen who are the very people who desire permits for fishing in the reservation.”³⁰ Relations further deteriorated when anglers were discovered fishing for salmon despite that species’ restriction for the tribal food and commercial fishery, as well as when rumor spread that non-Natives were sneaking onto tribal waters and fishing without a permit.³¹ Tensions climbed to an all-time high the same year after a number of sportsmen demonstrated their lack of political tact by requesting to buy the entire Quinault Reserve,

²⁸ Webster Hudson, President of the Quinaielt and Quillehute Tribal Council, et. al., including Members of the Quinaielt and Quillehute Tribal Committee selected by the Tribal Council to Secretary of the Interior and Commissioner of Indian Affairs, April 1928, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930).

²⁹ W. B. Sams, Superintendent, to the Commissioner of Indian Affairs, 2 April 1930, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930); No Author to The Commissioner of Indian Affairs, 12 Sept 1930, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113, Permits – Fishing (1930); and No Author, “Quinaielt Indian Reservation Fishing Permit,” 1930, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930).

³⁰ W.B. Sams to the Commissioner of Indian Affairs, 24 March 1930, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930).

³¹ Clevel Jackson for Quinaielt Committee to Superintendent of Indian Affairs, 25 March 1930, NA, BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930); and W.B. Sams [?] to the Commissioner of Indian Affairs, 12 September 1930, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930).

including Quinault Lake, at a Tribal Council meeting. Insulted, the Tribal Council unanimously rejected this request.³²

The tribe, in turn, wielded the discursive club of conservation to respond in kind. The Quinaielt Business Committee, angered over the proposed steelhead ban, called for the restriction of the sale of fishing permits to sportsmen. Soon thereafter the Tribal Council prohibited sports fishing in Quinault Lake entirely, citing conservation concerns, specifically the “disturbance of salmon” by unregulated anglers.³³ Sportsmen argued against this measure, but had no power to counter it. Instead, they would have to accept a subservient position and convince the Quinault that they could follow tribal conservation rules. At an annual tribal meeting in 1931, angling club representatives pleaded their case. A member of the Grays Harbor Game Commission assured those members of the tribe present that it would wholly cooperate in enforcing the tribal fishing rules, an assurance affirmed by other representatives of other commercial clubs. The Tribal Council voted unanimously to lift the ban, but warned they would enforce it if “satisfactory conditions” did not prevail.”³⁴ The power to control environmental use had returned, in this instance, to the Native American governing body.

This episode reveals the ambivalent state of affairs between Natives, professing to be concerned with conservation, and self-professed conservationists such as sportsmen and anglers. Both sides in this dispute detested one another at a broad level and sought to undermine and control the other’s actions. Sportsmen resented the fact that Native Americans could restrict their access to a resource they felt entitled to, while the Quinault Indian Nation was angered over sportsmen seeking state agencies in order to circumnavigate the Quinault’s authority over the lake. At the same time, both also recognized they were dependent upon the other for the fulfillment of certain goals. Sportsmen wanted Native-approved access to a particular space and the resources therein (i.e., Quinault Lake, steelhead) which they were otherwise unable to obtain legally. As much as the Quinault resented outsiders taking resources from their reserve, the Quinault Indian Nation, especially as represented by the Business Committee, wanted the

³² W.B. Sams to Commissioner of Indian Affairs, 19 June 1930, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930); and No Author to Commissioner of Indian Affairs, 12 September 1930, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930).

³³ No Author to Commissioner of Indian Affairs, 12 September 1930, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. 113 Permits – Fishing (1930); and "Plan Ban for Whites Fishing in Indian Lake," *Seattle Daily Times*, 19 November 1929, 3.

³⁴ W.B. Sams to Commissioner of Indian Affairs, 19 June 1931, NA, RG-75 BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, Box 73, File 113 Permits – Fishing (1930).

significant economic return that sportsmen brought in and the symbolic recognition of their tribal territory/authority that sportsmen granted each time they purchased a license from the tribe, hired a Native guide, or complied with a tribal officer's request. In pursuing their own objectives, then, each side's actions and desires fulfilled the goals of the other. Ultimately, conservation was not always the principal desire in and of itself for all parties involved, but it was a powerful resource that could be tapped to fulfill pre-existing or tangentially related goals.

A consistent result of Native American conservation activities was that they challenged – overtly or covertly – Washington State's and other groups' claims of supremacy in sustainable environmental management areas. In other words, the more that a tribe accepted and implemented – mimicked – the very structure of conservation that outsiders demanded they accept, the more frequently they found themselves in a vitriolic competition with these same outsiders. Those tribes who focused on regulating only tribal environmental use received outsider praise. For instance, in 1941 the Skokomish Tribal Council adopted an ordinance to govern fishing on reservation, using escapement periods to perpetuate and recover its supplies of fish. According to state game wardens, these rules were “energetically enforced,” and in their eyes made the Skokomish, “...by far the most progressive of any of the tribes under the Tulalip [Indian] Agency.”³⁵ Tribes who expanded their conservation program, which meant controlling and critiquing the actions of non-Natives, however, became primary targets of an escalating state-led program to discredit them – to prove them “un-ecological” – *especially* when their actions resulted in greater environmental conservation.

Countering Native American Conservation

No matter the extent to which Native American tribes instituted their own conservation programs and mimicked those of Washington State, irreconcilable tensions between Natives and others always existed. As long as Native American reserves remained federal territory and out of Washington State's regulatory grasp, they were, in the minds of the state's populace, an erratic threat that could, at any time and for any perceived slight, use “conservation” as an excuse to close their borders to outside interests, much as sportsmen had experienced at the hands of the Quinault Indian Nation. Indeed, this perception became partially realized when, in the mid-1930s, the Quinault won a court case in which the judge ruled that the fish in the waters of the

³⁵ Game Department, “Skokomish Reservation,” WSA, Game Department, box 2, 236

Quinault River belonged not even to the federal government, but to the “Indians of the [Quinault] reservation.”³⁶ This threat to state hegemony and access to resources intensified when Native American tribes persisted in exercising treaty rights to fish at their “usual and accustomed places” off-reserve, a situation that Harmon and others have observed escalated dramatically after World War II within an atmosphere of the Native rights movement. Making matters even worse, Native challenges to the legitimacy of state and federal conservation enforcement both on and off reserve coincided with rapid fish and game depopulation in the Peninsula (along with other areas of the Pacific Northwest).³⁷ Though the cause of this decline has since been attributed entirely to the non-Native population, Native Americans shouldered most of the blame. These coincidences resulted in what can only be described as a vicious response – what one historian terms a “holy crusade” – from Washington State and the general public towards the Native American population.³⁸

At its most basic level, these “crusaders” sought to depict “Indians,” including those whose tribal councils had implemented conservation programs, as un-ecological savages who could not regulate themselves but refused to be enfolded into the state’s bureaucratic oversight, and to hold up the state as the environment’s champion. One lengthy report authored by Milo Moore, Director of Fisheries for the State of Washington, and William E. Hicks, Special Assistant Attorney-General of the State of Washington, valorized state conservation policy but argued the state could do nothing concerning the “lack of conservation regulation on Indian lands.” Moore and Hicks blamed the legal system for allowing Natives to “remain aloof of governmental regulation or entreaty,” and, drawing on altruistic language, argued that the Natives’ food supply would not “long survive unless scientific conservation measures are adopted by the Indians....Of this fact many of the more far-sighted Indians are aware, and realize that the Indian will suffer chiefly by the loss if the present situation continues.” Continuing to write within the dichotomy of “modern, educated” and “traditional, ignorant” Indians, the report continued that these “far-sighted Indians” were few and far between as “so many Indians lack

³⁶ Frank D. Beaulieu to Supt. Nicholson, “In Re: Application of State Game Code on Indian reservations in the State of Washington,” 10 April 1934. In this instance, the Department of Game continued to press its authority over Lake Quinault, even going so far as to arrest non-Native anglers fishing there without a state-issued license. See: J. Charles Dennis to Mr. N. O. Nicholson, Superintendent, “Re: Right of State of Washington to Arrest white men for fishing in Lake Quinault without State Fishing Licenses,” 9 May 1934, NA, RG-75BIA Taholah Indian Agency Decimal Files Correspondence 1926-1950, box 73, f. Hunting-Fishing, regulations-Decisions, Application of State Criminal Laws – reservations.

³⁷ Harmon, *Indians in the Making*, 218-244.

³⁸ Wilkinson, *Messages from Frank’s Landing*, 31.

education to the need for fish and wildlife conservation. . . . With their traditional belief, the Indians themselves would never adopt a sound and adequate conservation program.” They recommended the Bureau of Indian Affairs place Native American reserves, and the inhabitants thereof, under state control and to “authorize [Washington State] peace officers and conservation officers to aid in the act and to make Indians off reserve the same as any other citizen.”³⁹ Moore and Hicks’ view represented the standard opinion expressed by those within Washington State’s conservation bureaucracy.

Labeling treaty rights as environmentally damaging, and developing various tactics to infringe upon them, always formed a core strategy of state conservation agencies. Washington State’s Chief Wildlife Officer and sport fishing enthusiast, Walter Neubrech, provides the greatest embodiment of the state’s animosity towards Native American treaty rights and its multi-pronged strategies to discredit their environmental practices while portraying the state as benevolent and accommodating, rather than oppressive and uncompromising.⁴⁰ During the early to mid-1960s Neubrech traveled throughout the Pacific Northwest giving speeches that claimed Native Americans used a disproportionate amount of Washington State’s natural resources and impeded its attempts to restore declining fish and game populations. He argued, echoing Moore, Hicks, and others working for the state, that Natives stagnated wildlife agents’ efforts because they could not “correlate their management plans [due to Indian] special rights.”⁴¹ He continued that Native American tribal governments and state organizations needed to work together for the “common cause of conservation,” but that this required state conservation authorities to possess jurisdictional powers over reservations and an end to “liberal interpretations” of treaty privileges.⁴² While he at least acknowledged that “Indian tribal councils generally believe in conservation and occasionally pass rules governing the taking of fish or game by their members,” he qualified his statement by reinforcing the stereotype of “Indians” as wild and

³⁹ Milo Moore and William E. Hicks, “A Program for Conservation of Fish and Wildlife Resources Through Indian and Federal Relations,” c. 1946-50, NA, RG-75 BIA Tulalip Indian Agency Decimal Files, box 53, f. 921 Fish and Fishing Industry.

⁴⁰ Neubrech would later co-author a monograph titled *Indian Treaties: American Nightmare. The First, Comprehensive Account of the Most Controversial Legal Battle of the Seventies* (1976), wherein he would claim that Indians sought control of America’s fish, game and other resources, including control over non-Indian as well as Indian land.

⁴¹ Walter Neubrech, “Effects of Unrestricted Hunting and Fishing to State Wildlife Programs, 31 August 1962,” (Unpublished Manuscript), 1, WSL. See also: John O’Connell, Attorney General, “Indian Treaty Rights and Enforcement Problems,” (Unpublished Legal Brief, Olympia, State of Washington, 1958), in WSL.

⁴² Neubrech, “Effects of Unrestricted Hunting and Fishing to State Wildlife Programs, 31 August 1962,” 1-2.

uncivil and tribal governments as ineffective, stating that, “[tribal governments] cannot control their own members in these conservation rules.”⁴³ Neubrech would actually concede that only “1%” of the Native population was fishing contrary to state conservation law and yet he warned that because of treaty rights and the “Indian’s” character, they posed by far the greatest threat to the state’s ecology.⁴⁴

BIA officials even met with Neubrech hoping to negotiate for greater cooperation between state and federal agencies in order to stifle his vocal criticism. Neubrech, however, replied that there was no flexibility within the laws of Washington State. Hans Jensen, the BIA fishery expert, reported to his superior that Neubrech bluntly admitted he wanted to hinder any agreement between Native American tribes and Washington State to force the issue into court, where he was confident that the Game Department would emerge victorious. Jensen, clearly angered by Neubrech’s hypocrisy, cautioned, “Neubrech is plainly promoting adverse publicity against Indians by his tactics with the hope that Congressional action will ultimately result to define and clarify the law. He has little patience with any plan that suggests working with the Indians.”⁴⁵ While Neubrech and other authorities directed their and the public’s attention towards the alleged environmental misdeeds of Natives, they willfully ignored the real causes of habitat destruction and fish and game depopulation: dams, reckless logging, and commercial overfishing.⁴⁶

Restoring Tribal Sovereignty, Restoring Ecologies

Washington State’s Puget Sound region experienced a population boom in the decades following World War II; its industrial complex, including the electronic and aerospace industries, grew quickly as well. This meant that raw materials were needed from the hinterland, especially timber from the Olympic Peninsula. The U.S. Forest Service responded with unrestrained enthusiasm to this increased interest and revenue. As a result, by 1965 state timber harvests were eleven times what they were prior to the Second World War, much of that coming from the

⁴³ Ibid., 2.

⁴⁴ Ibid.

⁴⁵ Hans M. Jensen, Field Report, 13 September 1962, RG-75 BIA Western Washington Agency General Tribal Operations Branch ‘Tribal’ Files Ca 1919-1968, box 27 f. 929.1 Conservation of Fish and Wildlife.

⁴⁶ For example, a series by journalist Fred Niendorff of Seattle’s *Post Intelligencer*, written in 1949, sought to identify the cause of the salmon decline. Niendorff ultimately laid the blame on the state and the commercial fishing industry, not on Native Americans. See: “Light Fines visited on Fish Poachers,” *Seattle Post Intelligencer*, 22 October 1949; and “Restoration of Salmon Will be Langlie Goal,” *Seattle Post Intelligencer*, 18 November 1949, 4.

Olympic Peninsula.⁴⁷ In the process of expansion the timber industry destroyed many salmon and other flora and fauna habitats as well as introduced or intensified its use of industrial toxins such as 2,4-D.⁴⁸ Growing numbers of recreationalists and sportsmen also made their impact felt on the Olympic Peninsula. Favoring salmon and steelhead, many anglers bypassed Washington State's Department of Fisheries' daily catch limit by purchasing a fifteen dollar annual commercial license that was limitless.⁴⁹ The non-Native commercial fishery expanded as well. In 1945 there were forty-six commercial gill-netters in Puget Sound; that number rose to 637 in 1957.⁵⁰ Even though the 1960s saw fisheries catches steadily decline, Washington State doubled the number of commercial fishing licenses it issued between 1967 and 1974 and refused to set limits on the number of commercial licenses available.⁵¹ Meanwhile, Native Americans consistently took an estimated and meager five percent or less of the annual catch.⁵²

Native American tribes in the Olympic Peninsula did not, of course, sit idly by as their resources were further misused, their treaty rights violated, and their people unfairly blamed for environmental decline in the post-war years. In addition to legal measures and acts of civil disobedience – the two activities which have monopolized media coverage and scholarly attention – tribal councils also countered with their own conservation programs. They did so, first and foremost, because (contrary to the opinion of their opponents) they were well aware – and certainly feeling the impact – of ecological changes which they hoped to reverse. They also hoped to capitalize on federal funding incentives to expand their conservation programming. Finally, they identified this path as one of the few leading to power within a colonial system.

Many of the Olympic Peninsula tribal council members reflecting on tribal empowerment and changing the relationship between Natives and non-Natives more broadly during this period reference the importance of utilizing non-Native environmental “experts” scientific knowledge and placing these within a bureaucratic infrastructure. In a 1973 interview, Joseph De La Cruz, President of the Quinault Nation for twenty-two years beginning in 1971, explained the importance to the Quinault's efforts of hiring “some of the most highly technical people you can

⁴⁷ Wilkinson, *Messages from Frank's Landing*, 30-1.

⁴⁸ An abbreviation of 2,4-Dichlorophenoxyacetic acid, one of the most widely used herbicides in the world. It is contaminated with dioxins.

⁴⁹ Wilkinson, *Messages from Frank's Landing*, 30-1.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² Cohen, *Treaties on Trial*, 71; and William G. Robbins and Katrine Barber, *Nature's Northwest: The North Pacific Slope in the Twentieth Century* (Tucson: The University of Arizona Press, 2011), 184.

get your hands on,” most of them “PhDs in their fields” of fisheries, forestry and ecological management.⁵³ He described how doing so allowed the tribe’s technical knowledge to grow and flourish, both in realizing environmental change as well as in navigating confusing state bureaucratic channels. Though they often hired non-Native technicians due to a lack of technically-trained Quinault people,⁵⁴ they were extremely proficient at directing environmental change within their reserve, and, in turn, of generating opposition from the state because of their success.

After years of BIA forest (mis)management on the Quinault’s reserve, it is unsurprising that their tribal council focused much effort on, first, gaining the rights to timber leases and, second, countering the half century of poor logging practices which left much of their reserve a clear-cut moonscape and the watersheds within that desolation choked with debris. In 1962 they hired a team of stream surveyors to report on the extent and location of log and debris congestion as well as rivers blocked by roads constructed for logging trucks and equipment, which precluded the passage of anadromous fish. Consequently, the Quinault reported their findings to the BIA and garnered the support of professional foresters and other environmental experts as well.⁵⁵ It was only after years of unsuccessful attempts to reverse these logging practices that the Quinault, in a ploy similar to closing Quinault Lake to sportsmen, closed the popular beaches adjacent to and within the Quinault reserve and blockaded all roads leadings to the reserve’s logging areas in 1971. This famous act of protest was designed to prevent logging giants ITT-Rayonier and Aloha Lumber Corporation from continuing to ignore the Quinault’s pleas for better environmental practices.⁵⁶ Both companies eventually conceded to Quinault Nation, specifically guaranteeing more sustainable logging practices.⁵⁷ That same year the Quinault also took the BIA to court. Utilizing their own forest experts, including forest engineers and professors of forestry at the University of Montana, they contended that the BIA had failed to

⁵³ Interview with Joe De La Cruz by Clifford Mowitch,” 1973, CPNWS, Northwest Tribal Oral History interviews 1/5.

⁵⁴ “Annual Progress Report: Quinault Resource Development Project for year ending April 14, 1973,” Attorney General Fish & Wildlife, Working Files, U.S. V. Washington; Testimony and Anthropology Reports, WSA, AR-04A26, box 2032, f. Quinault Tribe, Testimony.

⁵⁵ Hans M. Jensen, “Field Activity,” 8 November 1962, NA, RG-75 BIA Western Washington Agency General Tribal Operations Branch ‘Tribal’ Files Ca 1919-1968, box 27, f. 929.1 Conservation of Fish and Wildlife; Jensen, “Trip Report,” 18 April 1963, NA, RG-75 BIA Western Washington Agency General Tribal Operations Branch ‘Tribal’ Files Ca 1919-1968, box 27, f. 929.1 Conservation of Fish and Wildlife.

⁵⁶ Interview with Joe De La Cruz by Clifford Mowitch, 1973, CPNWS, Northwest Tribal Oral History interviews 1/5.

⁵⁷ Storm and Capoeman, *Land of the Quinault*, 207.

ensure the rehabilitation of the land, including restoring cutover land, gravel pits, roads, and reforestation on the entire reservation.⁵⁸ The litigation, in *United States vs. Mitchell* and then *United States vs. Mitchell II*, dragged on until the Quinault's weighty body of technical evidence won them a settlement in 1989 for \$26 million.

Intimately connected to forest management was that of fisheries, especially salmon. The Quinault, as noted, had managed the sports fishery on Quinault Lake and the rivers running through their reserve since the late 1920s. This trend continued through the post-war years, but the Quinault, along with the other tribes of the Peninsula, would incorporate outside "experts," train their tribal members in scientific salmonid enhancement, and expand their environmental bureaucracies to a far greater degree than before. Seeking to rebuild rapidly declining salmon stocks, they sought "professional help" from the Fish and Wildlife Service and the Department of Fisheries and they hired university-trained graduates.⁵⁹ Experts, unsurprisingly, advocated "a scientific study of each waterway, to measure its mineral content, speed of flow, amount of debris and pollution, to locate its spawning areas, etc."⁶⁰ Though the tribe pointed out they knew the location of spawning beds and the problems associated with debris and pollution, they nonetheless accommodated the scientific authority and endorsed this action.⁶¹ The Quinault, in turn, received positive recognition for their efforts from the media and from the federal government; as a result, they obtained significant federal funding for an ambitious ecological restoration program.⁶²

Arguably the largest single impact the Quinault made upon restoring depleted salmon stocks was the creation and operation of the Quinault fish hatchery. The U.S. Fish and Wildlife Service had operated a hatchery of their own beginning in 1914 on Quinault Lake and had

⁵⁸ Alan G. McQuillan, "American Indian Timber Management Policy: Its Evolution in the Context of U.S. Forest History," in *Trusteeship in Change: Toward Tribal Autonomy in Resource Management* ed. Richmond L. Clow and Imre Sutton (Boulder: University Press of Colorado, 2001), 89; and David M. Marshall, Memorandum – Department of Justice, 15 August 1975, CPNWS, box 9, f. Quinault (2) Claims Discussion.

⁵⁹ Hans M. Jensen, "Field Report," 21 September 1962, NA, RG-75 BIA Western Washington Agency General Tribal Operations Branch 'Tribal' Files Ca 1919-1968, box 27, f. 929.1 Conservation of Fish and Wildlife.

⁶⁰ "Fish Conservation Plan," *NorthWest Indian News* (February 1961): 3, in University of Washington Special Collections, Seattle, Naomi A. Benon Papers, box 10, f. 9-33-c.

⁶¹ Hans M. Jensen, "Field Report," 27 November 1963, NA, RG-75 BIA Western Washington Agency General Tribal Operations Branch 'Tribal' Files Ca 1919-1968, box 27, f. 929.1 Conservation of Fish and Wildlife: Field Reports Fisheries Management Specialist.

⁶² For information on additional funded restoration activities that occurred on the Quinault reservation see: Wilfred D. Petit for Horton Capoeman, Chairman, to George Felshaw, Supt. Western Washington Indian Agency, "Re: Meeting on Cook Creek Road," 19 April 1962, NA, RG-75 BIA Western Washington Agency Tribal Operations Branch 'Tribal' Files, box 282, f. 060 Quinault General.

belittled the Quinault for their “poor” conservation practices regarding the fishery in the late 1940s.⁶³ But when the Quinault proposed establishing a fish hatchery on Cook Creek, a tributary of the Quinault River, in the early 1960s, the Service, impressed by the Quinault’s ambitious and “modern” conservation efforts, suggested that they collaborate.⁶⁴ Yet the Fish and Wildlife Service still expected the tribe to accept a subservient role; that is, to mimic them rather than take any leading position. Old stereotypes of primitive, incapable “Indians” persisted when the Fish and Wildlife Service continually noted that the Quinault could be trained “to do the jobs in this new field of activity with the exception, of course, of the highly technical work.”⁶⁵ Indeed, once the Quinault hatchery was up and running in 1968 the Quinault boasted that they had not only successfully increased the salmon population but generated great income through recreational and commercial sales.⁶⁶ The Quinault even received requests from other tribes to be involved with the hatchery. The Quinault responded to these tribes that they needed to prove themselves advanced enough conservation-wise, according to state standards, to take part.⁶⁷ Recognizing the opportunity to increase their power, the Quinault thus perpetuated the same hierarchical system that outsiders pressured them to implement, and even assumed a dominant position within it. This type of mimicry was exactly what the state had envisioned when pressing Native American tribes to adopt conservation bureaucracies.

The Quinault’s relationship with the State of Washington remained highly toxic despite all its conservation efforts and success in implementing the ecological restoration state agencies and the public not only desired but demanded. Numerous state departments argued that fish hatcheries should not be situated on Indian reservations where “overfishing by Indians could negate hatchery effectiveness” and bristled at the proposal to stock “usual and accustomed” fishing places with salmon, which, they recognized, would affirm the “Indian[?]s hold on off-

⁶³ Melvin Holander to E. Morgan Pryse, U.S. Indian Service, 24 March 1947, NA, RG-75BIA Taholah Indian Agency Decimal Files Correspondence, box 47, f. 32.9 Quinault Fish Hatchery.

⁶⁴ Hans M. Jensen, “Field Report,” 3 August 1962, NA, RG-75 BIA Western Washington Agency General Tribal Operations Branch ‘Tribal’ Files Ca 1919-1968, box 27, f. 929.1 Conservation of Fish and Wildlife.

⁶⁵ Hans M. Jensen, “Trip Report,” 18 April 1963, NA, RG-75 BIA Western Washington Agency General Tribal Operations Branch ‘Tribal’ Files Ca 1919-1968, box 27, f. 929.1 Conservation of Fish and Wildlife.

⁶⁶ Interview with Joe De La Cruz by Clifford Mowitch, 1973, CPNWS, Northwest Tribal Oral History interviews 1/5.

⁶⁷ See: Charles A. Hobbs, “Report to the Quinault Tribe Re: Visit to Washington D.C. by James Jackson and John Shale, January 17-21, 1964,” 29 January 1964, NA, RG-75 BIA Western Washington Agency Tribal Operations Branch ‘Tribal’ Files, box 282, f. 060 Quinault General; and “Quinault Meeting,” 8 January 1966, NA, RG-75 BIA Western Washington Agency Tribal Operations Branch ‘Tribal’ Files, box 282, f. 060 Quinault General.

reservation fishing area[s].”⁶⁸ Such a response only highlighted for the Quinault and other tribes that the state was still principally interested in motives alternative to conservation and were blinded to the plight of the environment by their own prejudice. If conservation was their main goal, as state agencies boasted, then they should have welcomed Native-led and financed ecological restoration initiatives – initiatives that the state had always and continued to criticize tribes for not doing. Instead, those in power chose to thwart tribal agency which they rightly perceived as threatening to their assumption of superiority, and thus their colonial control of the environment outside of reserves, by re-establishing a degree of stability and normalcy to the system, even if it meant doing so at the environment’s expense. State responses to tribal agency also included undermining legal decisions even though the law was the pillar upon which the state, as a settler society, based its justification for colonialism.

“Boldt” and Beyond

Judge George Boldt’s 1974 decision in *United States et. al. v. Washington State et. al.* has been heralded as one of the most significant legal decisions in the history of Native American law. Among the most important of Boldt’s rulings was that treaty signatory tribes were entitled to half of the annual fishery catch and that these tribes were to be co-managers of the state’s fishery resources. Yet no one has recognized that this legal victory for Native Americans rested largely upon the history of Native American environmental programs, especially those on the Pacific Coast of the Olympic Peninsula. Specifically, while most credit the tribes’ legal strategy of calling attention to tradition and Boldt’s own reading of the treaties as why Native Americans won, this interpretation ignores a vital aspect of their case and their victory. As the Boldt trial itself has received ample attention from scholars, it need only be summarily described here in relation to its dependence upon the decades-old existence of tribal conservation programs.

Tribes throughout Washington State drew heavily upon their lengthy histories of, and strengthening relationships with, “modern” environmental management initiatives to argue that they had incorporated a conservation system equally as good – if not better than – the state’s. For example, the Quinault Nation, subverting the discourse of superiority that game wardens and other conservation officials had used to justify their actions, argued their long standing and

⁶⁸ Hans M. Jensen, “Field Report,” 18 February 1964, NA, RG-75 BIA Western Washington Agency General Tribal Operations Branch ‘Tribal’ Files Ca 1919-1968, box 27, f. 929.1 Conservation of Fish and Wildlife: Field Reports Fisheries Management Specialist.

successful program of fisheries regulation and management, their efforts to intensify that program, and their partnerships with federal agencies as well as the Universities of Washington State and British Columbia, demonstrated they did not need state intervention. Instead, they stated, they were extremely capable conservationists.⁶⁹ They even argued that their success was only assured because the tribe's reservation, as federal space, was "safe from state interference within the boundaries of its large reservation."⁷⁰ They continued that their system was not inherently flawed because of the perceived weaknesses of their race or in their cultural, economic, or political structures; nor were they a drain on the economy as their opponents professed. Rather, their initiatives – not the state's – were "rehabilitating streams damaged by detrimental land use practices for which the Quinault Tribe ha[d] not been responsible."⁷¹ Using science to retain the "genetic integrity of fish stocks as well as to genetically select steelhead," and to produce many other salmon and shellfish, the Quinault continued, their efforts created jobs on their reservation as well as made it possible for sportsmen and the commercial fishery to maintain their activities. In short, the Quinault appraised themselves as better conservationists than Washington State based upon the state's own standards of measurement. To the state, Native American mimicry had become pure mockery and the state's high-powered legal team was unsuccessful in countering these claims.⁷²

Considering hundreds of pages of testimony from forty-nine tribal members as well as expert witnesses, along with thousands of documents relevant to the case, Boldt ultimately found not one valid case of treaty tribes endangering fish runs. Thus, according to historian Fay Cohen, Boldt "dismiss[ed] one of the [most] persistent myths of the controversy."⁷³ Boldt chastised government and lay conservationists – especially sportsmen – for couching their arguments in discriminatory stereotypes and lacking empirical evidence for their accusation.⁷⁴ The Quinault and others had successfully used their lengthy history of "modern" bureaucratic conservation and

⁶⁹ Michael Taylor, "Pretrial Brief of the Quinault Tribe and Queets Band," 3, WSA, Game Department, box 2 Skokomish Reservation, f. U.S. vs Washington Briefs, 1971-3.

⁷⁰ *Ibid.*, 7.

⁷¹ *Ibid.*, 5-6. See also: *U.S. et. al., v. State of Washington et. al.*, 12 February 1974.; and Rita Bruun, "The Boldt Decision: Legal Victory, Political Defeat," *Law & Policy Quarterly* 4.3 (July 1982): 282-3.

⁷² While the Quinault stand out in the amount of scientific expertise upon which they were able to draw, all the other tribes drew on their history of conservation, including their relationships with conservation experts, for evidence to support their case.

⁷³ Cohen, *Treaties on Trial*, 14. See also: Bruce Brown, "Are We Seeing the Last of Our Salmon? A Long Look at the Boldt Decision," *Argus* 83.49 (December 1976): 1-4.

⁷⁴ *Ibid.*

accumulated body of environmental data to depict Washington State and its like-minded supporters as an oppressively colonial regime, one that was the genuine cause of environmental degradation. This did not mean, however, that the state or other opponents of the tribes accepted the court's findings; if anything, it encouraged them to cling to their preconceived prejudices more fervently than before in an attempt to re-establish their control.

After Boldt's judgment, the state and much of the general public was shocked, disarranged, and, most of all, enraged. Ironically, Washington State could have used "Boldt" to its advantage by recognizing that the decision had actually further entrenched tribes within the state's bureaucratic structure. In dictating the standards tribes would have to meet in order to be officially recognized as "self-regulating," Boldt had placed tribal governments under non-Native supervision, while he made no such requirement for state conservation agencies. Instead, the state and the general public only saw what they feared most: Native Americans realizing greater control over the management of, and access to, natural resources off their reserve, and, more generally, gaining authoritative recognition as proficient managers of the natural environment. Consequently, state and lay persons (environmentalists, sportsmen, and the public at large) actually intensified their ongoing campaign to devalue and discredit Native American culture broadly, and their ability to be capable conservationists – Ecological Indians – specifically. They did so, moreover, regardless of the fact that most tribal actions were guided by non-Native experts and conducted using "modern" technologies and practices developed by non-Natives as well.

Sportsmen from across the United States, considering themselves conservation experts, led the post-Boldt counter-attack. They did so by arguing that corrupted contemporary Native Americans could no longer live up to the romanticized image of the traditional, ecological "Indian." Of course, creating broad cultural expectations for Aboriginal peoples that are unrealistic and ahistorical has been a characteristic of colonial dominance more broadly, and so it is not surprisingly that sportsmen continued to do so here.⁷⁵ One article in *Sporting Classics*

⁷⁵ For further reading see: Philip Joseph Deloria, *Indians in Unexpected Places* (Lawrence, Kan.: University Press of Kansas, 2004); Daniel Francis, *The Imaginary Indian: The Image of the Indian in Canadian Culture* (Vancouver: Arsenal Pulp Press, 1992); Raibmon, *Authentic Indians*; Alexandra Harmon, *Rich Indians Native People and the Problem of Wealth in American* (History. Chapel Hill: University of North Carolina Press, 2010); Harmon, *Indians in the Making*; Elizabeth S. Bird, ed., *Dressing in Feathers: The Construction of the Indian in American Popular Culture* (Boulder, Colorado: Westview Press, 1996); Jacquelyn Kilpatrick, *Celluloid Indians: Native Americans and Film* (Nebraska: University of Nebraska Press, 1999); Ute Lische and David T. McNab, eds., *Walking a Tightrope:*

titled “They’re Scalping America’s Wildlife” made it abundantly clear that sportsmen were embarking on a polemical war of rhetoric that drew on older negative stereotypes from the frontier era. After pages of decrying the potential threat to the natural environment that Native Americans posed in a “post-Boldt” world, the article concluded,

The exquisite pain of this struggle lies in the stringent morality of conservation, an ethic that savvy outdoorsmen have learned cannot be ignored in the face of dwindling resources. To see Native Americans, once revered as ecologists, plundering fish and game with technology, is to look into a mirror of our past – except that it is here in our present.⁷⁶

These sentences are ripe with meaning. Native Americans had fallen from grace, subverted (non-Native) technology for ill-intentions, and could no longer be trusted to be “modern,” while sportsmen, though unwise in the past, had learned from their mistakes and were the new beacons of conservation. Where non-Natives had once considered “Indians” too backward and traditional, they were now deemed too modern and no longer “real Indians.” Moreover, sportsmen, the article implied, thought historically and rationally, while Native Americans acted only in the moment, incapable or too unwise to consider past lessons or future consequences. Such rhetoric also marked a departure from that of the 1920s and 1930s; gone is the benevolent language that linked conservation of the environment to the well-being of Native Americans. Instead, concern exists solely for the environment, severing the established connection between Natives and nature.

While one of Boldt’s rulings included co-management between Washington State and tribes, sportsmen lashed out anytime it appeared the state would make good on this decree. When the Quileute Tribal Council proposed co-developing with the state fish rearing ponds at the Soleduck Fish Hatchery as part of the fish conservation program they were required to initiate according to Boldt’s ruling,⁷⁷ sportsmen criticized the state and rejected the idea of “co-mingling” state and federal funds.⁷⁸ The President of the Olympic Peninsula Flyfishers, representative of the mass of public opposition to this and like projects, added his voice to the

Aboriginal People and Their Representations (Waterloo: Wilfrid Laurier University Press, 2005); and Shepard Krech III, *The Ecological Indian: Myth and History* (New York: W.W. Norton and Company, 1999).

⁷⁶ Larry Van Geothem, “They’re Scalping America’s Wildlife,” *Sporting Classics* (July/Aug. 1987): 23-31.

⁷⁷ Pearl Penn Conlow, Chairwoman, Quileute Tribal Council, to Thor Tollefson, 27 March 1974, WSA, Game Department Administration, Administrative Subject and Correspondence, AR-20081022-01, box 56, f. Quileute Indian Tribe.

⁷⁸ Hal Finley, President Olympic Outdoor Sportsmen’s Association, to Thor Tollefson, 8 May 1974, WSA, Game Department Administration, Administrative Subject and Correspondence, AR-20081022-01, box 56, f. Quileute Indian Tribe.

debate, writing that the whole issue had put his association (rather than they had put themselves) in “an extremely delicate position.” He explained:

To strongly object to this [Native American hatchery initiative] would give us the appearance of racists which, of course, we are not. However, we do not want Indian money to be spent on this facility [as mixing of state and federal funds could] jeopardize our position that Washington State residents maintain the hatcheries and salmon produced there belong to the people of the State.⁷⁹

In the multitude of responses from angling groups there was no acknowledgement that Native Americans sought to build hatcheries in order to restore salmon and other fish that the state had allowed to become depleted. Moreover, when the state obtained a deserved reputation for being obstructionist, conservation groups wrote in with their support. As the President of the Steelhead Trout Club of Washington crudely stated, “The Game Department and/or their attorney are mentioned as being very obdurate in their approach to dealing with the Boldt decision. There is the tacit implication that a softer, more conciliatory approach would make it easier for everyone and perhaps give better results. In response to that we say bull shit.”⁸⁰

Washington State needed little encouragement from its non-Native citizenry to continue its obdurate course. As always, state conservation agencies continued to press for their superior authority over resource management using the same rhetoric of environmental benevolence and claiming that it sought “cooperation” while doing everything it could in order to undermine Native American conservation efforts.⁸¹ As in the past, this resulted in escalating action that often saw the environment made hostage between warring parties. The Hoh Tribal Council, for example, in consultation with state fisheries biologists and the Department of Game, voluntarily adopted stringent fishing regulations beginning in 1974 and running into the next decade. These included closing a large number of “usual and accustomed fishing areas” to their own people for

⁷⁹ Stan Goerz, President Olympic Peninsula Flyfishers, to Honorable Governor Daniel Evans, 13 May 1974, WSA, Game Department, Administration, Administrative Subject and Correspondence, AR-20081022-01, box 56, f. Quileute Indian Tribe.

⁸⁰ Tom Weston, President, Steelhead Trout Club of Washington to Jim Johnson, Washington State Department of Game, 14 February 1977, WSA, Game Department, Administration, Administrative Subject and Correspondence, AR-20081022-01, box 56, f. Boldt decision, correspondence 1976-77.

⁸¹ For a few examples of this discourse see: Frank R. Lockard, Director, Washington Department of Game, to Russel Woodruff Sr., Chairman Quileute Tribal Council, 7 December 1981, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Quileute 1979-80; Morris Baker, Assistant Chief, Department of Fisheries to Larry Lestelle, Quinault Fisheries, 11 March 1983, WSA, Attorney General Fish & Wildlife, Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Quinault 1979-80; John J. O’Connell, “Indian Rights and Enforcement Problems: A Collection of Attorney General’s Opinions and Other Articles Pertinent to the Law of Indian Treaty Rights and Enforcement Problems in the State of Washington, June 1958,” 3-4, in Washington State Library, Tumwater.

conservation purposes.⁸² Yet they felt that their efforts were being sabotaged by the state. The Hoh Tribe's Fish and Game Committee complained that while their own tribal members faced tightening restrictions, non-Native poaching was rampant and that they even witnessed sportsmen who "bragged about it in the Steelhead Club meeting this year when the regulations were discussed." The Committee continued that state biologists had assured them the Department of Fisheries "would patrol the river more to help cut down poaching." But, they fumed, the only patrolman was transferred out of the area, leaving no surveillance. "In light of the ongoing transgressions" they proclaimed that they would increase their own fishing efforts.⁸³ Despite their threat, however, the Hoh would actually reduce their fishing limit in strict accordance with the advice of their biologists.⁸⁴ They were, ultimately, unwilling to undo their efforts to maintain the integrity of their conservation program or to give their opponents any added fuel to criticize Native Americans as un-ecological.

The Quileute found themselves in a similar predicament to the Hoh nearly a decade after the Boldt decision. Washington State's Department of Game, which prioritized both the steelhead's propagation and "to provide sport and commercial fishermen equal opportunity to harvest surplus fish," closed the Quillayute River from fishing by treaty Indians to ensure that sportsmen would get their share of the catch, even if that meant that the treaty fishers would not obtain theirs.⁸⁵ Outraged, members of the Quileute Tribe, including the tribe's Fish and Game Resources Committee, resolved to close sportfishing and sportfishing resorts on the Quileute River and near the village of La Push.⁸⁶ Similar situations, where tribes closed their fisheries to meet an agreed upon conservation mandate with the state and then observed non-Natives fishing,

⁸² Thor C. Tollefson to Herbert Fisher Sr., Chairman, Hoh Tribal Council, 16 May 1974, WSA, Game Department Administration, Administrative Subject and Correspondence, Accn AR-20081022-01, box 56, File Hoh Indian tribe.; and Herb Fisher, Tribal Chairman to Thor Tollefson, 20 May 1974, WSA, Game Department Administration, Administrative Subject and Correspondence, Accn AR-20081022-0, box 56, File Hoh Indian Tribe.

⁸³ Alvin Penn, Chairman, Hoh Tribe Fish & Game Committee to Gordon Sandison, Director, Washington Department of Fisheries, 1 August 1978, WSA, Attorney General Fish and Game Working Files (Tribal), AR-80-7-679, box 34, f. Hoh 1977-78.

⁸⁴ Washington State Department of Game to Hoh Tribe and Other Interested Parties, "1983-4 Steelhead Harvest Management Plan for the Hoh River," 15 September 1983, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Hoh 1979-80.

⁸⁵ Ralph W. Larson, Director Washington Department of Game to Frank Cassidy Jr. Chairman, et. al., 1 February 1980, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Quileute 1979-80.

⁸⁶ Christian Penn Sr., Quileute Tribe Fisheries Representative, "A Letter to 'The Native American People of All Tribes and Bands & Settlers of the Land'," 19 February 1980, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Quileute 1979-80.

also occurred, to the consternation of the rest of the Olympic Peninsula tribes well into the 1980s.⁸⁷

Though frustrating and disheartening in the wake of the euphoria of Boldt's decision, attacks by the public, illegal resistance from commercial and sports fishers, and obstructionist if not inflammatory actions from the state did not dissuade Native American tribes from pursuing a conservation programs. Tribal officials regarded Boldt's judgment as a means to gain greater state-sanctioned power and authority over the resources in their traditional territories, and so worked exceptionally hard to align their conservation programs with that of the state's and to meet Boldt's "self-regulating" requirements. This is not to imply, however, that tribal members were unified in this course of action or that serious tensions within tribes did not exist. At times there was resistance, if not outright hostility, towards tribal officials and tribal governments as well as biologists and other conservation experts that the tribes employed. For instance, the Quileute Fisheries Representative and the Quileute Tribe Fish and Game Resources Committee signed a petition that attacked the court, the state, and tribal officials in the wake of greater constraints to tribal fishing implemented by the Quileute Tribal Council. This came at the behest of tribal biologists while sport fishermen continued to operate largely unobstructed. While the resolutions contained in the petition largely targeted sport fishermen (who are described as running "reckless to kill and molest the fish for the fun of it"), it also attacked tribal officials and tribal biologists. All of these people, the resolution resolved, "have compromised, and defiled our culture and religion." "The 'biologists' put here by other leaders," the Resolution continued, "tell us it is 'good public relations' [to restrict Quileute fishing], and their job is safe for another day! It is clear that 'relations' with the 'people' do not interest the 'biologists.'" The Resolution specifically attacked "officials of our [tribal] government" for demonstrating that they were "incapable of protecting our sacred fishing site[s]" and even accused them of collusion with the state.⁸⁸ For the most part, however, tribal governments found that being co-managers of the environment, even with standards set by outsiders and even facing a backlash from their own people, could be advantageous.

⁸⁷ Joseph De La Cruz, Chairman, Quinault Tribal Council, to Donald W. Moos, Director, Washington State Fisheries et. al., 28 Sept 1976, WSA, Game Dept. Administrative Subject and Correspondence, AR-20081022-01, box 56, f. Quinault Indian Tribe, 1974-76; and *Northwest Indian Fisheries Commission Newsletter* 4.6 (October-November 1978).

⁸⁸ Resolution signed by Tom Cachon et. al., Chairman, Quileute Tribe Fish and Game Resources Committee, 19 February 1980, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Quileute 1979-80.

Being co-managers could certainly allow tribes to mock what the state had assumed would be a hierarchical relationship with itself at the top when it had encouraged colonial mimicry. When running their own steelhead restoration program, the Hoh encountered frequent Department of Game attempts to assert itself as the superior authority. In at least one instance the Department of Game also told the Hoh that they needed a permit from them before proceeding. The Hoh responded that no such permit was needed “because of our status as co-managers of the resource.” “After all,” they continued, “[the Department of Game] doesn’t apply for a permit from the Tribe to plant its fish in the Hoh [River]. We have applied for permits [before]...partly because of our ignorance of our legal rights as co-managers and partly to develop a cooperative working relationship with the Department of Game...However, the Tribe will not be bound by the State permit process as a prerequisite to carrying out any enhancement activities.”⁸⁹ At other times the Department of Game simply laid claim to any fish that Native American tribes raised in hatcheries. This included, for instance, informing the Lower Elwha tribe that they needed to append a provision to their fish culture program stating:

All eggs, juveniles and adult salmon authorized by this permit shall remain property of the State of Washington. The applicant shall become custodian of state property. The objective, and results of the fish culture program, shall be to provide benefits to the citizens of the State of Washington. Fish held and released into the waters of the State of Washington are public property of the State of Washington until taken in a lawful fishery.⁹⁰

The Lower Elwha, unsurprisingly, completely rejected this assertion. They answered simply that while “under *United States v. Washington* the Lower Elwha Indian Tribe must work with the State of Washington with respect to fish culture permit requirements,” the Tribe had no obligation to turn title of the fish over to the State.⁹¹

Tribes also found that by working within this structure of scientific and bureaucratic conservation, combined with the legal authority derived from the Boldt decision, they could

⁸⁹ Richard Mattson, Director Hoh Tribe Fisheries Program, to Jim Nielsen, Washington State Department of Game, 17 February 1981, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Hoh 1979-80.

⁹⁰ Gerald Charles Sr., Lower Elwha Tribal Council and Charles Sampson Sr., Lower Elwha Fisheries, to Rolland Schmitt, Director, Washington State Department of Fisheries, 1 December 1982, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Lower Elwha Clallam 1979-80.

⁹¹ Gerald Charles Sr., Lower Elwha Tribal Council and Charles Sampson Sr., Lower Elwha Fisheries, to Rolland Schmitt, Director, Washington State Department of Fisheries, 1 December 1982, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR- 89-12-546, box 487, f. Lower Elwha Clallam 1979-80.

reject outright the state's demands by drawing on their own expert evidence.⁹² For example, the Quinault notified the Washington State Game Commission that they would not comply with an order to stop fishing in 1984 because their experts had proven that their management plan would allow adequate wild spawning escapement and did not endanger the perpetuation of the Quinault River wild steelhead.⁹³ The issue of fish hatcheries, too, was one that stood out. In 1979, for example, the Hoh and the Quileute successfully halted the Department of Game's plan to plant 100,000 Soleduck summer coho in the Hoh river to benefit sportsmen. This would require, they argued, transferring fish out of the Quillayute system to other watersheds without first demonstrating that the natural and hatchery carrying capacities had been met and that surpluses of fish were available. Tribal authorities also pointed out that they were concerned with transferring the fish to a new watershed because the prior year's stock had shown significant rates of contagious bacterial kidney disease.⁹⁴

Other tribes objected to Washington Department of Game fish plantings for scientific reasons, even going so far as to play state department initiatives off one another. The Quileute, after their tribal biologist pointed out that the summer steelhead run occurred at the same time as the more-valued summer coho and Chinook runs, responded to the Department of Game that they would not prevent or minimize their harvest of summer steelhead (which the sportsmen had lobbied to be reserved for themselves) as it "conflicted with the Department of Fisheries' summer coho enhancement program." Further, they explained, restricting their fishing to protect steelhead would have produced a large "glut" of coho at the Soleduck Hatchery and "would have been very bad management practice."⁹⁵ The Quileute and other Native American tribes, they realized, could now lecture state conservation agencies in the same way they had been chided. This was certainly not what the state or popular conservation groups had ever envisioned during

⁹² Howard D. Hudson, Chairman, Hoh Tribal Business Committee, to Donald Moos, "Proposed Regulations for Scientific Research and Enhancement," 9 Sept 1976, WSA, Game Department Administration, Administrative Subject and Correspondence, AR-20081022-01, box 56, f. Hoh Indian Tribe.

⁹³ Justine James, Vice-chairman Quinault Indian Nation, to Frank Lockard, Director, Washington Department of Game, "Re: Administrative Order No. 228 Closure of Quinault River," 17 January 1984, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Quinault 1979-80.

⁹⁴ Alvin Penn to Gordan Sandison, Director Washington Department of Fisheries, March 9, 1979, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR- 89-12-546, box 487, f. Hoh 1979-80.

⁹⁵ Robert A. Hayman, Senior Biologist, to Frank Lockhart, Director, Washington Department of Game, 27 May 1981, WSA, Attorney General Fish & Wildlife Working Files, Tribal 1979-87, AR-89-12-546, box 487, f. Quileute 1979-80.

the seventy-five years of demanding tribes adopt “modern” conservation programs that mimicked the state’s own.

Environmental Conservation as Colonizing and Decolonizing Methodology

Academics have correctly pointed out that the number of Native American tribes throughout the country conducting conservation programs, both on their own and in partnership with the state, would dramatically increase after *United States et. al. v. Washington et. al.* “Boldt” thus becomes the event which revolutionizes the existing structure of control over the state’s natural resources – it is regarded as the paradigm shift when Native Americans in Washington State began to enter into an environmental management regime.⁹⁶ Yet, as Sahlins observes, while structures do not prescribe historical outcomes, historical outcomes (e.g., contingency) do need to be structurally coherent.⁹⁷ Despite the Boldt decision’s profound significance it only forms a branch – though an admittedly large one – of a deeply rooted history of Native American environmental management. Occurring within a structure already changing as a result of early- to mid-century Native American environmental management, conservation and restoration programs, “Boldt” was actually *evolutionary*, not *revolutionary*. Without the establishment of tribal environmental management infrastructures, Native American communities would have been unable to marshal the scientific evidence demonstrating that outsiders – and not themselves – were to blame for negative environmental change, and in turn to sway Judge Boldt to rule as he did. In other words, the pivotal event in this history was when tribes embraced the implementation of a modern, scientific environmental management structure. While this event is less spectacular than those after, it nonetheless set the course for both the socio-political and ecological change that followed.

⁹⁶ This view has been perpetuated by academics, journalists, and even tribal members. For examples see: Jovana J. Brown, “Treaty Rights: Twenty Years After the Boldt Decision,” *Wicazo Sa Review* 10.2 (Autumn 1994), 1, 3; Ann M. Tweedie, *Drawing Back Culture: The Makah Struggle for Repatriation* (Seattle and London: University of Washington Press, 2002), 72-3; Wilkinson, *Messages from Frank’s Landing*, 64; Robbins and Barber, *Nature’s Northwest*, 184-6; Bruce G. Miller, “The Press, the Boldt Decision, and Indian-White Relations,” *American Indian Culture and Research Journal* 17.2 (1993): 76-7; “Indians to Research Meaning of Treaty,” *Shelton Journal*, 29 July 1993, newspaper clipping in CPNWS, Rainier National Park Project, box 35, f. 21 State/Tribal Hunting Agreements.” An important exception to this trend is David C. Tomblin’s study of the White Mountain Apache Tribe. See: “Managing Boundaries, Healing the Homeland: Ecological Restoration and the Revitalization of the White Mountain Apache Tribe, 1933-2000,” (Ph.D. Diss., Virginia Polytechnic Institute and State University, 2009).

⁹⁷ Marshall Sahlins, *Apologies to Thucydides: Understanding History as Culture and Vice Versa* (Chicago: University of Chicago Press, 2004), 11.

Native American tribal councils of the Olympic Peninsula writ large have now adopted state-sponsored conservation programs, and more broadly incorporated the science and philosophy of ecology. The canon on environmental colonialism has overwhelmingly portrayed such decisions as evidence of local submission to external pressure, or, worse, of Indigenous peoples being made colonial lackeys. This would be a completely inaccurate representation for the situation here. Native American tribal decisions were choices based upon their quick recognition of the possibilities such avenues provided for undermining, if not reversing, the relentless and increasingly frequent state and public infringements upon treaty rights and reservation space as much as they also recognized them as a useful tools to manage and restore depleted natural resources. The decision to incorporate non-Native experts and outsider methods of conservation and resource management – “science” and bureaucracy – was one of a series of novel adaptations and adoptions by the Native Peoples of the Peninsula, though it would turn out to be one of the most historically significant.

Of course, non-Native conservationist authorities, whether lay or state, and whether pre- or post-“Boldt,” remained neither silent nor unaware of Native American subversion of the dominant conservation apparatus, a process which they perceived as threatening to the established colonial order. As Native American tribal councils continued to expand their influence over the environment itself and control human interactions with it, both state and public interests intensified their efforts to repress Native activities on and off reserve and waged a discursive campaign against Indigenous society and culture. This campaign sacrificed the integrity of the state’s environmental protection programs and irresponsibly diverted the public’s attention from the real causes of environmental decline. Such actions proved that the state sought to enforce a structure in which ongoing colonial relationships could be perpetuated by Native Americans themselves. The fact that the state did not relent but actually intensified its program to discredit Native American environmental management when Native Americans proved too effective as conservationists demonstrates this ulterior motive. Ultimately, such actions reveal the ambivalence of the state and other outsiders towards the Native peoples. While the former demanded tribes adopt non-Native conservation programs, they did not want Native Americans to produce exact replicas as this would be too threatening. Yet this is exactly what happened. Native Americans utilized the very tools and rhetoric that they faced to not only expand their control of people and environments on reserves, but off of them as well.

As much as tribes were able to gain power within a colonial structure, however, this power has been tempered. In order to mock colonial structures they also had to mimic them. In doing so they reproduced and remained tied to a system not of their making, one where ultimate authority resides with the state and state apparatuses including the legal system, not with tribal governments. Boldt actually reinforced this colonial dynamic when he ruled that Native American tribes needed to prove they were environmentally “self-regulating” according to outsider-derived standards. Yet the opposite – Washington State having to prove itself capable according to qualifications as determined by Native American tribal governments – did not occur. While environmental decolonization is certainly alive and well on the Olympic Peninsula, it exists alongside parallel processes of environmental colonialism.

- CHAPTER FIVE -

Contested Wilderness: Native Americans, Preservation, and Olympic National Park

*We didn't move next to the park, the park moved next to us.*¹

James Jamie, Quileute Tribal Chairman

*This is the forest primeval.*²

Olympic Peninsula Tourist Brochure

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and community of life are untrammelled by man, where man himself is a visitor who does not remain.

The Wilderness Act (1964)

Washington State's Olympic Peninsula has long held the gaze of powerful historical figures. President Theodore Roosevelt – since labelled America's "wilderness warrior"³ – established Olympic National Monument in 1909. It remained under the United States Forest Service's control until 1933, when another Roosevelt – President Franklin Delano – transferred the Monument's administration to the National Park Service (NPS), and in 1938 named it Olympic National Park (ONP) and significantly enlarged its boundaries. In 1953 President Harry Truman further expanded the park's area to 908,000 acres, making it one of the U.S.'s largest.⁴

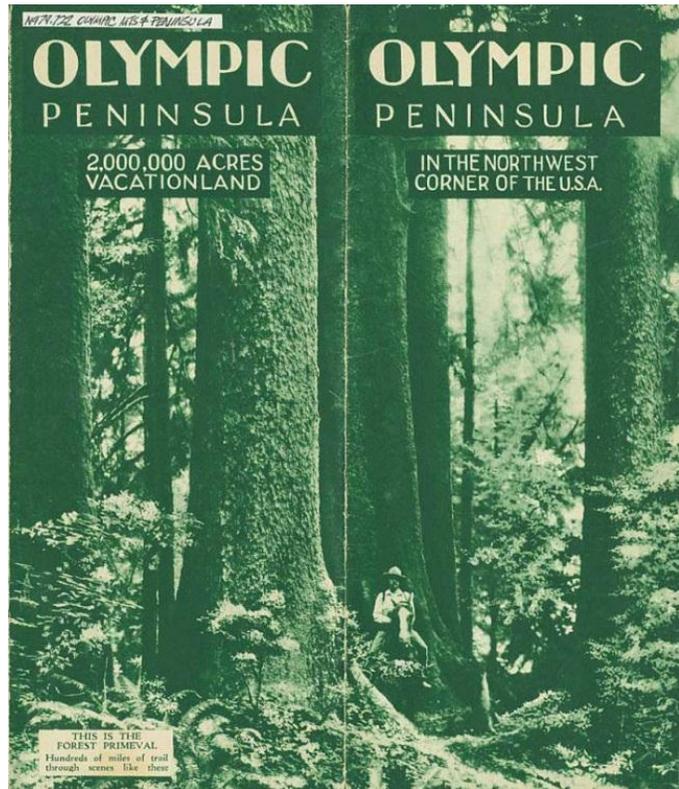


Figure 5.1: Olympic Peninsula Tourist Brochure, c. early twentieth century. University of Washington Special Collections Pamphlet and Textual Documents Collection, f. 979.722 Olympic Mountains and Peninsula.

¹ Amy Kuebelbeck, "Tribes Says Beach is its Birthright," *The Seattle Times*, 16 July 1990, E4.

² "Olympic Peninsula in the Northwest corner of the U.S.A.," tourist pamphlet, no date, University of Washington Special Collections (hereafter UWSC), Pamphlet and Textual Documents Collection, f. 979.722 Olympic Mountains and Peninsula: Special Collections Pamphlet File.

Since then, Olympic National Park has received ever-greater designations of protection: International Biosphere Reserve (1976); World Heritage Site (1981); and, most celebrated, Wilderness Area (1988). These have, by extension, and in conjunction with the

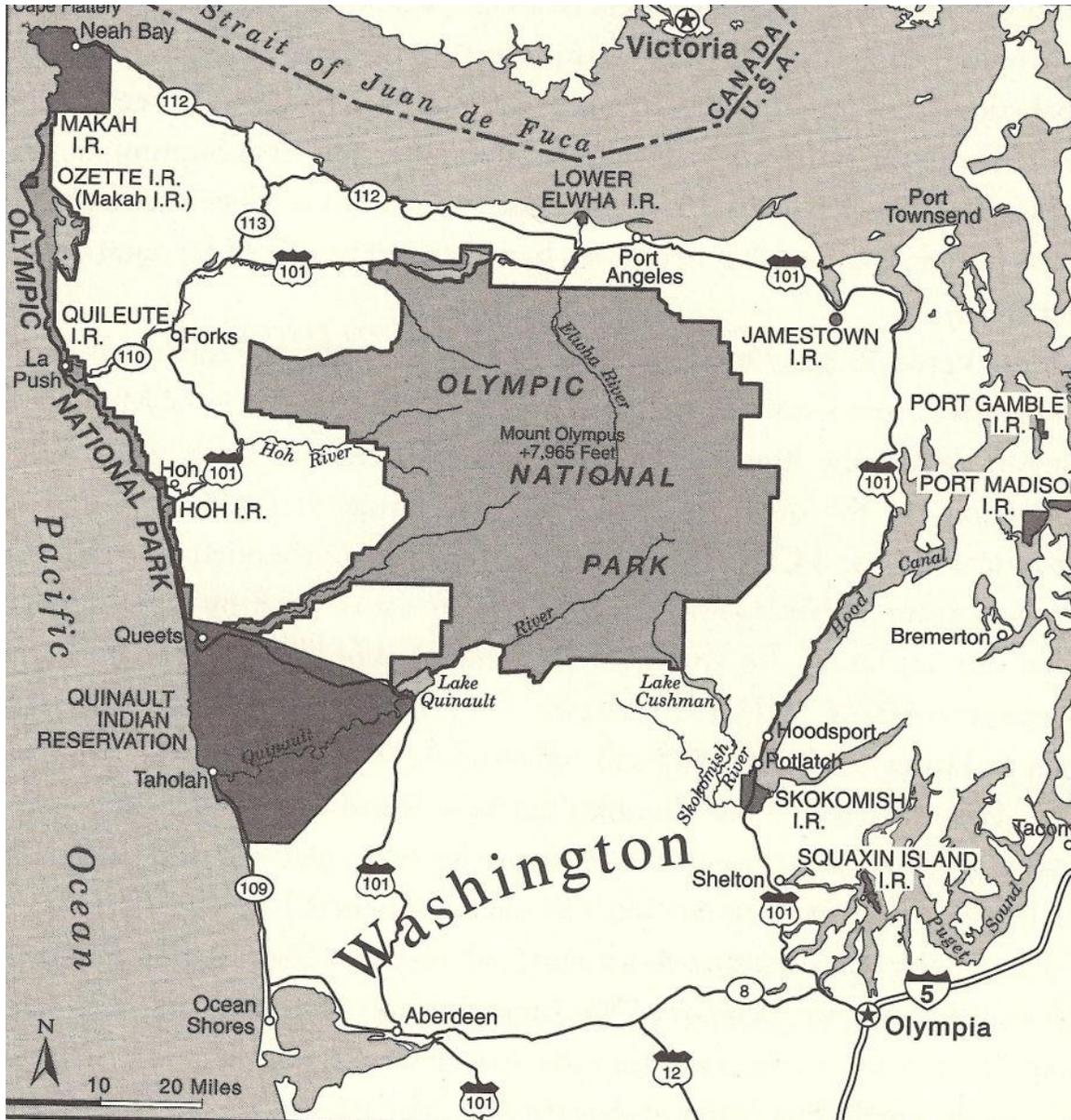


Figure 5.2: Native American Reserves surrounding Olympic National Park. From: Keller and Turek, *American Indians and National Parks*, 92.

tourist literature surrounding the area (Figure 5.1), further framed how the park’s environs can and should be perceived. For its proponents, ONP has always been popularly regarded, and in

³ Douglas Brinkley, *The Wilderness Warrior: Theodore Roosevelt and the Crusade for America* (New York: Harper Perennial, 2009).

⁴ Additions to the park since then have expanded Olympic National Park to 922,650 acres.

turn portrayed, as a precariously balanced, diverse, and vitally important ecology, an in-need-of-preserving virgin wilderness, a place where the touch of humans is slight and fleeting and, most importantly for this study, a place where Indigenous people may have once lived and traversed but do so no longer. Native Americans who claim the Olympic Peninsula as their traditional territory have contested the dominant portrayal of this area. They have rejected the depiction of an absence of humans as a product of the colonial imagination and the idea of “wilderness” simply a tool to deny Indigenous claims to the area. ONP’s proponents, in turn, have overwhelmingly viewed Native American claims which necessarily problematize visions of ONP as virgin wilderness as park despoliation and heresy.

The relatively small body of scholarship on Olympic National Park’s history focus on the battle between logging interests and preservationists over the park’s creation and expansion.⁵ Few of these authors consider the fraught relationship between Native Americans and Olympic National Park. Carsten Lien, an environmental activist who has written one of the few book-length histories of Olympic National Park, depicts Native Americans as one of ONP’s foremost threats.⁶ This interpretation is in stark contrast to Robert Keller and Michael Turek’s single chapter on ONP in *American Indians and National Parks*.⁷ The authors trade depth for breadth to provide a short (one to three page) introduction for each of the peninsular tribes’ history with the NPS, showing that the relationship between the NPS and individual tribes has fluctuated between periods of intense rivalry and cooperation.

⁵ See for examples: Ruby El Hult, *The Untamed Olympics: The Story of a Peninsula* (Portland, OR: Binford & Mort, 1954); Ben Whitfield Twight, “The Tenacity of Value Commitment: The Forest Service and the Olympic National Park,” (Ph.D. Diss., University of Washington, 1971); Ben W. Twight, *Organization Values and Political Power: The Forest Service Versus the Olympic National Park* (University Park and London: Pennsylvania State University Press, 1983); Lee R. Lyman, *White Goats White Lies: The Misuse of Science in Olympic National Park* (Salt Lake City: The University of Utah Press, 1998); Elmo R. Richardson, “Olympic National Park: 20 Years of Controversy,” *Forest History* 12.1 (April 1968): 6-15; George Wuerthner, *Olympic: A Visitor’s Companion* (Mechanicsburg, PA: Stackpole Books, 1999); Tim McNulty, *Olympic National Park: A Natural History, Revised Edition* (Seattle and London: University of Washington Press, 2009); Michael G. Schene, “Only the Squeal is Left: Conflict Over Establishing Olympic National Park,” *Pacific Historian* 27.3 (1983): 53-61; Jim Kjeldsen, *The Mountaineers: A History* (Seattle: Mountaineers Books, 1998); William H. Wilson, “Asahel Curtis and the Fight over the Olympic National Park,” *Pacific Northwest Quarterly* 99.3 (Summer 2008): 107-121; National Park Service, *Olympic National Park: An Administrative History* (Seattle: National Park Service, 1990), 23-79; and Alfred Runte, *National Parks: The American Experience* 4th ed. (London and New York: Taylor Trade Publishing, 2010), 127-128.

⁶ Carsten Lien, *Olympic Battleground: The Power Politics of Timber Preservation, 2nd Edition* (San Francisco: Sierra Club Books, 1991).

⁷ Robert H. Keller and Michael F. Turek, *American Indians & National Parks* (Tucson: University of Arizona Press, 1998), 90-130.

The following chapter builds upon Keller and Turek's study by extending their critique of Lien. While the former focuses on the relationship between park officials and Native American tribes, however, I pay greater attention to non-government environmentalist groups. Popular environmentalists have been especially active and influential in promoting the park's expansion and resisting its reduction, including heavily contesting NPS concessions to Native Americans. Olympic National Park thus serves as an excellent lens into the pressing, global issues of Indigenous claims to "protected" areas, the use of parks and protected areas strategies as environmental colonialism, and the dominant depiction of protected area expansion as benevolent, positive and even necessary. Environmentalists operating in the Olympic Peninsula have portrayed themselves as friends and allies of Native Americans, as supporters of Native rights and treaties, and have joined in the anti-colonial chorus. Indeed, there are many examples of collaboration between Natives and environmentalists for mutual benefit.⁸ Yet, when environmentalists have supported Native Americans they have done so primarily to utilize Natives as vectors through which to entrench and expand, both discursively and physically, the dominant wilderness ideal, an ideal rooted in a colonial structure which ultimately denies Indigenous territorial sovereignty and vests power with non-Natives. In other words, environmentalist support for Native Americans – when that support comes – is ambivalent. Among the many sustained interactions between environmentalists and Native Americans regarding ONP, two in particular stand out. The first concerns the Makah-environmentalist-National Park Service struggle to assume ownership of the Ozette Reservation, while the second comprises the Quileute Indian Tribe's effort to reclaim reserve land from within the park.

Fear for Forest: The Olympic Park Associates, the Makah, and the Ozette Reservation

As historians of the Olympic Peninsula have aptly observed, Olympic National Park was mired in divisive controversy from its genesis. Park proponents claimed that the Olympic Peninsula was one of the United States' last great wilderness sanctuaries, but was in immediate danger of ruin from the insatiable appetite of the logging industry. Those against the park – the timber industry and locals dependent upon logging jobs – depicted it as an Eastern imposition, one that ignored the needs of local residents and sought to stymie economic development in order to create a "pleasure ground" for outsiders. This controversy, in turn, established the

⁸ The recent process of removing of the Elwha River dams begun in 2011 provides an excellent example of this.

discursive and political structure – for park proponents, one of perpetual fear of logging interests who constantly strove to access the park’s timber – which became an unavoidable paradigm casting a shadow over all future discussions concerning the park. This paranoia was, for park advocates, confirmed multiple times. President McKinley withdrew over 700,000 acres from Olympic National Forest in 1901 due to the timber industry’s pressure. Presidents Taft, Wilson and Coolidge all reduced Olympic National Monument’s size – Wilson by nearly half – to allow for homesteading, logging and dam creation respectively. Logging also occurred within ONP via bureaucratic loopholes, instances which Lien adeptly details.⁹

Park preservationists fervently opposed every request to reduce park land or to access its timber in other ways. The Olympic Park Associates (OPA), a citizens group which formed in 1948 to defend the park from the logging industry, proved especially capable in creating an environmentalist network, rallying public support, and converting government officials to their cause. In the words of OPA member Tim McNulty, the OPA has always been a “watchdog group dedicated to preserving the wilderness integrity of the park.”¹⁰ Since its creation, the OPA has been the principal defender of the park’s existing boundaries and also its loudest advocate for expansion. For example, even as President Truman enlarged the park in 1953 to nearly its maximum acreage allowed by Congress, the OPA warned its supporters to be on guard for the many nefarious means by which logging interests sought to access park timber and called for increased park acreage.¹¹ Consequently, when Native Americans complained about ONP, such as when the Makah contested the NPS’s claim to the Ozette Reserve, they became entangled in the twinned aims of park enthusiasts to cover as much of the Olympic Peninsula with the park and to prevent park contraction and timber removal no matter the circumstances.

Historically, the Makah lived in five principal villages that included Hosett (Ozette), a well-established and populous community by 1500. The inhabitants made extensive use of the surrounding landscape and even conducted regular burnings to manipulate the ecology.¹² Those

⁹ See especially Lien, *Olympic Battleground*, 254-298.

¹⁰ Naomi A. Benson to John Osseward, 1949[?], UWSC, Naomi Benson Papers, box 10, f. 9-38 Olympic Park Associates, 1949, 1950, 1953; and McNulty, *Olympic National Park*, 263.

¹¹ Irving M. Clark, President Olympic Park Associates to Members and Friends of Olympic Park Associates, 9 April 1953, UWSC, Naomi Benson Papers, box 10, f. 9-38 Olympic Park Associates, 1949, 1950, 1953.

¹² M. Kat Anderson, “The Ozette Prairies of Olympic National Park: Their Former Indigenous Uses and Management,” *Final Report to Olympic National Park* (Port Angeles, Washington, Winter 2009); Jacilee Wray, *Olympic National Park Ethnographic Overview and Assessment* (Report prepared for Olympic National Park, 23 September 1997), 19; and T.T. Waterman, *Notes on the Ethnology of the Indians of Puget Sound* (New York: Museum of the American Indian, Heye Foundation, 1973).

at Hosette refused to move to the Makah Reserve after the Treaty of Neah Bay was signed in 1855. A separate 719-acre Ozette Reserve to accommodate these residents was set aside by Executive Order in 1893. Along with the reserve's creation came the belief among non-Natives, including Indian Affairs and other government bodies, that an "Ozette Tribe" separate from the Makah existed. While most Ozette residents left in the late 1880s when BIA officials forced

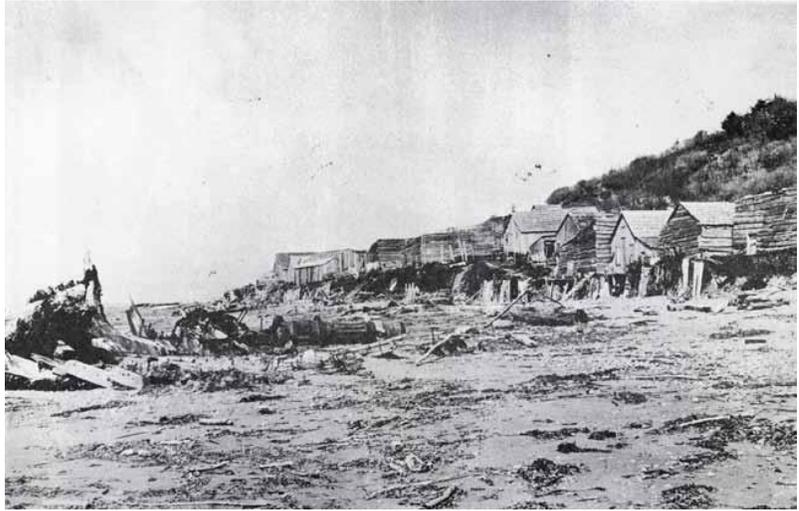


Figure 5.3: Ozette Village, 1879. Anderson, "The Ozette Prairies of Olympic National Park: Their Former Indigenous Uses and Management," 12.

their children to go to nearby Neah Bay to attend school (parents who did not comply were imprisoned), the village was seasonally occupied until the 1920s.¹³ In fact, some Makah at Neah Bay moved to Ozette because of their opposition to white residents on their own reservation; as relations improved, these people returned as well. The last Ozette resident, Elliott Anderson, moved to Neah Bay in 1937.¹⁴ Makah community members continued to travel to Ozette to dig clams, hunt, fish and collect other resources, though by this time the BIA restricted them from using controlled burns to alter the ecosystem and the environment here was used less intensely than when Ozette had permanent residents.¹⁵ Consequently, what had been a highly manicured ecosystem up to the later 1800s had become largely reclaimed by the environment itself early in the twentieth century. Those who proposed the reserve's inclusion in ONP beginning in the late 1930s understandably viewed the area as uninhabited wilderness.

¹³ Elizabeth Colson, *The Makah Indians: A Study of an Indian Tribe in Modern American Society* (Minneapolis: University of Minnesota Press, 1953), 20.

¹⁴ Robert H. Ruby and John A. Brown, *A Guide to the Indian Tribes of the Pacific Northwest* (Norman and London: University of Oklahoma Press, 1986).

¹⁵ Ann M. Tweedie, *Drawing Back Culture: The Makah Struggle for Repatriation* (Seattle and London: University of Washington Press, 2002), 76-77; and Anderson, "The Ozette Prairies of Olympic National Park," 52, 56, 58-61.

Carsten Lien opens his discussion on the struggle between environmentalists, the NPS, and the Makah over the Ozette Reserve by stating that the 1938 Olympic National Park Bill

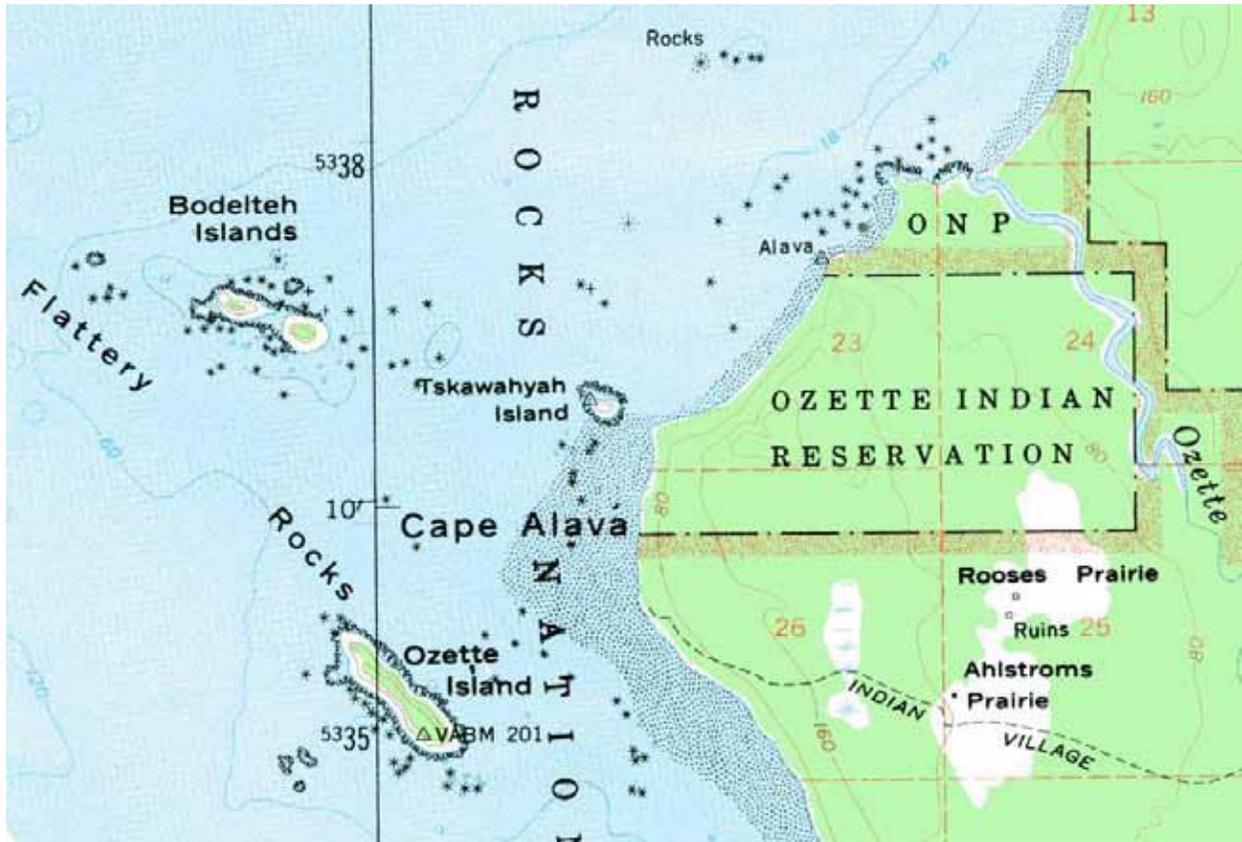


Figure 5.4: Ozette Indian Reservation surrounded by Olympic National Park. Highlighted areas indicate prairie ecosystems Ozette accessed and maintained through controlled burnings. Anderson, “The Ozette Prairies,” 23.

contained a major oversight by failing to include a provision allowing the Ozette Reservation to become part of ONP. “This oversight,” he argues, “set in motion a struggle that lasted for more than thirty years.”¹⁶ As much as Lien would like to blame bureaucratic red-tape for the controversy, the issue at heart was really a colonial land-rush for what many non-Natives believed was “abandoned” land.¹⁷ The popular press, for example, routinely treated the Ozette Reserve as the home of a disappeared tribe and headlines such as “The Mystery of the Vanished Ozettes” were routine.¹⁸ In Keller and Turek’s short appraisal of the Makah’s struggle over

¹⁶ Lien, *Olympic Battleground*, 315.

¹⁷ The area around Lake Ozette was also occupied by roughly 200 non-Native settlers at one point, though all of these had moved to less remote areas by the time it was incorporated into Olympic National Park in 1953. See: Rowena L. Alcorn and Gordon D. Alcorn, “The Nylund Family, Pioneers of Old Ozette,” *The Pacific Northwest Quarterly* 53.4 (1962): 151-156.

¹⁸ Alvin Zions, *A Lawyer in Indian Country: A Memoir* (Seattle and London: University of Washington Press, 2009), 69. While such a depiction was largely dismissed by 1970, Lien continued in 2000 to portray the Ozette Reserve as an uninhabited, wild space.

Ozette, they point to the Olympic Park Associates as the Makah's greatest adversaries and depict the NPS as an innocent bystander in the ensuing conflict.¹⁹ This narrative, too, is inaccurate.

After word reached the Makah Tribal Council that the BIA was considering relinquishing the Ozette Reserve, the tribe officially requested Ozette be transferred to their control in 1941. For them, being granted official (i.e., federally-recognized) possession of Ozette seemed only natural based upon their historic use of the area and inter-community relationships with the prior inhabitants. Yet the Department of the Interior denied this request and the issue was pushed aside as the U.S. entered World War II (by this point the NPS had also expressed its interest in acquiring the reserve numerous times).²⁰ The Makah's claim re-emerged at the end of March 1954 when a few Makah hunters, whose actions would become fateful for the Makah and the wider colonial society, shot a deer on the Ozette Reserve. While under the Makah's governance structure this event was completely normal and sanctioned, the deer unwittingly became a major player in the unfolding drama by crossing the national park boundary before dying. An ONP trail crew stumbled upon the carcass and informed state authorities. A county prosecutor then issued a warrant for the Makah hunters' arrest. Though no Makah were ever charged, in discussions surrounding the incident the Makah stated they considered the Ozette Reserve their own and argued tribal laws and their 1854 treaty established a structure which allowed them to hunt there.²¹ The State Game Department, at that time involved in an escalating cycle of conflict with Native Americans throughout Washington State, and park officials insisted such rights were never established. The Makah wrote to President Eisenhower in 1956 requesting clarification. Anthropologists Erna Gunther and Herbert Taylor, contracted to detail Makah/Ozette lineages, explained that the Makah's claim to Ozette was solidly grounded. They also dismissed the common perception being circulated by the BIA and others that the last of the Ozettes was Elliott Anderson and found that many of those living at Neah Bay had parents or grandparents from Ozette.²² Regardless, the Department of the Interior, tasked with the investigation, responded nearly two years later. "We observed that the Ozette Reservation was established...by Executive

¹⁹ Keller and Turek, *American Indians and National Parks*, 112.

²⁰ Keller and Turek, *American Indians and National Parks*, 110; and Ziontz, *A Lawyer in Indian Country*, 70.

²¹ W. R. Oakes, Assistant Chief Ranger, "Deer Killing Incident – Ozette Reservation," n.d., National Archives, Seattle (hereafter NA), RG-79 National Park Service, Olympic National Park Subject Files 1954-1962, box 13, f. 3415 Violations of Regs, Arrests, Trials, Prosecution.

²² Erna Gunther to Nathan G. Richardson, 5 April 1956, NA, RG-75 BIA Western Washington Agency Tribal Operations Branch 'Tribal' Files, ca. 1919-68 Makah 054-060, box 267, f. 060 Makah – General Correspondence 1964 thru 1968; and Lien, *Olympic Battleground*, 315.

Order for use of Indians identifiable as members of the Ozette Tribe,” the Department explained, continuing, “Since there is no one present who can be identified as a member of the Ozette Tribe, the Solicitor ruled that the Executive Order...may be revoked and the equitable estate merged to the United States.”²³ Unsatisfied with the decision, the Makah sought support elsewhere.

Congressman Alfred John “Jack” Westland, after being persuaded by the Makah and seeing no reason why anyone else should assume ownership of the Reserve, introduced Bill 10800 to transfer the Ozette Reservation to the Makah. According to Lien, this action caused “the Pacific Northwest environmental community [to rise] up in arms.”²⁴ The reaction from environmentalists was actually much more tempered, with many environmentalists even endorsing the Makah’s claim, if only for a short time. John Osseward, the Olympic Park Associate’s President and founder, was a staunch supporter of the Makah’s bid for ownership. Writing to Conrad Firth, Director of the NPS, he stated that, “We [the Olympic Park Associates] are adverse to taking anything the Indians want and I personally feel that we should back the Indians in the attempt to reacquire the Ozette Reservation.” He privately admitted to Firth that he felt emotionally obliged to support the Makah because his “mother was a great friend of the coastal Indians many years ago, and I feel that it would be unjust to take this reservation away from these people who are a family of the Makah’s.”²⁵ Aside from moral concern, however, Osseward and many others in the environmental community saw the Makah’s claim as a means to thwart others from possessing the space.

Washington State’s Department of Fisheries as well as the Department of Game both hoped to acquire the area. Osseward, among others, feared that should the State of Washington gain control of the reserve, it would subject the area to “non-conforming improvements” such as access roads and buildings, ruining its wilderness character.²⁶ Osseward even alleged that the Department of Fisheries planned to “poison” Lake Ozette and Ozette River to kill all the species of fish and then create a salmon hatchery.²⁷ Park proponents also feared the area would be logged. Yet while fear of the timber industry was a reality in other areas of the park, for Ozette it

²³ Roger Ernst, Assistant Secretary of the Interior, to Chairman of the Makah Tribal Council, 22 January 1958, NA, RG-75 BIA Western Washington Agency Tribal Operations Branch ‘Tribal’ Files, ca. 1919-68 Makah 054-060, box 267, f. 060 Makah – General Correspondence.

²⁴ Lien, *Olympic Battleground*, 317-18.

²⁵ John Osseward to Conrad Firth, “Re: Ozette Indian Reservation Olympic National Park,” 29 July 29, 1958, NA, RG-79 National Park Service, Olympic National Park Subject Files 1954-1962, box 1, f. A22 Associations.

²⁶ John Osseward to Conrad Firth, “Re: Ozette Indian Reservation Olympic National Park,” 29 July 29, 1958, NA, RG-79 National Park Service, Olympic National Park Subject Files 1954-1962, box 1, f. A22 Associations.

²⁷ Osseward to Erna Gunther, 23 June 1958, UWSC, Erna Gunther Papers, Accn 614-001, box 1, f. 3.

was misplaced. In fact, it was the Crown-Zellerbach Corporation, one of the most extensive holders of timber lands in the Pacific Northwest, who suggested in private correspondence with the BIA that the NPS should possess Ozette!²⁸ Nonetheless, environmentalist groups, likely unaware of this correspondence, endorsed the Makah's claim as they saw in it an avenue of power for fulfilling their own vision of this space by preventing its despoliation by logging. Indeed, Osseward, writing to the NPS, pointed out that Olympic National Park was only twenty years old and "die hard timber people want to cut more."²⁹ Wayne Smith, Executive Secretary for the National Parks Association, also wrote to the Superintendent of Olympic National Park regarding the Ozette matter and the possibility of thwarting logging interests. He argued that he was "a long time student of timber cutting in the national forests, Indian lands, and private lands in the Pacific Northwest and elsewhere. What happens in these areas will obviously help or hinder the protection of the parks." Smith continued that such concern came for securing the "protection of extensive wilderness areas in the Northern Cascades."³⁰ Smith and Osseward even exchanged letters hoping to collaborate with the NPS to save the state's coastal rainforests in their "primitive condition" from "ruthless" timber programs, including those operating on Indian reservations and in lands the Forest Service managed.³¹ In other words, Osseward and Smith hoped they could persuade the Makah, along with other Native American tribes, to mimic the wilderness preservation impulse.

Osseward and others believed the Makah alone were unlikely to "develop" or significantly alter the environment in the Ozette area. As Osseward, writing to Firth, explained, "I am sure that the reservation if it could be saved from any timber cutting (the timber is not worth much) ... would not hurt the park even though the reservation is surrounded by the park."³² But environmentalists greatly feared that if the Makah acquired Ozette they could be

²⁸ Raymond H. Bitney, Superintendent, to Paul W. Hand, Program Officer, 25 June 1953, NA, RG-75 BIA Western Washington Agency Tribal Operations Branch 'Tribal' Files, ca. 1919-68, box 262, f. 060 Hoh – General Correspondence 1953-1961.

²⁹ Osseward to Daniel Beard, 9 April 1959, NA, RG-79 National Park Service, Olympic National Park Subject Files 1954-1962, box 2, f. A22 National Parks Association.

³⁰ Anthony Wayne Smith, Executive Secretary National Parks Association, to Daniel B. Beard, 28 August 1959, NA, RG-79 National Park Service, Olympic National Park Subject Files 1954-1962, box 2, f. A22 National Parks Association.

³¹ Smith to Osseward, 5 October 1959, NA, RG-79 National Park Service, Olympic National Park Subject Files 1954-1962, box 2, f. A22 National Parks Association.

³² Osseward to Firth, "Re: Ozette Indian Reservation Olympic National Park," 29 July 1958, NA, RG-79 National Park Service, Olympic National Park Subject Files 1954-1962, box 1, f. A22 Associations.

“influenced” to convey the land to Washington State or non-Native logging interests.³³ Due to this paranoia, the OPA and other environmentalist organizations wanted to guide the Makah in how they would (not) use this space and hoped the NPS and the OPA could assume a supervisory role over the Makah. Osseward even contacted Erna Gunther to see if she could act as an intermediary between the OPA and the Makah. Gunther agreed and, after meeting with the Makah, informed Osseward that they responded they were too heavily occupied with “a big timber deal” at the time (which presumably did not reduce Osseward’s anxiety) and so could not devote much attention to the Ozette Reserve issue. Gunther added, though, that she “would like to do whatever we can to save the area for [the Makah], even without [their] help.”³⁴ Thus, though paternalistic and driven by self-interest, the OPA would actually work towards Makah control for a time.

Osseward, Smith and Gunther were not alone in their efforts. The North Cascades Conservation Council, established in 1957 to preserve wilderness in the region, also wrote to Firth stating their position on the matter. The Council recognized, “The land is morally [the Makah’s],” but they hoped that in supporting the Makah they would secure a position to recommend efforts to improve Native American conservation practices, specifically the Makah’s, which they described, simply, as “bad.” The Conservation Council further recommended the NPS take “any steps in the direction of being extremely cooperative with the Indians” because they hoped doing so would “help the Service indirectly with its negotiations with other tribes and those Indian lands in the southwest which are so badly in need of scenic preservation.”³⁵ Environmental groups, in seeking to have their anti-logging, wilderness preservation agenda met in Ozette, claimed to support the Makah’s land and treaty rights. Such support, however, always hinged upon directing the Makah’s authority over environmental use and how they could manipulate the Makah so their land ethic mimicked that of the wilderness ideal in ONP.

The National Park Service, meanwhile, had its own agenda. Until 1969, the NPS’s primary goal was to annex the Ozette Reserve, and it was explicit in this aim when discussing the matter with environmentalists. Firth, responding to the Conservation Council, outlined the NPS’s

³³ Osseward to Gunther, 23 June 1958, UWSC, Erna Gunther Papers, Accn 614-001, box 1, f. 3.

³⁴ Gunther to Osseward, July 14, 1958, UWSC Erna Gunther Papers, Accn 614-001, box 1, f. 3

³⁵ David Brower to Conrad L. Wirth, 20 August 1958, UWSC, North Cascades Conservation Council Records, Accn 1732-11, box 11, f. Olympic National Park – David Brower 1953-1958.

contradictory strategy: 1) “to cooperate with the Indians in every way that we can;” and 2) to add “[the Ozette Reserve], so strategic in preserving the scenic interest of Cape Alava,” to Olympic National Park.³⁶ NPS representatives also notified the OPA on multiple occasions that the Park Service had “long felt that the Ozette Indian Reservation should be included in Olympic National Park,” and would pursue a course of action that would lead to this outcome.³⁷ In fact, it is clear that the NPS revealing its interest in acquiring Ozette and publicly contesting the Makah’s claim marked the pivotal event in which the ultimate ambivalence of environmentalists was revealed. Environmentalist organizations *en masse*, seeing in the NPS a guarantor to keep the area “wild” who they felt was far more secure than the Makah, turned into the strident opposition to which Lien, Keller and Turek refer.

Yet the NPS’ desire to add the Ozette Reservation to its expanding Olympic National Park empire was nothing new. Discussions between the NPS and BIA over transferring Ozette occurred as early as 1937, and the NPS nearly acquired the land in 1941 but was sidelined by the Makah’s competing claim the same year and the intervention of a BIA attorney.³⁸ After the war, the NPS resumed its stalled program of park expansion in the Olympic Peninsula, especially along its western edge. The “coastal strip” portion of ONP, which was added to the park in 1953, surrounded Ozette; thereafter, the NPS became even more insistent on possessing this space which created a break in the strip’s continuity. After Congressman Westland’s Bill 10800 to give the Makah control failed, he introduced HR 12131 to give the reservation to the Park Service, designate it the Makah Memorial Park Area, and create a location within it for a Makah fishing camp. This attempt at compromise failed and was rejected by the Makah, who drew upon the support of various tribal organizations.³⁹

³⁶ E. P. Sawyer, Acting Director US Department of Interior, National Park Service to Brower, 14 October 1958, UWSC, North Cascades Conservation Council Records, Accn 1732-11, box 11, f. Olympic National Park – David Brower 1953-1958.

³⁷ Fred J. Overly, Superintendent, to Leo Gallagher, President Olympic Park Associates, 6 February 1958, NA, RG-79, National Park Service, Olympic National Park Subject Files 1954-1962, box 1, f. A22 Associations.

³⁸ Sawyer to Brower, 14 October 1958, UWSC, North Cascades Conservation Council Records, Accn 1732-11, box 11, f. Olympic National Park – David Brower 1953-1958; Lien, *Olympic Battleground*, 313-315; and Keller and Turek, *American Indians and National Parks*, 110.

³⁹ The bill’s reintroduction as HR 2329 also failed due to opposition. “Regular Meeting of the Makah Tribal Council,” 3 September 1963, NA, RG-75, BIA Western Washington Agency Real Property Reports, 1950-1969, box 32, f. Makah Resolutions; “Regular Meeting of the Makah Tribal Council,” 7 October 1963, NA, RG-75, BIA Western Washington Agency Real Property Reports, 1950-1969, box 32, f. Makah Resolutions; and “Regular Meeting of the Makah Tribal Council,” 4 November 1963, NA, RG-75, BIA Western Washington Agency Real Property Reports, 1950-1969, box 32, f. Makah Resolutions.

In the meantime, the Makah had turned their full attention to Ozette. Their claim was bolstered in the 1960s when they had archaeologist Richard Daugherty establish a cultural affiliation between the Makah and the Ozette through sampling on the Ozette site.⁴⁰ Doing so also alerted the Makah to the fact that park visitors traversing across the Ozette Reserve were disturbing archaeological remains and even looting. The Makah also made a wise choice in hiring lawyer Alvin Ziontz in 1967 to work on the Ozette issue, which he did tirelessly and with great skill. That same year Ziontz wrote a legal memorandum to the Department of the Interior arguing the Makah had title to this tract of land. Even though the Department of the Interior's 1958 decision had denied the Makah's claim based upon the fact that, in its estimation, the reserve was created for the "Ozette Tribe," it conveniently reversed its position a decade later, finding that the Ozette Reservation was "created not for a tribe but for a class of Indians."⁴¹ The Makah once more turned to political support and again they found a Congressional ally. In 1969 Congressman Lloyd Meeds, who had replaced Westland, introduced a bill to support the Makah's claim.⁴² Resistance from environmentalists quickly ensued.

The OPA's position on the Ozette Reserve had moved far away from Osseward's stance in the 1950s. Philip H. Zalesky, President of the Olympic Park Associates from 1966 to 1972 and founder of the North Cascades Conservation Council, upon hearing of the proposed bill, complained to Meeds. "This proposal was one of those that former congressman Jack Westland kept bring[sic] up, too," Zalesky stated, "and it disturbed us then also."⁴³ Zalesky further reminded Meeds that the OPA had "long felt that this should be an area for addition to Olympic National Park."⁴⁴ Meeds' assistant responded to Zalesky, stating that while Meeds supported parks, he believed there was "no question that the Makah Indian Tribe is legally entitled to the Ozette Reservation," and that he simply wanted to save the tribe and the government the cost of "litigation to establish that fact."⁴⁵ The letter concluded with a concession to the Olympic Park Associates and an assumption on Meeds' part that the Makah Tribe would be good stewards and

⁴⁰ Tweedie, *Drawing Back Culture*, 78.

⁴¹ Ziontz, *A Lawyer in Indian Country*, 70.

⁴² H.R. 9311 91st Congress 1st Session, 20 March 1969, NA, RG-75 BIA Western Washington Agency Tribal Operations Branch 'Tribal' Files, ca. 1919-68 Makah 054-060, box 267, f. 060 Makah – General Correspondence 1964 thru 1968.

⁴³ Philip H. Zalesky to Congressmen Lloyd Meeds, 5 October 1969, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁴⁴ *Ibid.*

⁴⁵ Leonard W. Saari, Administrative Assistant to Congressman Meeds, to Zalesky, 9 October 1969, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

maintain the environment in a manner befitting a park.⁴⁶ The OPA was unconvinced and was now certain that the Makah would ruin this “pristine” landscape. Zalesky promised that the OPA would contest Meeds’ bill and embarked upon a letter writing campaign to numerous politicians and environmentalist allies.⁴⁷ In these letters, Zalesky depicted the Ozette area as a *terra nullius*, and presented the Makah as a threat to ONP’s ecology.⁴⁸

Meeds’ personal rebuttal was more persuasive, his language clearly frustrated if not annoyed. “You know my record regarding parks, wilderness areas and national forests, Phil,” Meeds opened, “and especially the Olympic National Park.” He then pointed out the flaw in the OPA’s stance: while the OPA was created to protect Olympic National Park from erosion, in this instance, no park territory was at stake. “What we really have here,” Meeds explained of previous attempts to transfer Ozette out of Native hands to the NPS, “is an attempt by the government to take land without just compensation.”⁴⁹ Meeds was seeking to decolonize the space, plain and simple. “We have far too few chances to correct the mistakes and inequities which mark the history of our dealings with the American Indian,” Meeds later argued in Congress, “Let us not detract from this opportunity to do full justice.”⁵⁰ When dealing with the OPA, however, Meeds’ most compelling argument was to inform them that while the NPS had in the past fought the Makah, its legal counsel “[wa]s convinced the Service has no case” and so would step aside.⁵¹ Once again, then, the NPS’s actions caused an historical event: it was only after the agency dropped out of the competition for Ozette that environmentalists were willing to turn over Ozette to the Makah. Zalesky and the OPA recognized that they needed to change their tack in the face of the NPS dropping its claim. They returned to a variant of Osseward and Smith’s earlier, ambivalent approach of proclaiming support for the Makah publicly but working behind the scenes to ensure Ozette would become part of ONP in all but name.

The OPA’s strategic reversal was quick. Shortly after receiving Meeds’ letter, Zalesky informed House of Representatives Chairman Wayne Aspinall that the OPA “would not be

⁴⁶ Ibid.

⁴⁷ Zalesky to Meeds, 13 October 1969, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁴⁸ Zalesky to Senator Warren Magnuson, 13 October 1969, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation; and Zalesky to Senator Henry Jackson 13 October 1969, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁴⁹ Meeds to Zalesky, 20 October 1969, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁵⁰ Keller and Turek, *American Indians and National Parks*, 112.

⁵¹ Meeds to Zalesky, 20 October 1969.

adverse to supporting granting reservation in trust to the Makahs.”⁵² But the OPA thought that Meeds’ bill was too much of a “blank check” for the Makah and asked a revised bill “insure the land remain a natural area excluding leasing, subdivisions, commercial development, permanent residency, and roads...[as well as]...provide assurance that the public have access rights to cross the area at the tidelands.”⁵³ Zalesky explained to Congressmen John Saylor and Thomas Pelly, “We do not oppose returning this land to the Indians as a memorial to their distant ancestors. However, we feel that there should be utmost certainty that the area retains its park-like quality and that development inconsistent with the park should not be permitted.”⁵⁴ In short, the OPA asked that the Makah be forced to manage their territory no differently than if it was part of ONP.

The OPA further decided to provide the Makah with a façade of support after meeting with them and their lawyer. A memorandum outlining the post-meeting situation is telling. “Evidence suggests,” the memo reads, “Makahs are in fact Ozettes. Mr. Ziontz says he can produce 60 Indians at any trial claiming Ozette ancestry and also have exhibits from anthropologists showing this.” It was surmised that, “if we chose to challenge [the Makah’s claim] in court, we would have a most difficult time.” The strength of the Makah’s claim, however, continued to worry the environmental community as they maintained their negative view of Native conservation practices; while the image of the Ecological Indian inspired the environmentalist community, Natives living on reserves were perceived as anything but the noble ecological stewards that the ideal professed. Rumor had it, the memo noted, that the Makah were “an extremely aggressive tribe, and are actively exploiting their own reservation, despite claims to be interested in the ‘natural environment.’” Ziontz even alleges that at the meeting the OPA representatives told the Makah they were afraid that, under Makah control, the space would come to resemble the Makah’s Reserve – a mess of broken down cars, garbage, and clear-cut spaces – and that, for this reason, “absorption into the park was necessary for preserving the pristine beauty of Ozette.”⁵⁵

⁵² Zalesky to Representative Wayne Aspinall, Chairman, Interior Committee, House of Reps, 2 November 1969, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁵³ Ibid.

⁵⁴ Zalesky to Congressman John Saylor, 28 June 1970, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation; and Zalesky to Congressman Thomas Pelly, 28 June 1970, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁵⁵ Ziontz, *A Lawyer in Indian Country*, 70. Such a perception of Native reserves generally was nothing unique to the OPA, and such negative aesthetic observations have been made by others of the Makah’s reserve specifically. See,

Logging paranoia also continued to dominate environmentalist thinking. While the Makah Tribal Council had bent to environmentalist demands in Tribal Resolution No. 19-70 by promising that they would not “lease or otherwise permit any commercial development of the area or use inconsistent with...the natural beauty of the area and its surrounding,” the memo rationalized that the language therein could “possibly be construed to permit road access to the area and logging of portions of it, since, as we all know, loggers think that their use ‘enhances’ the natural beauty of the area.” The OPA further believed that the Makah intended to log three million board feet from the Ozette Reserve. This rumor was considered viable based on the fact that such an action was appraised as “typical of the Makah’s attitude towards trees.”⁵⁶ Such a stereotype, unfortunately, discounted the Makah’s interest in and adoption of environmental protection measures, including a 1955 designation of Cape Flattery as a Makah Wilderness Area closed to logging and other harvesting.⁵⁷

The memo concluded that environmentalists had two choices. First, they could contest the Makah’s claim, but this would be difficult. The second, more attractive option, was for the OPA “to word our requirements in such a way that it protects the natural state of the area and yet lets the Makah tribe *assume the appurtenances of ownership*.”⁵⁸ To do so, they provided the Makah with a long list of resolutions to append to Tribal Resolution No. 19-70. If the Makah were “sincere” in their statements of concern over the natural environment, they would accept the OPAs recommendations by integrating them and if not, the logic implied, their claims to be ecological stewards would be shown disingenuous; in either outcome environmentalists believed the end result would help them secure an Ozette wilderness.⁵⁹ Zalesky explained that while the OPA “respect[ed] the rights of the descendants of the Ozettes,” the OPA’s support hinged on whether or not, “the Makah Tribal Council concurs to make the following a tribal resolution to

for example: Arlyn Conly, “*Never Trust a White Man*” *I am Makah, Son of Whaling Nation* (Gig Harbor, WA: Red Apple Publishing, 1998), 29-30.

⁵⁶ Brock Evans to Zalesky, Pat Goldsworthy, Polly Dyer, John Osseward, “Memorandum, Re Status of the Ozette Indian reservation, Olympic Park Coast Strip,” 14 April 1970, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁵⁷ The Makah would expand this wilderness zone in 1978. See: Tweedie, *Drawing Back Culture*, 73.

⁵⁸ Italics added for emphasis. Evans to Zalesky, Pat Goldsworthy, Polly Dyer, John Osseward, “Memorandum, Re Status of the Ozette Indian reservation, Olympic Park Coast Strip,” 14 April 1970, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁵⁹ Evans to Zalesky, Pat Goldsworthy, Polly Dyer, John Osseward, “Memorandum, Re Status of the Ozette Indian reservation, Olympic Park Coast Strip,” 14 April 1970, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

be included in a bill to grant this area in trust to the Makahs.”⁶⁰ The resolution specified that no structures inconsistent with national park standards be erected, no roads or airstrip would be built, no access by any motorized vehicle be allowed and traffic be limited to foot and boat use, and the forests would be preserved “in perpetuity.”⁶¹ So the Ozette Reserve was to be an environment highly regulated by outsiders with no legal or historical claim to this space; in short, it was to remain a colonial structure. The Makah, feeling they had promised enough, declined to amend their Resolution as proposed.

When Meeds’ bill was passed in 1970 the language did not include the safeguards for environmental preservation that the OPA hoped. They reacted predictably. In a confidential letter to Senator Henry M. Jackson, John Osseward explained, “As you know there are some pretty big loop holes in the Tribal Resolution 19-70 and it is important that we stress the general theme of preservation as being important.”⁶² Osseward highlighted his fear that the reserve presented an easy source of income via logging that would prove too tempting for the Makah to resist. The OPA also gathered the support of other environmentalist groups who provided their unquestioning loyalty regardless of the issue’s nuances. The Friends of the Earth and the Sierra Club both wrote to Zalesky accepting the OPA’s leadership on this issue and promising to “support whatever action that the OPA take.”⁶³ Environmentalist pressure, it appears, had some influence in the matter. The H.R. Report on Ozette included the reservation be, among other restrictions, “treated in a manner consistent with public policy concerning preservation of natural beauty and environmental quality.”⁶⁴ Based upon this report, Congress granted ownership of the Ozette Reserve to the Makah on 22 October 1970, and President Nixon signed it into law – a great victory for the Makah, especially considering how close the NPS came to gaining the space, but one in which the Makah were highly constrained by both the law and the discourse of wilderness preservation which they themselves, but mostly environmentalists and other

⁶⁰ Zalesky to Ziontz, 4 May 1970, UWSC, in UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁶¹ Olympic Park Associates, n.d. “Proposed Resolution for Makah Tribal Council Relating to Ozette Indian Reservation,” UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁶² Osseward to Jackson 25 September 1970, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁶³ Dale Jones, Friends of the Earth, to Zalesky, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation; and Michael McCloskey, Executive Director Sierra Club, to Zalesky, 12 June 1970, UWSC, Accn 3773-001 Zalesky Papers, box 1, f. Ozette Indian Reservation.

⁶⁴ Senate Report No. 91, 91st Congress, 2nd Session, “Declaring That Certain Lands Shall Be Held by the United States In Trust For the Makah Indian Tribe, Washington: Report (To Accompany HR 9311),” 1970, U.S. Government Printing Office.

outsiders, had deployed during the dispute. While this structure now recognized Makah rights, power nonetheless still resided with outsiders to determine the extent to which and how the Makah could interact with the environment.

To date, the Makah have preserved the Ozette area in a manner befitting that of a national park and allowed non-Natives access to the area. Lien and others have always, and unfairly, resented the Makah for their victory, viewing the Makah with distrust, their claims as environmental stewards false, and their concern for nature inauthentic. With this sort of backlash from environmentalists towards the Makah over a space that was never park territory, it comes as no surprise that when Native American nations have sought to re-acquire ONP land itself, as the Quileute did, environmentalists have fervently led the opposition.

The Environment as Historical Agent: The Quileute Reserve's Changing Boundaries

The Quileute Reserve was created by colonial processes, but the environment itself has largely shaped the course of the reserve's history. President Grover Cleveland signed an Executive Order creating the 640-acre reserve on 19 February 1889, centred on the village of La Push and bordered on its north side by the Quillayute River as recommended by Indian Agent W. L. Powell the previous year. While such delineation might seem simple enough, the river itself – specifically the changing course of its mouth – would be the event which complicated relations between Natives and non-Natives. Quillayute River was closed in 1876 when a shipwreck floated into its mouth and caused a new one to be formed at the extreme north end of the Bay. This is where the river ran when an 1881 government survey of the area was completed, when Powell made his recommendation, and when the reserve's boundary was made. The river mouth then fluctuated from 1910-1916 and finally settled on a course east of James Island, much further south than its 1889 position, cutting off an eight-acre strip of land from the reserve. This small parcel, ideal for inclusion in the park because of its proximity to the Mora area (coastal rainforest) and its picturesque views, would later become Rialto Beach, one of Olympic National

Park's most popular destinations.⁶⁵



Figure 5.5: Quileute Reserve area. Adapted from Google Maps, 30 April 2012.

The Quileute and BIA were well aware of the problems that the meandering river was causing. Taholah Agency Superintendent E.G. Nicholson attempted to resolve the situation in the 1930s by acquiring 400 acres of land using the Indian Reorganization Act but failed.⁶⁶ Coincidentally, after Olympic National Park was created in 1938 the NPS began acquiring property along the Olympic Peninsula's coast for a planned expansion. Even though many of

⁶⁵ Additionally, land immediately south of the river was lost from Quileute control after a 1916 government survey excluded privately held lands from the Reserve.

⁶⁶ Ken Hansen and Sherwin Broadhead, "Quileute Northern Boundary Study," 31 October 1980, in Washington State Archives, Olympia, (hereafter WSA), Attorney General Fish & Wildlife, Working Files, Tribal 1974-1982, Accn 89-12-1546, box 489, f. Hunting Violations – Treaty Defense.

these lands were Quileute allotments, the NPS utilized the BIA as a means to acquire them.



Figure 5.6: Rialto Beach. Photograph from Encyclopædia Britannica Online, accessed April 30, 2012, <http://www.britannica.com/EBchecked/media/98210/Sunset-at-Rialto-Beach-Olympic-National-Park-Washington>.

Threatening letters were sent to Quileute allottees who held land on both the Quinault and Quileute Reserves and there were at least two instances where Quileute Indians' Public Domain Allotments were cancelled and the Park Service acquired this property without payment.⁶⁷ Moreover, four non-Native homesteads that were included in the reservation boundaries were sold to the government and absorbed by the NPS in 1953. According to the 1855 Treaty, however, these should have reverted to the tribe.⁶⁸ A report by the Secretary of the Interior in 1975 labelled the BIA's actions a "severe and blatant conflict of interest...[as] it appeared the Park Service was directing the land acquisition and the Indians' protector, the BIA, was following the Park Service's lead."⁶⁹ All this dubiously acquired land became part of Olympic National Park as expanded in 1953 under Executive Order 3003, signed by President Truman. The executive order was explicit that no part of the park would be within Indian Reserve boundaries, nor would it affect the treaty rights of any Indian tribe. Of course, both of these

⁶⁷ Hansen and Broadhead, "Quileute Northern Boundary Study," 23-4.

⁶⁸ E. Charles Routh to Director, National Park Service, "Attention: Association Director for Legislation," 19 March 1976, WSA, Attorney General Fish and Game Working Files (Tribal), Accn 80-7-679, box 34, f. Quileute Lands Adjustment for Olympic Natl Park, 1977-78.

⁶⁹ Hansen and Broadhead, "Quileute Northern Boundary Study," 22-3.

stipulations were, and would continue to be, violated. The Secretary of the Interior's 1975 report found the tribe had indeed been illegally stripped of their land. Congress subsequently transferred 220 acres from ONP to the tribe, accounting for part, but not all, of their lost area.⁷⁰ Over the next three and a half decades the Quileute would claim additional acreage based upon their interpretation of their reserve boundary, which they argued extended farther north before the Quillayute River's mouth shifted south. This would mean that Rialto Beach, by this time a highly popular destination replete with park facilities and boasting up to 60,000 yearly visitors, belonged to the Quileute.

Much of the debate would revolve around what happens to non-tangible boundaries when the physical environment on which they are based changes. Specifically, the Quileute drew on the legal premise that because the change in the mouth of Quillayute River was an avulsion – a sudden subtraction – the boundaries of the riparian owners' lands did not change with the course of the stream.⁷¹ Therefore, the Quileute should have maintained ownership of the channel that existed when their reserve was established. The Quileute would also argue that the park's boundaries were drawn improperly, using a survey from 1916 after the mouth of the Quillayute River had shifted far to the south, when in fact they should have used the survey from 1881 when the river was further north.⁷² In a 1981 meeting between the NPS and the Quileute Tribal Council in an effort to reconcile their increasingly hostile relationship, the NPS promised to resolve the boundary issue.⁷³ It appeared that the Quileute would receive the land they requested. A land exchange proposal, whereby the Quileute would rescind their claim to Rialto Beach in exchange for NPS acreage inland, was even sketched out. However, the Department of the Interior rejected the exchange plan in 1982 and negotiations effectively ended for the time being.⁷⁴

But the plan was not dead. The Quileute continued to raise the boundary issue in public and private forums and sought to build their case over the 1980s. Quileute representatives travelled to Washington, D.C. seven times from 1987 to 1990 to lobby government officials. The

⁷⁰ Wray, *Olympic National Park Ethnographic Overview and Assessment*, 103.

⁷¹ Hansen and Broadhead, "Quileute Northern Boundary Study," 43-46.

⁷² "Find a Path for Tiny Quileute Tribe," *Seattle Times*, 13 October 2005, http://seattletimes.nwsourc.com/html/editorialsopinion/2002557097_quiled13.html

⁷³ Russell Woodruff Sr., Chairman Quileute Tribal Council, to Ray Maldonado, Superintendent BIA, 19 February 1981, WSA, Attorney General Fish & Wildlife, Working Files, Tribal 1974-1982, Accn 89-12-1546, box 489, f. Hunting Violations – Treaty Defense.

⁷⁴ Kuebelbeck, "Tribe Says Beach is Its Birthright," E4.

NPS and Quileute once again dedicated themselves to a resolution of the issue after a meeting between the Quileute and NPS Director James M. Ridenour, who feared the Quileute would take the issue to court. The Quileute, knowing full well that the Park Service would not voluntarily relinquish prime beach front, once more proposed the land exchange option, asking for 1200 forested acres to relinquish their claim to Rialto Beach. The NPS appeared to be on board. Once word reached those in the environmental community of the possible park reduction, however, environmentalists rallied to oppose the settlement. This was hardly surprising since many environmentalists active at this time had campaigned to expand the Coastal Strip as “one of the most “primitive” remaining coastlines in the United States since the 1950s.”⁷⁵

The Olympic Park Associates took a leading role in the backlash. Carsten Lien was vehemently opposed to the Quileute claim. At a 1990 meeting of the OPA Board of Directors, Lien stated that he “would do everything he possibly could to stop the Quileutes;” this included calling “every environmental organization and both Seattle papers” to rally popular support against the Quileute.⁷⁶ Lien informed the Board that he had researched the Quileute’s claim himself, and he found (unsurprisingly) that the Quileute’s position was not tenable, though he admitted he knew neither the legal basis for the Quileute’s claim nor the documents upon which they were relying to substantiate their claim. Lien further criticized the OPA President, Polly Dyer, for talking directly with the Quileute because he felt this “undercut the Olympic Park Associates position to resist tribal claims against the Park.” In response to one member’s sympathy for the tribe’s welfare, Lien argued that it was the Associates’ “concern to protect the Park and someone else’s concern to protect the tribe’s claims.”⁷⁷ Though abrasive, Lien was at least direct and clear in his stance against the Quileute.

The rest of the Board of Directors were less confrontational, but their approach was ambivalent and their goals no different from Lien’s. While they all agreed they would not support a park reduction even if the Quileute’s claim was legitimate, they also sought to avoid being seen as “anti-Indian” to prevent antagonizing the many tribal allies upon whom they counted for support on other environmental issues. Tim McNulty specifically pointed out that the

⁷⁵ Adam M. Sowards details one of these wilderness preservation campaigns in “William O. Douglas’s Wilderness Politics: Public Protest and Committees of Correspondence in the Pacific Northwest,” *The Western Historical Quarterly* 37.1 (Spring 2006): 21-42.

⁷⁶ “Minutes of Board of Directors Meeting of Olympic Park Associates,” 13 July 1990, UWSC, Zalesky Papers, Accn 3773-4, box 1, f. Minutes 1990-1992.

⁷⁷ Ibid.

Solduck (also spelled Sol Duc) River, one of the large tributaries of the Quillayute River, had been proposed for inclusion into the Wild and Scenic Rivers Bill but was facing strong opposition from area residents. The Quileute, he explained, “are our only ally in designating the river. Therefore it is important to maintain good relations with the tribe.”⁷⁸ The Board’s solution was to support the idea of the Quileute receiving land – just not ONP land – if it was proven that the NPS holdings were illegal. None of the board members bothered to consider that the reserve was hemmed in on three sides by Olympic National Park and the fourth by the Pacific Ocean, or that the Quileute held a strong cultural and historic attachment to this specific place. At the end of their meeting, the Board resolved contradictorily to “reaffirm its prior position of adamantly opposing any change in Park boundaries or deletion of Park lands from the ocean strip,” as well as to reaffirm “its long history of cooperation with the peninsula Indian tribes on fisheries and other environmental issues...[and to] give consideration to any legal claims which the Quileute may assert as to any additional tribal lands...”⁷⁹ How these two positions could simultaneously exist was not explained.

In the public eye, the OPA took a decidedly adversarial stance. The OPA worried that government policy was driven by an industrial-capitalist agenda, one which had sought (and in many cases obtained) access to the resources within the park since its creation. Many of its members felt that they could not allow any fracture in the park boundary to occur lest it create a precedent. Laura Zalesky told the *Seattle Times* that the issue was purely environmental, not one of “Indian rights.” “We would oppose anybody, I don’t care who it is, taking land out of the park,” Zalesky proclaimed. She argued that if a land reduction was allowed here, then other claims, especially from logging interests, would soon follow. Lien feared the same and, with less politically-correct tact than Zalesky, labelled the Quileute’s claim as “an outrageous move that is really fueled by greed.” He further lambasted the Quileute for not making an assurance that they would administer the land as “wilderness,” though he did not explain why they should have to provide such a promise.⁸⁰

The OPA’s claims did not go uncontested. James Jamie, Quileute Tribal Chairman, countered Zalesky by framing the issue as one of Native rights, not of environmental

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Amy Keubelbeck, “Indians Lay Claim to a Popular Piece of Olympic National Park – Rialto Beach Among Lands Cited By Quileute Tribe.” *Seattle Times* 26 June 1990.

protection.⁸¹ Nonetheless, he still felt compelled to justify the Quileute's claim within the discourse of preservation, noting that as most of the land the Quileute's claimed was flood plain, the tribe would not develop it. He added that should they obtain Rialto Beach they would not alter it either. James Cronin, a *Seattle Times* editor, exclaimed that he was "one environmentalist who is not outraged [at the Quileute's claim]." "Let's see," Cronin's article exposing the hypocrisy and latent racism of environmentalist claims began,

Logging companies can make most of the Olympic National Forest look like a punk rocker's skull, and newspaper coverage until recently emphasized only job losses. The city of Tacoma can front plans to build a power dam on the wild Dosewallips River, which runs out of the Olympic National Forest and National Park, and no one says boo. But let members of the Quileute Tribe ask for what they think is theirs...less than two-thirds of a square mile of additional land to live on, and we get front-page headlines, 'concerned' federal officials, and 'environmentalists' accusing the Quileute of greed.⁸²

At this time, unfortunately for the Quileute, Cronin's viewpoint was in the minority and the NPS, pressured by environmentalists, would not agree to a land exchange while the issue was so contested. Additionally, the Quileute were reluctant to take the issue to court, believing, based on their meetings with the NPS, that a negotiated settlement was still possible.

Discussions between the NPS and Quileute dragged on for years. When they appeared to be on the verge of signing a land exchange deal in 1997 once the issue had faded from the public gaze, the Olympic Park Associates intervened again. The OPA proclaimed their support for "Indian treaty rights and adequate redress of Indian treaty claims," and called for the "claims of the Quileute tribal council regarding ownership and use of Rialto Beach [to] be fully addressed without unreasonable delay." Yet the OPA simultaneously attempted to stall the settlement process by calling for "the National Park Service to comply fully with the National Environmental Policy Act and consider alternatives to the land exchange as proposed," and requested that Congress postpone formal action on the land exchange until the NPS met the requirements of the Act for the proposal.⁸³ OPA President Polly Dyer – who had campaigned to

⁸¹ Amy Kuebelbeck, "Tribe Says Beach Is Its Birthright – Quileutes Have Pursued Claim for Two Decades," *Seattle Times*, 16 July 1990, <http://community.seattletimes.nwsourc.com/archive/?date=19900626&slug=1079191>

⁸² James Cronin, "Quileute Claims – Environmentalists Are Bent Out of Shape Over a Tiny Bit of Land," *Seattle Times*, 19 July 1990, <http://community.seattletimes.nwsourc.com/archive/?date=19900719&slug=1083055>

⁸³ Olympic Park Associates, "Resolution of the Board of Trustees Olympic Park Associates Regarding the Proposed Land Exchange Between the Quileute Indian Tribe and the National Park Service," 1997, UWSC, Zaleksy Papers, Accn 3773-4, box 2, f. 2/3 1983-2000; and Olympic Parks Associates, "Quileute Land Exchange," *Voice of the Wild Olympics* 5.2 (November 1997): <http://rdpayne.drizzlehosting.com/opa-news-v5n2.html>.

preserve and expand the Ocean Strip portion of ONP in the 1950s – also lobbied various politicians and bureaucrats to delay any decision that shrunk park boundaries.⁸⁴ William Walters, Deputy Regional Director of the NPS, replied to Dyers that the NPS would “of course comply with the NEPA as this Act applies.”⁸⁵ But, he explained, if Congress enacted legislation that itself changed the park boundary, then the Act would not apply and no environmental review would occur. This response did not please the OPA, especially Lien.

Lien’s posturing was consistently confrontational and uncompromising. Writing to David Morris, Superintendent of ONP, Lien was openly hostile. “As you may know,” he threatened, “every environmentalist organization is poised to respond should this [land transfer] agreement move forward.” Lien continued, “If there are public hearings, as are being demanded by all environmental groups, you will be called upon to justify every detail in the agreement as it now stands. I believe this process will be damaging to you and I believe it will be damaging to the National Park Service.” Lien then led into his “main reason for writing,” which was to coerce the NPS back out of the land exchange agreement “to prevent much grief and turmoil for yourself and for the Park Service.” The consequences of doing so, he promised, would be to “save the environmental groups countless hours of organization effort which will amount, in essence, to attacking you and the Park Service for dereliction of your duty to defend Olympic National Park.” To press his point and assure Morris he was not bluffing, Lien sent copies of this letter to the National Parks Conservation Association, the Wilderness Society, the Friends of the Earth, the Sierra Club, and the Audubon Society.⁸⁶ Lien need not have worried, however, because the National Park Service continued to delay the issue for the next decade.

The Quileute, after spending more than two decades seeking a negotiated resolution to the boundary dispute, had had enough and changed tactics. In 2005 they blocked public access to Second Beach, a popular ONP destination only accessible via Quileute territory. A year later, when the NPS would not budge from its offer of 274 acres of park land rather than the 800 acres (reduced from 1200) the tribe demanded, the Quileute threatened to also close access to Rialto Beach, again accessed through the Quileute Reserve. When asked why they had decided to take

⁸⁴ Polly Dyer to Norman D. Dicks 15 October 1997, UWSC, Zaleksy Papers Accn 3773-4, box 2, f. 2/3 1983-2000; and Dyer to John Reynolds, Field Director, Pacific West Area, NPS, 2 November 1997, UWSC, Zaleksy Papers Accn 3773-4, box 2, f. 2/3 1983-2000.

⁸⁵ William Walters, Deputy Regional Director NPS, to Polly Dyer, 1997, UWSC, Zaleksy Papers Accn 3773-4, box 2, f. 2/3 1983-2000.

⁸⁶ Carsten Lien to David Morris, Superintendent Olympic National Park, 27 October 1997, UWSC, Zaleksy Papers Accn 3773-4, box 2, f. 2/3 1983-2000.

direct action, the Quileute responded that the breaking point was when a tribal member was cited by park staff for collecting firewood on a beach near the disputed boundary and when they found out that the only land being offered for exchange was lowlands and wilderness area that could not be developed. As one editorial appraised, “Tribal leaders have put pressure on the Park Service the only way they can, by controlling access through their land.”⁸⁷ Looking back on the incident a year later, James Jamie, the Quileute Tribal Chairman, recalled that this blockade was “the one [action] that actually brought [the NPS] to the table so we could start some serious negotiations.”⁸⁸ If this direct action brought the NPS to the table, however, it was the Quileute’s other tactical shift that ultimately won them public support – something especially vital in order to obtain political traction for a settlement. Such popular support is especially notable given that most other incidents where Natives have restricted non-Native access to any territory – including other instances within ONP – have unanimously been met with enraged public outcry. The Quileute used the media attention given to the blockade to dictate the discursive parameters in which they framed their claim. Moving away from their thus-far ineffective discourse of treaty rights and legal justice, they, like their opponents, made the issue an environmental one. But while their opponents had argued for the environmental necessity of preserving the integrity of “vital ecological wilderness” – that the Quileute were a threat to nature – the Quileute argued that it was actually they who faced imminent danger from the environment.

Given that the controversy over the Quileute Reserve boundaries was precipitated by an environmental event, it seems only fitting that the boundary resolution derived from one – this time the 2004 Southeast Asian tsunami – too. With the tsunami’s impact fresh on the minds of those living in the Pacific Northwest, and as communities from Alaska to California worked to produce “tsunami preparedness” procedures and move public buildings from flood zones, the Quileute argued that they faced impending doom from a future tsunami but could do little to avoid such a disaster without obtaining land on higher ground. The media frenzy around tsunami dangers raged, so the Quileute were in excellent position to use this attention to their advantage. It does need to be noted that the Quileute had long complained of the fact that much of their village was prone to flooding and feared what would happen to their community in the face of a

⁸⁷ Editor, “Find a Path for Tiny Quileute Tribe,” *Seattle Times*, 13 October 2005, http://seattletimes.nwsourc.com/html/editorialsopinion/2002557097_quiled13.html

⁸⁸ Rachel La Corte “Quileutes Block Beach Access in Push for More Tribal Land,” *Seattle Times*, 24 November 2006, http://seattletimes.nwsourc.com/html/localnews/2003445301_dispute24m.html

tidal wave, but it was only after 2004 that they made this issue the forefront of their claim.⁸⁹ They repeatedly highlighted the fact that their village was located on a flood plain barely above sea level, which was steadily rising due to climate warming, and that they were hemmed in on all three sides by the Olympic National Park.⁹⁰ The Quileute Tribal Council, who hired a publicist to lobby their case to the public and government, dramatized the tsunami danger by having Quileute children hold a memorial service for people killed in the Indonesian tsunami, and also compared their situation to the 2005 hurricane Katrina-New Orleans disaster.⁹¹ This rhetorical shift – one grounded in myriad scientific studies that non-Natives could accept as authoritative⁹² – proved to be the answer to resolving the decades-long land dispute in the Quileute’s favour.

The two tactics marked the turning point for government action, public perception of the Quileute’s need for additional land, and genuine rather than token environmentalist support for a land exchange. Letters to newspapers called for the Quileute’s demands to be answered – their safety guaranteed – even if it meant a park reduction or a wilderness alteration. As one resident of Tumwater weighed in on the debate, “I understand the importance of wilderness, but wilderness boundaries can be changed.”⁹³ Another supporter of the Quileute’s tsunami argument and former resident of nearby Forks was persuaded by the Quileute’s plight and critical of the NPS stall-tactics, writing,

I find the Park Service’s actions troubling and a scary precedent should it prevail in denying the tribe the higher land it needs to protect its village from a tsunami. If an act of Congress is required to change the wilderness designation of the land in question, then Congress needs to act immediately...Olympic National Park has been using the Quileute land at the trailhead – without compensating the tribe – for more than four decades and the time has come to permanently settle this dispute by giving the Quileute the land they need to preserve their people and culture.⁹⁴

⁸⁹ When the Quileute claimed the “Northeast 100 acres” in 1981, it was because the area was “of extreme importance to the economic and flood protection interests of the Quileute Tribe.” Russell Woodruff Sr. to Ray Maldonado, 19 February 1981, WSA, Attorney General Fish & Wildlife, Working Files, Tribal 1974-1982, Accn 89-12-1546, box 489, f. Hunting Violations – Treaty Defense.

⁹⁰ La Corte “Quileutes Block Beach Access,” 24 November 2006.

⁹¹ Jessica Kowal, “In a Bid for Higher Ground, a Tribe Raises the Stakes,” *New York Times* 30 July 2006, 22; and Larry Ralston, “Is Your Tribal Land Secure?” 2008 <http://nativecases.evergreen.edu/collection/cases/is-your-tribal-land-secure.html>

⁹² Many of these studies are considered and analyzed in: Chelsie Papiez, “Climate Change Implications for the Quileute and Hoh Tribes of Washington: A Multidisciplinary Approach to Assessing Climatic Disruptions to Coastal Indigenous Communities,” (Masters of Environmental Studies Thesis, Evergreen State College, March 2009).

⁹³ Steve Keller, “Boundary Change Seems in Order to Assist Tribe,” *Seattle Times*, 20 October 2005, <http://community.seattletimes.nwsourc.com/archive/?date=20051020&slug=thulet20>

⁹⁴ Amy Fraser, “Settlement In Order,” *Seattle Times*, 20 October 2005, <http://community.seattletimes.nwsourc.com/archive/?date=20051020&slug=thulet20>

By refusing to give the Quileute additional land in which to expand and continually stalling, the NPS was suddenly cast as uncaring villain rather than wilderness hero, risking the lives of an entire people in order to greedily maintain a paltry few hundred acres of land out of its near-million-acre holdings. By extension, anyone – especially environmentalists – who opposed the Quileute could be viewed in the same negative light. Environmentalists were forced to concede. As a Sierra Club spokesman rationalized, “The Quileutes are in an untenable position, and it needs to be fixed... Nobody wants to see them limited into an area that makes them highly at risk for a tsunami.”⁹⁵ Doug Scott, policy director for the Campaign for America’s Wilderness, agreed, explaining that the threat of a tsunami was never taken into account when the wilderness boundaries for ONP were drawn. He added that “No one I know in the wilderness movement thinks that it’s a one-way street and that questions can never be raised. I think it’s a sign of a stronger and more mature wilderness movement.”⁹⁶ In fact, the tsunami argument proved so pervasive that every major news release, environmentalist statement, and government comment concerning the Quileute land dispute after 2005 focussed on it, and mentioned only in passing – if at all – the historic land claim via treaty rights and NPS dispossession of the Quileute that had been the central argument of the tribe until then.

After nearly three decades of negotiations with the NPS, Senate Bill 636 and House Bill 1162, “To provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes,” were introduced in late 2010 which proposed the land exchange option. The bills themselves dramatized the impact of a tsunami in the area (which would only intensify after the 2011 tsunami devastated Japan) and highlighted allowing the Quileute additional land so they could move out of the tsunami zone as imperative in the bills; the Quileute’s legal claim to the area was, as in the media, brushed over.⁹⁷ The Quileute were to receive two large parcels of land totalling nearly 800 acres that would be held in trust by the federal government. This included

⁹⁵ Rob Hotakainen, “Quileute Natio: In Harm’s Way. Safety: Tribe Wants Park Land So It Can Protect Itself from Tsunamis,” *The Olympian*, 17 April 2011, <http://www.theolympian.com/2011/04/17/1619487/seeking-higher-ground.html>

⁹⁶ Hotakainen, “Quileute Nation In Harm’s Way,” 17 April 2011.

⁹⁷ For a small selection of these news commentaries see: Kurt Repanshek, “Legislation Would Add Official Wilderness To Olympic National Park, Transfer Acreage to Quileute Tribe,” *National Parks Traveler*, 7 April 2011; John Dodge, “Washington coastal tribe seeking higher ground,” *The Olympian*, 18 April 2011; Editorial, “Moving the Quileutes to Higher Ground,” *Seattle Times*, 20 April 2011; NA, “U.S. House Oks bill for Quileute tribal move,” *Seattle Times*, 7 February 2012; “U.S. Senate Oks bill for Quileute tribal move,” *Seattle Times*, 13 February 2012;

222 acres of previously logged forestland that had been designated as “wilderness,” but that label would be rescinded by an act of Congress so the tribe could “develop” the area and move most of its public buildings uphill. The second parcel of land totaling 510 acres wound along the Quillayute River. To obtain this larger parcel the Quileute had to agree to a number of terms that, while transferring the property, nonetheless ensured the environment itself would remain largely “wild” and much the same as when in NPS control. The Quileute would maintain these lands in their “present natural state, without development or permanent structures or new roads.” Moreover, the bill specified that all existing recreational uses by non-Natives be allowed to continue on both the exchanged parcels including non-Native access to Second Beach and Rialto Beach along trails that ran through the Quileute Reserve.⁹⁸ The Quileute leadership, asked for a reaction to the bill, were unanimously positive and signalled their relief at being able to move their tribe to safety, as well as settling the decades-long dispute with the NPS.

Despite continued opposition from some members of the OPA, the bills passed the House of Representatives and the Senate in early 2012; President Barack Obama signed the land exchange bill into law on 27 February 2012.⁹⁹ In the end, the Quileute succeeded at using the fear of environmental change on a massive level – of nature’s potential to run too wild – and connected to an issue with which non-Natives could personally relate, as the means to garner enough critical mass to force the issue in their favour. Their focus on treaty rights, which environmentalists consistently argued they supported but were able to avoid providing any real concessions to – and in fact worked against realizing – simply did not resonate enough to force the issue in the Quileute’s favour. In the end, as with the Makah’s struggle over Ozette, environmentalists were never ready to commit to supporting Native rights beyond their own self-interest, and in both cases it turned out they never had to.

NA, “Obama Approves Bill for Quileute Tribal Move,” *Seattle Times*, 27 February 2012; and Rob Hotakainen, “Obama Oks park-land transfer to Quileute tribe,” *The Olympian*, 27 February 2012.

⁹⁸ HR 1162, 112th Congress, 2d Session; and Lynda V. Mapes, “Transfer of Park Land Would let Quileute Move from Tsunami Zone,” *Seattle Times*, 19 December 2010, http://seattletimes.nwsourc.com/html/localnews/2013720131_quileute20m.html

⁹⁹ Rob Hotakainen, “Obama OKs park-land transfer to Quileute tribe,” *The Olympian*, 27 February 2012, <http://www.theolympian.com/2012/02/27/2007931/hotakainen-obama-oks-park-land.html>

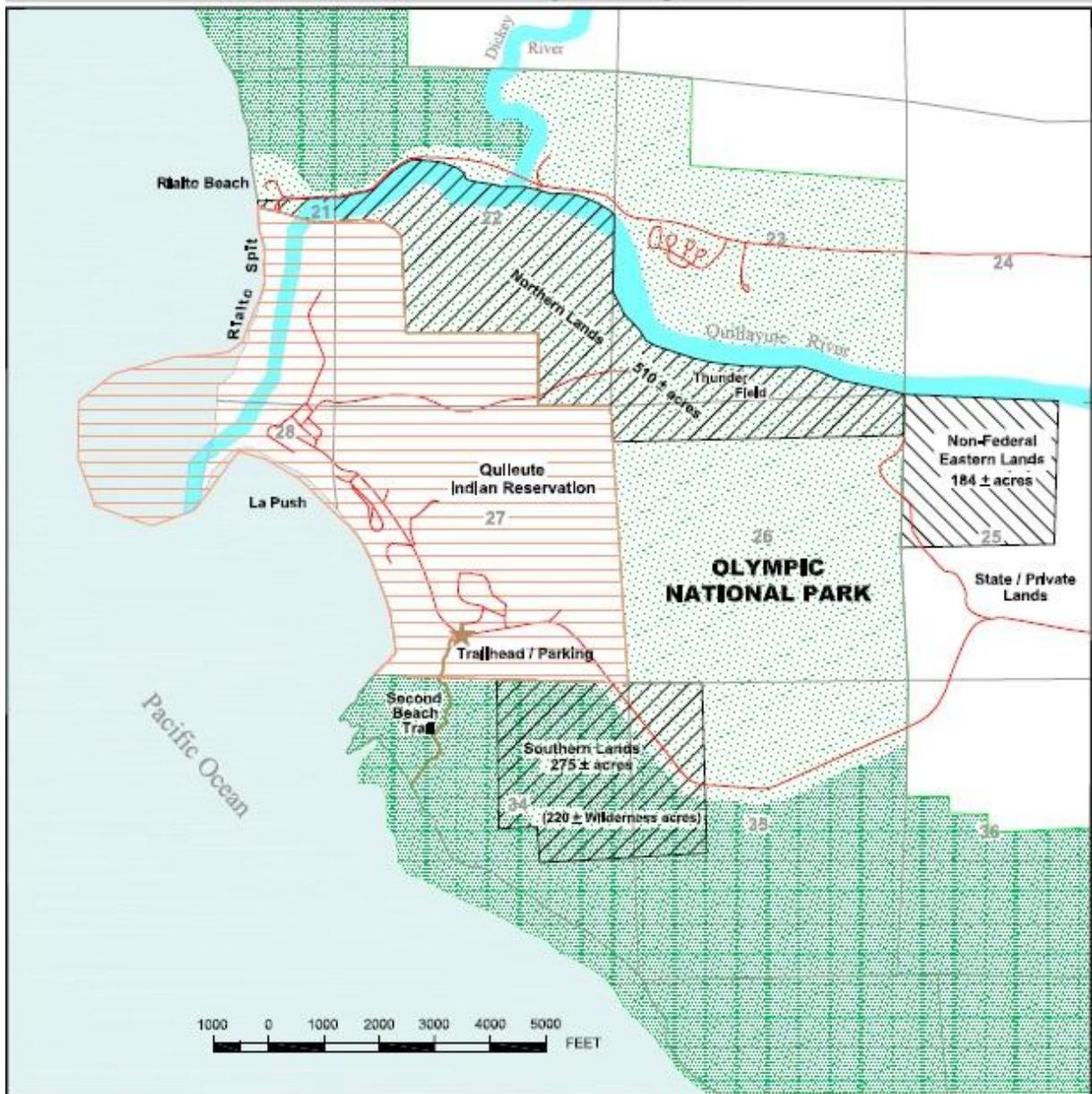


Figure 5.7: Proposed additions to Quileute Indian Reserve. From: U.S. National Park Service, "Olympic National Park Proposed Boundary Revision," June 2010.

The Politics of Wilderness Preservation

“Wilderness” spaces, as post-structural scholars have now argued for at least two decades, are not “real” but social constructs, metaphors for what those who label these spaces conceptualize. As Richard Grove has argued, and as numerous studies of “green imperialism” have shown, the environmental movement has constructed “wildernesses” as an idiom for an

imagined utopia, for a second chance into the Garden of Eden.¹⁰⁰ National parks have come to embody the place where that wilderness ideal is actualized. But for those displaced by national parks, especially Indigenous peoples, parks are anything but utopic. While scholars of environmental colonialism have aptly shown the problematic use of “wilderness” and its links to colonialism, it is surprising that none of these scholars have linked Mary Louise Pratt’s concept of “anti-conquest” to the environmental movement or the creation of parks. Anti-conquest, Pratt explains, and as used in postcolonial theory, refers to strategies of representation that serve to naturalize colonial power and authority, narratives wherein “European bourgeois subjects seek to secure their innocence in the same moment as they assert European hegemony.”¹⁰¹ In anti-conquest narratives, the colonizer legitimizes their dominance by casting the Native as a violent savage – in the case study presented here, violence towards to the environment – and resistance to colonization – as used here resistance to park expansion – as proof of their savage nature. While Pratt was not speaking of the creation of parks or environmentalism (though she does note the figure of the naturalist as being the most capable of surrounding themselves with an aura of innocence) parallels certainly exist.

The Olympic Peninsula’s history has been dominated by anti-conquest narratives. Environmentalists in the area and beyond have celebrated colonial conquest here – that is, of park creation, of protected areas gaining ever “stronger” designations of protection. The violence of this conquest has been hidden by narratives of ecological necessity and of benevolence. Environmentalists have been particularly culpable in the creation of the Olympic National Park’s mythology, described from its very beginning as a pristine, primeval, wilderness, and the concomitant displacement of Indigenous peoples both physically and discursively. In the fight for Olympic National Park, environmentalists have cast themselves as superior, both morally and intellectually, and portrayed Natives as very real threats to the environment. Such narratives reinscribe colonial relationships and promote the continuation of colonialism even though environmentalists would not see it that way.

Environmentalists have further sought to claim their innocence by proclaiming themselves as anti-colonialists. The Olympic Park Associates, among other environmentalist

¹⁰⁰ Richard Green, *Green Imperialism: Colonial Expansion, Tropical Island Edens and the Origins of Environmentalism, 1600-1860* (Cambridge: Cambridge University Press, 1995), 482-5.

¹⁰¹ Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation* (London and New York: Routledge, 1992), 7.

groups, repeatedly pledged their support for Native rights and their “respect” for Native American peoples and territories. Yet they have staunchly fought relinquishing any of their territorial (i.e., park) conquests, instead actually campaigning to increase the size of these territories as it is within these structures where their power is greatest and, consequently, where they have the most to lose. They have further sought to conquer Native Americans themselves by forcing them to mimic a specific environmentalist philosophy. Even though the Makah received the Ozette Reservation and the Quileute eventually received land carved out of ONP, both nations had to publicly concede their acceptance of the wilderness ideal, an ideal which has since placed constraints how they manage their re-acquired land. Afterwards, when Natives have moved beyond environmentalist discourse and argued for unreserved territorial sovereignty— that is, when they resist outside interference – environmentalists have pounced, holding Natives up to standards that environmentalists themselves coerced Natives into accepting. For example, Makah leader Joseph Laurence Jr., three years after the Makah obtained Ozette, informed Park Superintendent Roger Allin that “the Ozette Indian Reservation was set aside by an Act of Congress for the Makah Indian Tribe to use and develop as we please.” This assertion of sovereignty was then read by environmentalists as proof of Native savagery, their untrustworthiness, their betrayal of the Ecological Indian stereotype, and ultimately the need to maintain constant vigilance over them.¹⁰² Environmentalists further criticized the Makah when, in 1988, while the Coastal Strip was receiving wilderness status, they asked for a non-wilderness corridor through ONP’s coastal strip to access the Ozette Reservation, and they responded with unrestrained rage and racism during the Makah’s renewed whale hunt in the latter 1990s.¹⁰³

Environmentalists operating on the Olympic Peninsula have acted as agents of “green imperialism” and, ultimately, as proponents not just of ecological protection but of a sustained colonizer-colonized hierarchy. When other modes of imperialism and its rationalization such as inherent “white” superiority and military conquest have fallen into disuse, environmentalists have uncritically celebrated the expansion of parks and protected areas into Indigenous spaces. More importantly, and a point ignored by those examining the history of Indigenous peoples and parks, park proponents have expanded their empire into spaces adjacent to parks, not simply

¹⁰² Lien, *Olympic Battleground*, 319.

¹⁰³ Lien, *Olympic Battleground*, 319-20; Robert Sullivan, *A Whale Hunt: How a Native-American Village Did What No One Thought It Could* (New York: Touchstone, 2002); and Ter Ellington, *The Myth of the Noble Savage* (Berkeley: University of California Press, 2001), 360-372.

within their boundaries. They have called for a reinforcement of the colonial structure whereby colonized people are subjected to territorial surveillance and outsider administrative control, and their resources are appropriated (in this case, reserved for non-Native, recreational consumption). It is for these reasons, and because of the ongoing environmentalist refusal to accept Native rights on their own terms, without strings attached, that environmentalists and Native Americans in the Olympic Peninsula will continue to come into conflict.

- CHAPTER SIX -

Desolate Viewscapes:

Sliammon First Nation, Desolation Sound Marine Park and Environmental Narratives

*We are restricted from practicing our Aboriginal rights in many areas inside our core territory, sacred village sites and even reserve lands because of the development of parks all around them.*¹

Michelle Washington, Sliammon Land Use Planning Coordinator

*All of us have to feel good about creating parks. It's one of those things that would be very difficult somehow to feel is something wrong or inappropriate. It's a naturally pleasant thing to be involved in.*²

J. Weisgerber, Member of the Legislative Assembly



Figure 6.1: The entrance to Desolation Sound on a clear day in June 2008. Photograph by author.

Place names can have residual power. When, in June 1792, Captain George Vancouver explored the area just north of present-day Powell River, British Columbia he named it Desolation Sound. His own and his crew's journal entries depicted gloomy weather and a multitude of Native settlements, almost all "abandoned," amongst a wild, barren land "deserted even by nature"³ presenting "one desolate, rude and inhospitable aspect."⁴ While Vancouver and his crew's observations were firmly rooted in a particular European cultural aesthetic – they recognized Indigenous-altered landscapes only when these fit their own European preconceptions of environmental, agriculturally-based stewardship – they were also influenced

¹ Michelle Washington, correspondence with the author, 14 June 2011.

² J. Weisgerber, "British Columbia Legislative Assembly Session," *Hansard*, Volume 6 (July 1995), 16698.

³ George Vancouver and Lieutenant Broughton, *A Narrative or Journal of a Voyage of Discovery to the North Pacific Ocean, and Round the World, Performed in the Years 1791, 1792, 1793, 1794, and 1795* (London: F. Smeeton, 1802), 47.

⁴ George Vancouver, *Voyage of Discovery to the North Pacific Ocean and Round the World in which the Coast of North-West America has been Carefully Examined and Accurately Surveyed: Undertaken by His Majesty's Command, Principally with a View to Ascertain the Existence of any Navigable Communication Between the North Pacific and North Atlantic Oceans; and Performed in the Years 1790, 1791, 1792, 1793, 1794, and 1795, in the Discovery Sloop of War, and Armed Tender Chatham, Under the Command of Captain George Vancouver, Volume 1* (London: Printed for G.G. and J. Robinson, 1798), 334.

by physical and situational realities. It is very likely that smallpox had decimated the local Indigenous population shortly before Vancouver's arrival, and most of the survivors would have been inland hunting and gathering in small groups during the summer months.⁵ Additionally, to remain on the coast during these times risked an encounter with Lekwiltok raiders who plied the Strait for targets.⁶ Much of the coast was indeed unpopulated as Vancouver surmised, though only temporarily so.

Vancouver's description of the area as wild, abandoned and unclaimed still dominated the newcomer imagination in the twentieth century. Later visitors, however, imparted quite different aesthetic valuations to the term "desolation" than did those at the turn of the nineteenth century. Reflecting the cultural shift in attitudes towards "wilderness" that grew throughout the nineteenth and into the twentieth centuries,⁷ the Sound was no longer "deserted by nature" but was ripe with it, regarded as a pristine or virgin wilderness valued precisely for its perceived absence of previous human habitation and thus despoliation. After British Columbia's provincial government created Desolation Sound Marine Park in 1973, they entrenched this valuation into the dominant bureaucratic structure, both physically and discursively. The Department of Conservation and Recreation, Parks Branch (later Ministry of Environment, BC Parks) also enfolded the area into the mytho-historical, province-building master narrative of British Columbia as a wilderness paradise.⁸ This narrative portrayed British Columbia's dwindling frontier as one of America's – if not the world's – last great untamed spaces, a place British

⁵ Vancouver and his crew members observed numerous Natives with smallpox scarring throughout the Pacific Northwest. For examples see: C.F. Newcombe, *Menzies' Journal of Vancouver's Voyage April to October, 1792* (Victoria, B.C.: Printed by William H. Cullin, 1923), 53-63; Bern Anderson, "The Vancouver Expedition: Peter Puget's Journal of the Exploration of Puget Sound, May 7-June 11, 1792," *Pacific Northwest Quarterly*, 30.2 (1939): 198; Robert Boyd, *The Coming of the Spirit of Pestilence* (Vancouver, BC: UBC Press, 1999); Keith Thor Carlson, *The Power of Place, The Problem of Time: Aboriginal Identity and Historical Consciousness in the Cauldron of Colonialism* (Toronto: University of Toronto Press, 2010), 92-100; and Cole Harris, *The Resettlement of British Columbia: Essay on Colonialism and Geographical Change* (Vancouver: UBC Press, 1997), 3-30.

⁶ For information on the Lekwiltok and their raiding patterns see: Edward S. Curtis, *The North American Indian: The Indians of the United States, the Dominion of Canada, and Alaska, Volume 9* (Privately published, 1913), 32-34; and Bill Angelbeck and Eric McLay, "The Battle at Maple Bay: The Dynamics of Coast Salish Political Organization through Oral Histories," *Ethnohistory* 58.3 (Summer 2011): 359-392.

⁷ Roderick Nash still provides an exemplary analysis of the changing view of wilderness in: *Wilderness and the American Mind*, 4th ed (New Haven and London: Yale University Press, 2001).

⁸ I borrow the concept of "mytho-historical" from the edited book *Myth and Memory: Stories of Indigenous-European Contact*. The contributors therein describe how one must engage "myth understandings," by which they mean the relationship between history and myth. This idea is a targeted application of the postmodernist theory that all historical narratives are necessarily incomplete, biased and only rational within their own cultural context and, as a result, never wholly accurate; they are part myth and part (cultural) history. See: John Sutton Lutz, ed., *Myth and Memory* (Vancouver: UBC Press, 2007), 14.

Columbians could be proud of and around which their diverse backgrounds and geographical separation could conjoin. Integral to this story was the continued denial and attempted erasure (both physically and discursively) of any Aboriginal land rights and cultural interests beyond their reserves.

Many historians, academics of other disciplines and the general public have promoted, and continue to advocate, a park ideology and history that is largely, if not entirely, absent of Aboriginal use and full of pristine or uninhabited wilderness.⁹ An increasing number of scholars focusing on Canada and abroad, however, have challenged this viewpoint. The process of critically analyzing the effects of conservationism and the exclusion of Indigenous peoples from parks has been gaining momentum, and has arguably overtaken the “uninhabited wilderness” perspective that, nonetheless, still holds sway in the public psyche.¹⁰ On both sides, however, the focus has been on the national; the provincial (or the state) and the regional all too often get ignored in a national parks myopia.¹¹ This case shows that provincial parks are equally worthy of

⁹ For examples, see: Leslie Bella, *Parks for Profit* (Montreal: Harvest House, 1987); William R. Lowry, *The Capacity for Wonder: Preserving National Parks* (Washington, D.C.: The Brookings Institution, 1994); Kevin McNamee, *The National Parks of Canada* (Toronto: Key Porter Books, 1994); Alfred Runte, *National Parks: The American Experience*, 2nd ed. (Nebraska: University of Nebraska Press, 1987); Carsten Lien, *Olympic Battleground: The Power Politics of Timber Preservation* 2d ed. (Seattle: Sierra Books, 2000);

¹⁰ For examples, see: Jason Clay, “Parks and People,” *Cultural Survival Quarterly* 9.1 (Feb. 1985): 2-5; Nicholas Lawson, “Where Whitemen Come to Play: National Parks and Native Peoples in the Canadian North,” *Cultural Survival Quarterly* 9.1 (Feb. 1985): 54-56; Robert Graham and Robert J. Payne, “Customary and Traditional Knowledge in Canadian National Park Planning and Management: A Process View,” In *Social Science and Natural Resource Recreation and Management*, edited by Joanne Vining (Oxford: Westview Press, 1990): 124-150; Paul Kopas, *Taking the Air: Ideas and Change in Canada’s National Parks* (Vancouver: UBC Press, 2007); Claudia Notzke, *Aboriginal Peoples and Natural Resources in Canada* (New York: Captus Books, 1994); John Sandlos, “Federal Spaces, Local Conflicts: National Parks and the Exclusionary Politics of the Conservation Movement in Ontario, 1900-1935,” *Journal of the Canadian Historical Association* 16.1 (2005): 293-318; John Sandlos, “Not Wanted in the Boundary: The Expulsion of the Keeseekoowenin Ojibway Band from Riding Mountain National Park,” *Canadian Historical Review* 89.2 (June 2008): 189-221; W. A. Waiser, *Saskatchewan’s Playground: A History of Prince Albert National Park* (Saskatoon: Fifth House Publishers, 1989); Derek Bouse, “Culture as Nature: How Native American Cultural Antiquities Became Part of the Natural World,” *The Public Historian* 18.4 (Autumn 1996): 75-98; Philip Burnham, *Indian Country, God’s Country: Native Americans and the National Parks* (Washington, D.C.: Island Press, 2000); Theodore Catton, *Inhabited Wilderness: Indians, Eskimos, and National Parks in Alaska* (Albuquerque: University of New Mexico Press, 1997); Robert H. Keller and Michael F. Turek, *American Indians and National Parks* (Tucson: The University of Arizona Press, 1998); Richard West Sellers, *Preserving Nature in the National Parks: A History* (New Haven and London: Yale University Press, 1997); Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks* (New York and Oxford: Oxford University Press, 1999); Mark Dowie, *Conservation Refugees: The Hundred-Year Conflict Between Global Conservation and Native Peoples* (Massachusetts: MIT Press, 2009); Joji Carino, “Indigenous Voices at the Table: Restoring Local Decision-Making on Protected Areas,” *Cultural Survival Quarterly* 28.1 (Spring 2004): 1-7; Paige West, James Igoe, and Dan Brockington, “Parks and Peoples: The Social Impact of Protected Areas,” *Annual Review of Anthropology* 35 (2006): 251-77.

¹¹ There are some important exceptions to this rule, and these have influenced my own thought on provincial and municipal/regional parks and Aboriginal peoples. These are: Bruce Hodgins and Kerry Cannon, “The Aboriginal

study as they affect Aboriginal peoples no less than do national parks and other federally-protected spaces.

Desolation Sound Marine Park offers a window into the importance of place in the history of Native peoples, conservationism and the (re)making of space. Viewscapes of Desolation Sound represent a microcosm of power relations in flux between competing dominant, colonial and subaltern, Indigenous cultural constructions of the non-human environment in British Columbia.¹² Specifically, Natives and newcomers were (and remain) involved in a competition over who controls a master discourse of what makes a “desirable desolation,” and by extension where, how, and even if, different peoples fit into this space. For BC Parks and conservationists, “desolation narratives” were (and are) a means by which to perpetuate and justify a dominant and paternal relationship to the area’s First Nations. BC Parks and conservationists argued that the presence of Aboriginal people “using” the environment for resource extraction or settlement despoiled it, and, more importantly, ruined visitors’ experiences and expectations of an untouched, unclaimed wilderness. The Sliammon (Tla’amin) First Nation’s narratives of desolation-making provide a means of critiquing unequal power relations.¹³ Park boundaries, infrastructure, and historical narratives participated in a colonial project that turned their homeland into the desolate place Vancouver had first described, one infrequently visited by the place’s Indigenous inhabitants yet overcrowded, controlled and ultimately “ruined” by outsiders.

Both Native and newcomer residents of, and visitors to, the Desolation Sound area agree that it is one of the most aesthetically beautiful places on the Northwest Pacific Coast. Nestled in the Strait of Georgia, deep coastal waters of up to 726 meters in Homfray Channel are juxtaposed against mountains reaching heights of 1,590 meters.¹⁴ A maze of islands, some of the warmest waters in the Strait, and a diverse marine and terrestrial ecosystem have made the area a popular spot for ecotourism. An emerging tourist draw to this region is its Indigenous history – a

Presence in Ontario Parks and Other Protected Places,” in *Changing Parks: The History, Future and Culture Context of Parks and Heritage Landscapes*, edited by John S. Marsh and Bruce W. Hodgins (Toronto: Natural Heritage/Natural History Inc, 1998), 50-78; Jean Barman, *Stanley Park’s Secret: The forgotten families of Whoi Whoi, Kanaka Ranch and Brockton Point* (Madeira Park: Harbour Publishing, 2006).

¹² Viewscape refers to the connection that occurs between a person and the world around them.

¹³ The traditional territorial boundaries of the Klahoose and Homalco First Nations overlap with the Sliammon’s here. Though it was my original intention to include a joint history of these First Nations, it soon became apparent such a scope would be too broad. Consequently, my focus here is the Sliammon, though many of the issues the Sliammon have faced are similar to those experienced by the Homalco and Klahoose.

¹⁴ Heather Harbord, *Desolation Sound: A History* (Madeira Park, BC: Harbour Publishing, 2007), 5.

history that should, but is not enough to, discredit the “pristine myth.” According to archaeologists, the human presence here goes back more than 8,000 years, and recent archaeological digs have shown that nearly every flat space along this section of the coast was at one time inhabited by Indigenous people, the population of which was also probably much larger than had previously been estimated.¹⁵ Sliammon histories place themselves here since time immemorial and their identity is intimately connected to a relationship with the environment that can only come from multi-generational occupation.¹⁶ Many Sliammon continue to hunt, gather, and fish throughout their traditional territory and to maintain spiritual ties to it; private property, logging leases, polluted resources, and parks and other “protected” areas, however, have made these activities more difficult. Once ranging from Cortes Island to the Mouth of Jervis Inlet, Harwood, Savary and Hernando Islands, Malaspina Inlet and Theodosia Arm, and Powell, Goat and Haslam lakes, the Sliammon’s land-base today, consisting of six reserves totaling 1,917 hectares, is a fraction of the more than 3,000 square kilometers they are estimated to have once occupied.¹⁷ They have recently signed a treaty with the province and the federal government that gives them significantly more land, though far less than they occupied prior to their colonial displacement.¹⁸ In the meantime, they struggle to come to terms with past territorial dispossession.

¹⁵ Evan Adams, Maynard Harry, and Laura Roddan, “Sliammon Traditional Use Study: Overview Report, 31 October 1996,” Sliammon Treaty Society Library (hereafter STSL), Sliammon, BC; John Welch, “Presentation to Sliammon Concerning Recent SFU Archaeological Fieldwork,” Sliammon Reserve, 30 June 2010; John R. Welch, Dana Lepofsky, Megan Caldwell, Georgia Combes, and Craig Rust in “Treasure Bearers: Personal Foundations for Effective Leadership in Northern Coast Salish Heritage Stewardship,” *Heritage & Society* 4.1 (2011): 88, 95-98.

¹⁶ Dorothy Kennedy and Randy Bouchard recorded Noel George Harry’s telling of the beginnings of all Sliammon people, where a pregnant young woman, abandoned by the rest of her village, was able to survive by digging clams. It was this woman who gave birth to the ancestors of the Sliammon people. *Sliammon Life, Sliammon Lands* (Vancouver: Talon Books, 1983), 12-13.

¹⁷ Homer Barnett, *The Coast Salish of British Columbia* (Eugene: University of Oregon, 1955), 28-29. The Sliammon reserves consist of: Sliammon I.R. 1, Harwood Island I.R. 2, Cortes Island I.R. 3, Toquana I.R. 4, Tokenatch I.R. 5, Kah kay kay I.R. 6.

¹⁸ *Tla’amin Final Agreement*, 21 October 2011.

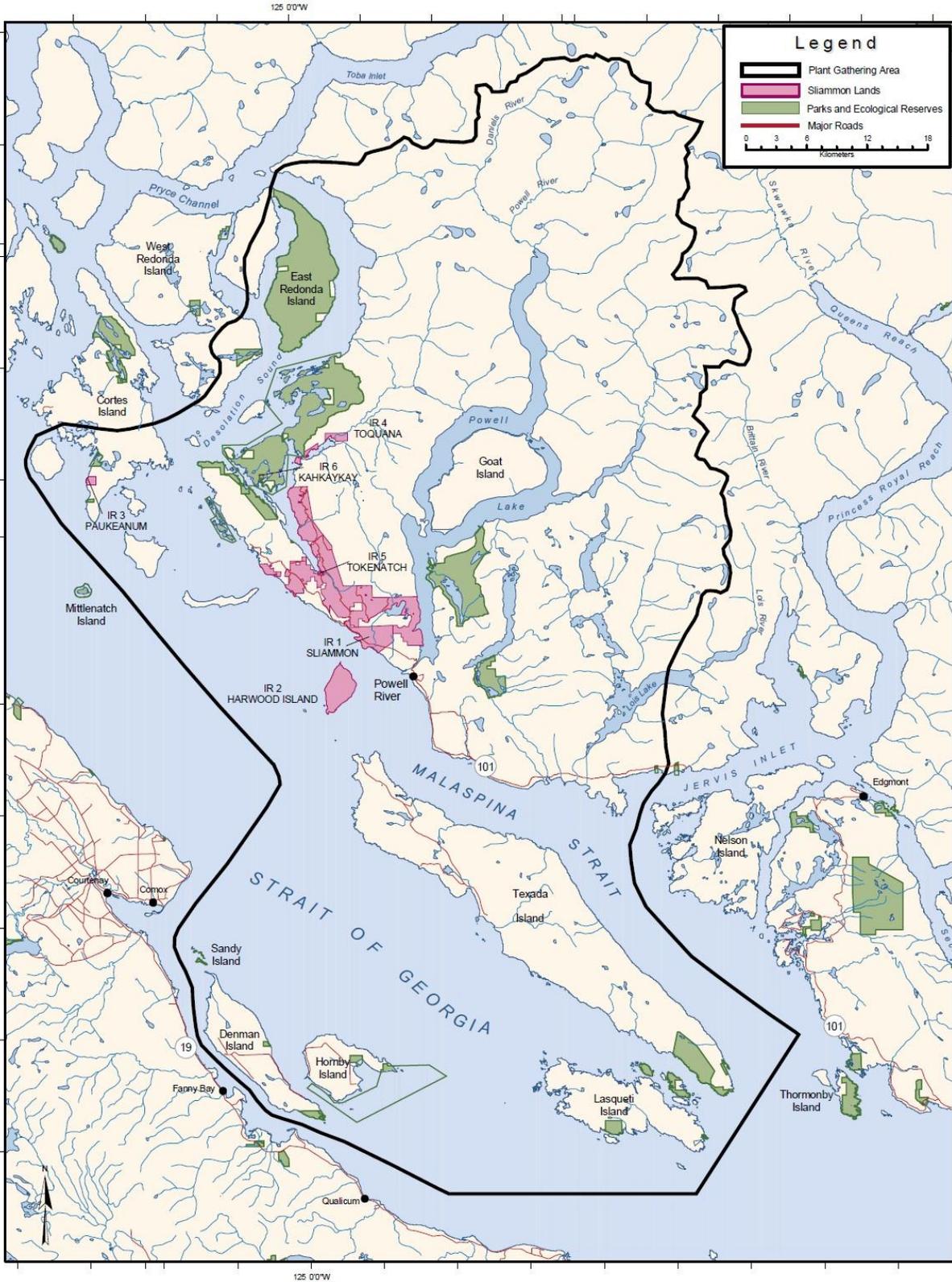


Figure 6.2: Parks and ecological reserves within the Sliammon First Nation’s traditional territory. From “Map of Plant Gathering Area,” in *Sliammon First Nation Agreement in Principle*, 6 December 2003, 120.

Desolate, v.: To deprive of inhabitants, depopulate.

While the creation of Desolation Sound and “satellite” marine parks in the 1970s marked an important event that contrasted with the extensive resource-extractive colonial history of the area, these new designations of the land were nothing extraordinary for the Sliammon; cultural outsiders were merely re-imagining the Sliammon’s landscape as they had always done. This process arguably began in 1875 when the joint provincial-federal Indian Reserve Commission sought to settle the “Indian land question,” and the province eventually set the Sliammon’s reserve boundaries in 1879. Lacking the ability to enforce these boundaries, however, Indian Agents and missionaries could only watch with disapproval as the Sliammon engaged in a mixture of traditional and modern/capitalist lifestyles, often using the proceeds from the latter to reinforce the former, and continuing to use those traditional spaces which had not yet been purchased by outsiders.¹⁹

As the non-Native population grew, however, they further alienated the Sliammon from their living spaces and erased signs of their historic presence.²⁰ Powell River’s first sawmill and pulp and paper mill was constructed in 1909 on Tees Kwat (or Tiskwat), a Sliammon winter village. Between 1910-1915 the provincial and federal governments forcibly removed Sliammon individuals from the area surrounding the mill (what would become Powell River’s main town site) and destroyed their dwellings.²¹ The Sliammon land base was further eroded after 1920

¹⁹ The Sliammon participated in the timber industry after the creation of reserves by hand-logging their traditional territories. This economic and social history of the Sliammon and logging has yet to be explored, despite a plethora of archival materials located in the Library and Archives Canada that allude to the Sliammon’s role in the capitalist logging industry in Powell River. These sources also detail the Sliammon’s ongoing battle with the local Indian Agent to get permission to cut trees on their own reserves, or to avoid him because they had been cutting without his permission elsewhere.

²⁰ Outsiders had claimed the Sliammon’s land before their reserves were established. Resource companies, real estate speculators, and individual settlers sought to fill a perceived power vacuum caused by reserve creation process. For example, R.P. Rithet, entrepreneur, land speculator, and close associate of Indian Commissioner/Superintendent Dr. I.W. Powell, purchased a 15,000-acre timber lease from the government encompassing three permanently occupied Sliammon villages and many seasonal sites. See: Davis McKenzie, “Tiskwat History Rife With Corruption,” *Neh Motl*, 1 August 2005, 1-2; and Lyana Marie Patrick, “Storytelling in the Fourth World: Explorations in Meaning of Place and Tla’ Amin Resistance to Dispossession,” (MA Thesis: University of Victoria, 1997), 25.

²¹ McKenzie, “Tiskwat History Rife With Corruption,” 2; Michelle Washington, “Our Lands, Our Solutions,” *Neh Motl*, 1 November 2008, 5; and Michelle Washington, “Historical Timeline,” Sliammon First Nation, <http://www.sliammontreaty.com/who/timeline.html> (15 October 2009). The City of Powell River recently returned the “Old Hospital Site,” located on Tees Kwat, to Sliammon First Nation. Today, there is a sign denoting that the site, along with the surrounding area, is Sliammon traditional territory. See: BC Treaty Commission, *Developing Intergovernmental Relationships: The Sliammon-Powell River Experience* (Vancouver: BC Treaty Commission, 2004), 6. Furthermore, Sliammon First Nation served a writ to Canada and British Columbia seeking compensation for the loss of Tees Kwat in 2005. See: Davis McKenzie, “Protecting Tiskwat,” *Neh Motl*, 1 October 2005, 3.

when the federal government enacted legislation allowing the Federal Cabinet to reduce reserve land without negotiating surrenders. Utilized for hydro, telephone, mill, mining and timber rights on Sliammon territory, and even to construct a highway through Sliammon I.R. 1 connecting Powell River to Lund, this legislation further established the area's non-Native presence and assisted in extending the resource industry's grip into the hinterland.²² The Sliammon dealt with these incursions as best they could, still harvesting food from many of their resource sites that remained unoccupied or unmonitored, and maintaining spiritual and social relationships with the environment while also participating in the newcomer economy and society. But they would no longer control what happened in their traditional territories and would increasingly find their very presence in these areas jeopardized and their cultural perspectives of the environment marginalized. By the first few decades of the twentieth century the Sliammon had been largely placed in a subordinate position in relation to outsiders' authority. The Sliammon had become the "Other" – a silenced, subaltern subject struggling to negotiate for agency within a colonial structure. Against this backdrop they increasingly had to deal with a new phenomenon of conservationism and wilderness protection. Though those who promoted conservation had benevolent intentions, they would more fully elaborate upon the vision of British Columbia, and Desolation Sound specifically, as a virgin wilderness refuge.

Making Desolation Sound "A Yachter's Paradise"

Beginning in the 1920s the image of Desolation Sound as a *terra nullius* was made complete when local settler conservationists and outdoor recreationalists from abroad turned their attention to this space. Upper- and middle-class yachters and wilderness advocates seeking escape from the travails of industrial modernity spread word that Desolation Sound was a paradise because of its "wild," uninhabited character.²³ Urban, industrial perceptions of nature could not recognize alterations to the landscape outside of its dominant sphere; thus, the Sliammon's informal economic and subsistence activities went unrecognized by the yachters who came to Desolation Sound, primarily in July and August, and failed to understand this place

²² Though this legislation was repealed in 1932, the Sliammon have never been compensated for this loss of land. For further reading, see: Patrick, "Storytelling in the Fourth World," 30.

²³ This ideology continues to be predominant here. BC Parks, "Desolation Sound Marine Provincial Park," <http://www.env.gov.bc.ca/bcparks/explore/parkpgs/desolation/> (accessed 31 January 2011)

as anything other than a recreational haven.²⁴ Such a view paralleled, though did not reflect completely, Vancouver's observations in the late eighteenth century which blinded him and his crew to the otherwise-obvious Aboriginal occupation because it did not conform to the dominant form of European agricultural settlement. Yachters' discourse would both draw on and reshape the colonial, settler trope identified by Elizabeth Furniss and others most commonly labeled the "frontier myth."²⁵ Conservationists, as with other settlers of the past and present, still adhered to the ideology that British Columbia's landscape was a wild place, but they lamented the increasing area of it that settlers had conquered. True wilderness, settler conservationists argued, was no longer hostile, as it had been characterized, but was timid, fragile and increasingly rare. Moreover, whereas the frontier myth equated Natives with the wilderness, this new mentality erased the Aboriginal presence from popular consciousness entirely.²⁶

At the same time as this settler-conservationist mentality gained predominance, an increasing number of recreationalists invaded certain beaches on Sliammon I.R. 1, much to the Sliammon's dismay. As the Sliammon did not have permanent dwellings on this site – using them only periodically to harvest shellfish and other resources – visitors regarded it as open, unclaimed space for anyone to enjoy. With few options available to them – their calls to have the people removed for trespass unanswered – the Sliammon Chief and Council succeeded in their request to the Department of Indian Affairs to permit the area's subdivision for cottage lease-lots.²⁷ While letters from the Sliammon stated they would have preferred not to lease the land, they rationalized that they would at least receive revenue this way. But the Sliammon territorial dispute with the non-Native trespassers did not end there. Despite the leases stating that the beaches remained for Sliammon use, the non-Native renters considered the beach their property and repeatedly threatened and "insulted" the Sliammon who gathered clams and other natural resources.²⁸ The Sliammon could never convince these people that their ownership did not require permanent occupation even though many of these outsiders themselves were, ironically, only summer residents.

²⁴ Harbord, *Desolation Sound*, 9-12, 210-211.

²⁵ See Elizabeth Furniss, who borrows from American historian Richard Slotkin, in *The Burden of History: Colonialism and the Frontier Myth in a Rural Canadian Community* (Vancouver: UBC Press, 1999), 18-19.

²⁶ The continuing legacy of this campaign is perhaps epitomized by the British Columbian Tourism Association's slogan, known to most British Columbians, "Super, Natural British Columbia."

²⁷ Lands and Timber Branch to Mr. MacInness, 2 November 1932, Library and Archives Canada (hereafter LAC) RG 10, vol. 8078, f. 978/32-21-6 part 1.

²⁸ F.C. Ball to D.M. Mackay, 2 October 1947, LAC, RG 10, vol. 8078, f. 978/32-21-6 part 1.

Meanwhile, the British Columbia government, keenly aware of the success of tourist promoters throughout the 1920s and 1930s in Victoria and Vancouver, sought to expand its own bureaucratic reach.²⁹ Economic motives initially drove the provincial government's Parks and Recreation Branch just as they had the federal parks program in the Rocky Mountains in the late nineteenth century.³⁰ Though park infrastructure grew slowly in British Columbia throughout the 1920s to the end of the Second World War, the 1950s marked a flurry of park creation.³¹ The genesis of parks in the Powell River-Desolation Sound area dates to 1957, the same year that the Parks Branch became independent from the Forest Service. A Park Ranger identified Unwin Lake and Toba Forest as an area suitable for public recreation as well as for "protection and development [as a park]."³² Locals, too, wrote to the Department of Recreation and Conservation arguing that the area should be protected, not logged, before the entire district was despoiled.³³

²⁹ British Columbia's provincial travel bureau, for example, was established in 1937. As Michael Dawson describes, by the postwar era tourism promotion had become an "institutionalized government policy to alleviate regional economic underdevelopment during an era of dramatic province building." See: *Selling British Columbia: Tourism and Consumer Culture, 1890-1970* (Vancouver: UBC Press, 2004), 10-12. There was interest in Desolation Sound at this time as well. During the late 1930s a resort developer petitioned the Department of Indian Affairs to purchase Harwood Island I.R. from the Sliammon, but the Sliammon Chief and Council had no desire to lose yet more of their land-base. The Sliammon had, in fact, already been cheated out of payment from a company that had logged the whole of Harwood Island, agreed to by the Indian Agent against the Sliammon's wishes, and paid the Sliammon only a fraction of the price they were supposed to receive. See: F.J.C. Ball to W.S. Planta, 12 November 1936, LAC RG 10, vol. 8078, f. 167/20-7-6 "Vancouver-Sliammon-Timber 1935-1939."

³⁰ This economic aspect of early Canadian national parks policy is aptly traced in: Leslie Bella, *Parks for Profit* (Montreal: Harvest House, 1987); Alan MacEachern, *Natural Selections: National Parks in Atlantic Canada, 1935-1970* (Montreal: McGill-Queen's University Press, 2001); and Paul Sheldon Kopas, *Taking the Air: Ideas and Change in Canada's National Parks* (Vancouver: UBC Press, 2007). Though the motives were similar, only Dawson's *Selling British Columbia* demonstrates that economic gain was a primary factor in park creation. Thus, a large historiographical gap is only partially filled here.

³¹ British Columbia's first provincial park, Strathcona, was created in 1911. During the 1950s, sixty-three new parks were established, bringing the total to 117 parks by 1957, totaling some 3.3 million hectares. Wayne Stetski, "BC Parks and Protected Areas: A Brief History," presentation given to Elders Council for Parks in British Columbia, 8 December 2008, http://www.elderscouncilforparks.org/history_dec08_stetski.html (accessed 31 January 2011).

³² Unidentified Parks Ranger to Parks Branch, 25 June 1957, BC Archives (hereafter BCA) RG 1991, BC Parks and Outdoor Recreation Division, 1912-1979, Microfilm Reel B1789; and Department of Recreation and Conservation, Provincial Parks Branch, Memorandum, 15 August 1957, BCA RG 1991 BC Parks and Outdoor Recreation Division, 1912-1979, Microfilm Reel B1789.

³³ See: Letters to Department of Recreation and Conservation, 13 July 1963 and 29 July 1963 concerning the sale of timber rights at Melanie Cove, part of Prideaux Haven, to Crown Zellerback Corp., in BCA RG 1991, BC Parks and Outdoor Recreation Division, 1912-1979, Microfilm Reel B1789. The Branch also received a proposal from a private company, Island Estates Ltd., to undertake marine recreational development for the use and enjoyment of boat owners at Tenedos Bay. See: Island Estates Ltd., "Letter to Department of Recreation and Conservation, Provincial Parks Branch, 5 September 1958," BCA, RG 1991, BC Parks and Outdoor Recreation Division, 1912-1979, Microfilm Reel B1789. Interestingly, in 1966 Crown Zellerback Corp. donated its holdings in Prideaux Haven to the University of British Columbia (UBC) for perpetual safekeeping. UBC had to agree, however, to keep it a "boat haven" as well as ensure that the spot's "natural beauty" was not impaired. Harbord's *Desolation Sound* states that this land was deeded to UBC from a private owner in San Francisco, but the archival records show otherwise.

Consequently, as Desolation Sound grew in recreational popularity, so too did the Park Branch's desire to "protect" more of the area and to capitalize on the economic potential of the middle- and upper-class yachters who wrote to the Branch expressing their desire to have the area preserved for their own use.³⁴ According to one study, residents and visitors alike found the least populated places – those most desolate – the most desirable, and they wanted more and greatly expanded parks before loggers and private residences could ruin the entire shoreline.³⁵ Clearly listening to the public, including powerful private interest groups such as the BC Yacht Council, the Parks Branch announced the creation of Desolation Sound Marine Park in 1973. "This unique area," the Desolation Sound Marine Park report stated, "is devoid of development except for a few summer homes." It is imperative, the report continued, "that the park be created before subdivisions and other developments...make it more difficult or impractical to preserve this area for the enjoyment of the public."³⁶

Simultaneously, the Parks Branch was also trying to grow its reputation within the provincial bureaucracy and the popular psyche as *the* protector of natural spaces for British Columbia's present and future generations. The Department of Recreation and Conservation tabled an amendment to *The Park Act* (1965) in April 1973 that prevented the Cabinet from reducing the size of existing parks, and thus the Department's land base. R.A. Williams, the Department's minister, argued that the amendment signified "a new era in parks in British Columbia," many of them, including Desolation Sound Marine Park and nearby satellite parks, having not just provincial but "national and continental significance."³⁷ MLA Don F. Lockstead agreed with Williams, noting his joy that while "many areas in my constituency have been alienated from the public forever...Desolation Sound was able to be preserved."³⁸ The features within parks worth protecting, however, were quite specific. As much as Parks Branch staff truly believed in the principles of environmental protection, the Department prioritized use and economic gain rather than preservation. Recreational opportunities for park visitors were to be

³⁴ See: Letters to Provincial Parks Branch on behalf of yachters in Desolation Sound, 10 August 1970, and 3 December 1970, BCA RG-1991, BC Parks and Outdoor Recreation Division, 1912-1979, Microfilm Reel B1789.

³⁵ William Harold Wolferstan, "Marine Recreation in the Desolation Sound Region of British Columbia," (MA Thesis: Simon Fraser University, 1971), 114-5. Ironically, most of these areas had been logged at least once already and so what tourists and others were seeing was second- if not third-generation regrowth.

³⁶ G.A. Fairhurst, "Desolation Sound Marine Park Proposal, 1973," Department of Recreation and Conservation, Provincial Parks Branch, in British Columbia Legislative Library (hereafter BCLL), Victoria, B.C.

³⁷ R.A. Williams, "An Amendment to The Park Act," British Columbia *Hansard*, 12 April 1973, 2639-2640.

³⁸ D.F. Lockstead to Legislative Assembly, "An Amendment to *The Park Act*, British Columbia," *Hansard*, (12 April 1973), 2640.

protected first, and the flora, fauna and picturesque landscape second so long as this did not interfere with visitors' access or enjoyment.

Consistent with previous cultural imaginings, the Sliammon's point of view or even the recognition that the Sliammon existed at all was absent from public discussions about parks. No archival document or oral history exists suggesting the area's First Nations – the Sliammon, Klahoose, or Homalco (at that time politically united as the Desolation Sound Tribal Council) – were ever consulted about park creation. Within public discourse, too, the Sliammon were absent. In a lengthy article announcing Desolation Sound Marine Park's creation in the *Powell River News* there was no mention of Natives. Instead, a single line of historical background stated simply that, "...the area was first visited in the summer of 1792 by Captain Vancouver and the Spanish explorers, Galiano and Valdez."³⁹ Moreover, on the only occasion that the Sliammon were mentioned in a report about Desolation Sound, their presence was constructed as pre-historic; it was assumed uncritically that contemporary Natives used only their reserve land because the majority of them had "abandoned their native traditions while being assimilated into white society."⁴⁰ Their actual voice, meanwhile, was disabled, muted by the master discourse of settler-conservationism. For non-Natives, the Sliammon and parks could not co-exist. An Aboriginal presence represented a direct and legitimate challenge to both the frontier and conservationist mythologies – historical accounts that were the political, economic, and cultural threads tying the fabric of British Columbia, the settler state, together and justifying its ongoing colonialist program.

³⁹ No author, "Desolation Sound Marine Park Described," *Powell River News*, 17 May 1973, A2.

⁴⁰ Wolferstan, "Marine Recreation in the Desolation Sound Region of British Columbia," 63. Other – even relatively recent publications – argue much the same, either relegating Aboriginal occupation of their traditional territories to the far distant past, often pre-contact past, relegating their use of resources to their reserves, or both. Such authors, all local writers, simultaneously portray the area as a pristine, wilderness landscape, as open space ready for the taking, and, often, as requiring park space in order to protect these spaces. See, for example: Ian Kennedy, *Sunny Sandy Savary* (Vancouver: Kennell Publishing, 1992), 53. Kennedy writes, that, "[Savary] island was empty of people except for the occasional visitor. Confined to their reservations on Harwood Island, Sliammon, and Squirrel Cove, the native Indians no longer spent the summers on Savary." Further, Kennedy, despite noting the existence of Native fortifications on the Island, only refers to the Sliammon as "visitors" – never residents – to the Island, even prior to the imposition of the reservation system. See also: Dons Anderson, *Evergreen Islands: A History of the Inside Passage* (Vancouver: Whitecap Books, 1979); Judith Williams, *Dynamite Stories* (Vancouver: New Star Books, 2003); Liv Kennedy, *Coastal Villages* (Madeira Park, BC: Harbour Publications, 1991); and Ken S. Bradley and Karen Southern, *Powell River's Railway Era: An Account of the Eighteen Individual Railways Operating at Various Times in the Era from the Middle 1890s until 1954* (Victoria, BC: British Columbia Railway Association, 2000).

Desolate, v. To cause extensive destruction or ruin utterly. To make joyless and comfortless.

Unlike the many other forces of colonialism that displaced the Sliammon, BC Parks rarely enacted measures specifically aimed at First Nations. Nonetheless, as subaltern studies theorists have observed, often the most violence done to the colonized, subaltern “Other” comes from means less obvious and more insidious than outright physical force. Gayatri Chakravorty Spivak and Ranajit Guha, among others, have noted that in the process of “Othering,” the experience of the subaltern is made irrelevant because it is placed outside the system of normality and convention as determined by the dominant structure. Park creation at all levels of government provides a perfect example of this process, though one that has remained outside of the Subaltern Studies gaze. In this case the dominant subject, BC Parks, and by extension the province’s government and its settler society, in the act of making and maintaining Desolation Sound a “protected space,” established a frame wherein only certain activities could be considered acceptable and within which only certain aspects of the park environment were considered worthy of that protection. Anything outside of this frame – those aspects of the park environs that the “Other” believed important – were either ignored or, more problematically, sacrificed in order to enhance normalized expectations of a park.

Heritage site destruction is probably the most widespread example of this Othering process. Of the hundreds of government-registered archaeological sites in the area, representing only a fraction of those existing, at least half of them are within the boundaries of the provincial parks.⁴¹ While much archaeological disturbance occurred (and occurs) unconsciously, at other times it has been deliberate. Early guidebooks, for example, described finding artefacts – Native or otherwise – as a benefit to traveling to the area, and artefacts continue to be regarded as unclaimed.⁴² Indigenous graves have even been disturbed and robbed. Historically, BC Parks has

⁴¹ Georgia Combes, personal interview with the author, 2 August 2008; and Tyler Peters, “Peters: Sliammon Must Protect Cultural Sites,” *Neh Motl*, 1 November 2006, 7.

⁴² Indeed, historians have aptly explored the history of “artefact rushes” and “pot hunting” as draws to the Pacific Northwest Coast as a whole. For example, see: Freda Van Der Ree, *Exploring the Coast by Boat: Puget Sound, San Juan Islands, Gulf Islands, Vancouver Area, Upper Strait of Georgia, Desolation Sound, and Discovery Islands* (Vancouver: Gordon Soules Book Publishers, 1979). Most recent travel guides, however, are careful to point out that this activity is now illegal. For an excellent history of the “artefact rush,” see: Douglas Cole, *Captured Heritage: The Scramble for Northwest Coast Artifacts* (Vancouver and Toronto: Douglas & McIntyre, 1985). The Sliammon have also repatriated both artefacts and human remains taken from their lands and housed in museums. See: Karen Galligos, “Artifact Study Uncover Cultural Materials,” *Neh Motl*, 1 November 2005, 15; Karen Galligos, “Sliammon Remains Found in Ottawa,” *Neh Motl*, 1 December 2005, 4; Karen Galligos, “Ancestors Remains Coming Home,” *Neh Motl*, 1 April 2006, 2; and Karen Galligos, “The Journey Home,” *Neh Motl*, 1 July 2006, 1.

done so little to protect this interest that some Sliammon elders have recommended repatriating all human remains to Sliammon IR 1.⁴³ Denise Smith, Sliammon's Treaty Negotiator explained:

...when you've got all these people trouncing around out there and nobody knows what they're doing, they will find those burial caves and they will find those burial sites and they have. We have pictures of a burial cave that was disturbed. Remains are scattered. We know there were artefacts with those people when they were buried but they're gone right, because they're not sealed caves.⁴⁴

Michelle Washington, Sliammon's Land Use Planning Coordinator, admitted that she, too, is afraid of the public discovering where these sites are because "every Indiana Jones wants to go out there and find treasure."⁴⁵

Other archaeological features of cultural importance to the Sliammon have also been deliberately disturbed or destroyed. Many pictographs have been spray-painted or otherwise defaced, their locations revealed by tourist operators who showcase them.⁴⁶ Indeed, BC Parks stopped advertising these locations after complaints from the Sliammon.⁴⁷ As Sliammon archaeological sites are often located on the places best suited to human habitation and are easily accessible, visitors use these places too. The public (particularly kayakers) remains largely unaware of the damage caused when using hundred or thousand year-old Sliammon village sites, campgrounds and canoe runs. While popular discourse has portrayed kayaking as a low footprint activity, and for the most part this is true, in Desolation Sound kayaking can be too much of a good thing. The cumulative effect of multitudes of kayakers and campers, and their ability to explore places less inaccessible to yachters, has increased their ecological and archaeological impact. Georgia Combes, former Senior Park Ranger, and BC Parks Officer of the Year in 2007, explained that after noticing a "kayak explosion" in Desolation Sound, the amount of

⁴³ Denise Smith, interview with author, 11 March 2009.

⁴⁴ Smith, interview, 11 March 2009. See also: Denise Smith, "BCR: Chief and Council Confirm Commitment to Negotiations," *Neh Motl*, 1 June 2007, 1.

⁴⁵ Washington, interview, 10 March 2009. Tyler Peters argued the same point, worrying that if the public discovers how archaeologically rich the area is, pot hunters will inevitably come to rob these areas. Peters, "Sliammon Must Protect Cultural Sites," *Neh Motl*, 1 November 2007, 7.

⁴⁶ Pictographs are images drawn on rock faces that are forms of communication, denoting anything from a person's or community's territory, to directions, to the location of a spiritual or sacred place. Today, they have deep cultural significance for the Sliammon. For tourists, however, they are exotic features of a past culture.

⁴⁷ Both Sliammon and many non-Sliammon, including eco-tourist operators, have condemned these destructive acts and try to educate the public about the importance of not disturbing these sites. In a way, then, damaged places become symbolic for their power to bring additional publicity to the problems that the Sliammon face concerning the attacks on their culture; at the same time, these problems can be exacerbated because of that increased publicity. Michael Scott (pseudonym), a non-Native tourist operator, noted that it is important to hire indigenous tour guides to educate a public that is largely ignorant of First Nations history. Scott, interview with author, 31 July 2008.

archaeological destruction increased exponentially.⁴⁸ Though it is illegal to disturb these places under the *BC Heritage Act*, Combes commented that as a park ranger from 2001-2007 she was not allotted the hours required to protect these sites in anything more than a superficial capacity.⁴⁹ Sliammon First Nation lacks jurisdiction in parks and funding to monitor and enforce any infractions that do occur in parks or to heritage sites. Moreover, Combes recalled that BC Park's regional district refused to erect signage about site damage when asked to do so, preferring to maintain a virgin wilderness image. BC Parks and the provincial government have also carelessly destroyed middens in order to cater to tourist interests. Such policy decisions have clearly contrasted with the Sliammon's priorities. Responding to how BC Parks has prioritized its mandate elsewhere, Denise Smith noted:

I find it ironic because [BC] Parks has a responsibility to manage the Park. It's a BC agency and BC manages archaeological sites and is responsible to protect them under the Heritage Conservation Act. But BC will allow Parks to damage an archaeological site if it means Parks can do more business. So they'll put in a pit toilet for example and have gone through midden before... They've expanded campgrounds and have gone through midden. I think midden is probably lowest on their priority as far as protecting.⁵⁰

As long as the provincial government treats parks primarily as economic assets and caters to the paying public, heritage site features important to the Sliammon remain imperiled.

Yet the Sliammon are fighting back, and they are using the discipline of archaeology, and collaborating with archaeologists, to do so. For most newcomers, including BC Parks officials, archaeological sites were and often still are considered places that were once used but are no longer occupied or a high priority to protect, especially if park visitors favour such sites. As Washington explained, however, archaeological sites are "...hugely culturally important because they



Figure 6.3: One of the many canoe run heritage sites in Sliammon traditional territory. Photograph by Georgia Combes.

⁴⁸ No author, "Georgia Combes Receives 2007 Park Officer of the Year," *Neh Motl*, 1 July 2008, 3.

⁴⁹ Combes, interview, 2 August 2008.

⁵⁰ Smith, interview, 11 March 2009. See also: Denise Smith, "Protected Areas a Top Priority," *Neh Motl*, 1 June 2007, 3.

tell a story about... where village sites are beyond where our historical documentation can tell us about.”⁵¹ They are, she continued, “the ultimate non-renewable resource and once they are disturbed, we lose the opportunity to learn from them.”⁵² The Sliammon have partnered with Simon Fraser University archaeologists since 2008 for annual field schools.⁵³ Since then archaeology has become a means of political empowerment, legal leverage and Sliammon identity- or nation-building. Archaeology is thus a tool to challenge the master discourse of virgin wilderness. Archaeologist Bruce Trigger has termed this type of archaeology the “cultural-historical approach,” which he links to nationalist archaeology, and he argues that such archaeology “can be used to bolster the pride and morale of nations or ethnic groups.” It is most useful, he continues, among, “peoples who feel thwarted, threatened, or deprived of their collective rights by more powerful nations.”⁵⁴

Archaeology here is hybridized. It is partially rooted in a salvage paradigm that privileges the importance of protecting archaeological remains that relate to “deep time” over demonstrating Sliammon participation in more recent activities not often associated with Indigenous identities such as industrial logging and commercial fishing. Archaeology is also firmly rooted in the Sliammon culture and community. Sliammon elders impart their traditional ecological knowledge and guide where, how and when archaeological work will happen.⁵⁵ Archaeology and archaeological sites have thus provided the Sliammon with a tangible contact to the past, a sense of stability, and something around which to coalesce a unique identity. Archaeological sites are rallying points for calls to recapture lost territory and to reinvigorate what many Sliammon perceive as a “lost” – both missing and led astray – culture.⁵⁶ Consequently, the ongoing destruction of these heritage sites has become tantamount to attacking the Sliammon’s identity and history.

⁵¹ Washington, interview, 10 March 2009. Hammond found that, as Gallagher stated, resource development and recreation had destroyed much remaining of these archaeological sites, thus demonstrating that BC Parks’ protection meant little aside from rhetoric. See: Joanne Hammond, *South Texada Island Provincial Park Archaeological Study 2007 – 360 Final Report* (Vancouver: Pacific Heritage Research, 2008); and Joanne Hammond, “The Archaeology of Life: Buried History on South Texada,” *Neh Motl*, 1 December 2008, 2.

⁵² Michelle Washington, “Protected Areas & the Four Nations Process,” *Neh Motl*, 1 November 2007, 2.

⁵³ See: Sliammon First Nation, “Tla’amin & Simon Fraser University Heritage & Archaeology Project,” <http://www.sliammonfirstnation.com/archaeology/> (accessed 31 October 2012).

⁵⁴ Bruce G. Trigger, *A History of Archaeological Thought*, 2nd ed (New York: Cambridge University Press, 2006), 261.

⁵⁵ Washington, correspondence with the author, 14 June 2011.

⁵⁶ Trigger, too, points out that this “cultural-historical approach... often promotes its agenda by stressing specific periods of history and assigning particular ethnic identities to archaeological finds.” Trigger, *A History of Archaeological Thought*, 261.

Ironically, there are many examples where neither BC Parks nor the public has considered its own substantial environmental impact as operating outside of park ideology, nor of ruining the park's "wilderness" or "pristine" atmosphere. As historian John Sandlos aptly demonstrates in *Hunters at the Margins: Native People and Wildlife Conservation in the Northwest Territories*, visions of environmental use and preservation in Canada have not been mutually exclusive, especially when it has been politically or economically expedient to fuse the two. In other words, what counts as normal or conventional fluctuates according to motivation



Figure 6.4: Hundreds of yachts can be found in small coves on busy summer weekends. Photograph by author, 2008.

rather than principle. BC Parks has had no qualms measuring park success by increased visitor numbers and amenities, including establishing camp sites on ecologically sensitive areas or in allowing hundreds of yachts to moor in a few small coves. Despite being a no-dumping zone, many of the marine park waters became (and remain) so polluted from sewage discharged from yachts concentrated in small coves, among other sources, that shellfish here have been highly contaminated. Smith, among other Sliammon, noted that many Sliammon are afraid to eat traditional foods in the waters adjacent to the parks because they can get poisoned.⁵⁷

⁵⁷ As shellfish concentrate bacteria, viruses and toxins because of their feeding filter system, eating shellfish can be dangerous or deadly, especially if it forms a major part of a person's diet. According to Environment Canada, the number of shellfish harvesting closures due to fecal contamination has risen dramatically since the 1970s. See: Environment Canada, "Shellfish Closures: An Indication of Contamination of Marine Ecosystems in BC," Environment Canada, 14 February 2005, accessed 13 October 2009, http://www.ecoinfo.ec.gc.ca/env_ind/region/shellfish/shellfish_e.cfm.

From the 1970s to the 1990s, as aquaculture gained popularity for its reputation as a sustainable enterprise at a time when fish stocks were collapsing on the West Coast, BC Parks had issued park use permits to lease some of the best shellfish growing areas within park boundaries to commercial oyster farmers.⁵⁸ These lessees, in turn, prohibited the Sliammon from harvesting from existing clam beds despite the fact that they had been doing so for



Figure 6.4: While oyster farms no longer operate within the boundaries of Desolation Sound Marine Park, there are many commercial farms in and around Desolation Sound, easily identifiable by their cluster of buoys. Photograph by author, 2008.

thousands of years, and indeed were responsible for creating and maintaining those clam gardens. Moreover, when business ventures of Sliammon First Nation applied to the Marine Resources Branch in the mid-1970s for oyster farm leases of their own in order to get around this restriction – that is, when they attempted to enter into one of the dominant means of accessing an environmental resource via mimicry – BC Parks intervened after at least one Sliammon application had been approved. Even though the Sliammon proposed leases that were outside of any existing park boundaries, the Parks Branch had put some of these lands under reserve application. If the Sliammon established shellfish operations there, the Parks Branch argued, it would interfere with the public’s use of the area, and thus its recreational and natural integrity as a park.⁵⁹ The Sliammon’s applications were denied solely on the basis of the Parks Branch’s objection. It appeared, then, that ethnicity was the primary determinant in the acceptance or rejection of aquaculture applications, far more so than environmental protection.

The general public, in turn, has drawn upon this wilderness ideology as perpetuated by BC Parks to challenge the Sliammon’s conception and use of park space. As the public perceives parks as protected spaces, tourists have often and continue to disturb the Sliammon while they exercise their Aboriginal right to harvest resources from within park boundaries. Most tourists

⁵⁸ Combes, interview, 2 August 2008.

⁵⁹ BC Marine Resources Branch to Sliammon Indian Seafoods, Ltd, 5 January 1977, BCA GR 1118, B.C. Marine Resources Branch, Box 17, f. 1 “Sliammon Indian Seafoods, Ltd.”

are unaware that Aboriginal rights to gather within provincial parks are guaranteed, at least in theory. Some BC Parks staff and tourists have tended to view any resource extraction in parks as illegal or as physically damaging to the natural environment, and even as raping a virgin natural space. As Michelle Washington recounted:

A lot of our elders have experienced going to the park to do bark stripping or digging roots which does not kill the tree in any shape or form only to be questioned by tourists who are happening by on trails and whatnot. They're very inquisitive most of the time, which is fine, but some of them get mad and think that you're damaging trees or you shouldn't be gaffing fish in the river when they're going upstream to spawn.⁶⁰

Smith, too, commented, "I think, in parks, it's more around people being afraid to go into a park to do anything. When my grandmother was still around we used to go and dig roots and they would just go wherever they found big cedar trees. Well a lot of those are [now] in a park, on a [highly visible] waterfront somewhere."⁶¹ Some of the Sliammon individuals whom I interviewed even recalled instances where park visitors became angry, threatening and confrontational. Consequently, many of the Sliammon have come to regard parks as unwelcoming – indeed desolate – spaces and choose to avoid them altogether.

Hunting within parks, too, has been a source of both contention and confusion for the Sliammon. Some believe that hunting is allowed within parks and others think that it is not. According to *The Park Act* (1996), Aboriginal people may hunt within parks as long as the Minister responsible has not enacted restrictions for conservation or public safety purposes and recreational experiences within the park are not detrimentally affected.⁶² Despite this provision, and the fact that Aboriginal hunting rights are protected within Canada's *Constitution Act* (1982), most Sliammon have noticed a decline in hunting activities for many of the same reasons mentioned above, though some admit that relying upon "modern" conveniences such as grocery

⁶⁰ Washington, interview, 10 March 2009. Other members of Sliammon, or employees working for them, mentioned they knew many Sliammon members who had the same problem or had experienced it themselves. Smith, interview, 11 March 2009, and Laura Roddan, personal interview with the author, 12 March 2009; and audience feedback during author's, "Desolate Viewscapes: A Presentation to the Sliammon Community," Sliammon, 30 June 2010.

⁶¹ Smith, interview, 11 March 2009.

⁶² *The Park Act*, S 4.2, 9. In the *Constitution Act S 25*, Aboriginal hunting rights are protected from incursion, though Canadian courts have provided that the Crown may limit these rights for the purpose of conservation. It would appear, then, that preventing hunting in parks in order to maintain a particular vision of recreational enjoyment is unconstitutional, though I am unaware of any challenges to this in British Columbia. In Saskatchewan, in the case of *R. v. Sundown* (1999), the Supreme Court ruled that John Sundown, a Cree, was within his rights to hunt and fish in a provincial park as well as fell timber and to construct a temporary or permanent dwelling within the park in order to facilitate this right.

stores for their food has also been an important factor.⁶³ Yet, for many Sliammon, it is the social and cultural activities that accompany hunting that are most important. Some Sliammon feel that hunting, much like visiting heritage sites or simply knowing of their existence and educating other Sliammon about them, provides a measure of respect for, and connection to, their human and environmental past.⁶⁴ Anthropologists Dorothy Kennedy and Randy Bouchard recorded that both sea- and land-mammal hunting was once incredibly important for the Sliammon. Every man was expected to be able to hunt, and they began their training as young boys. Prior to and during the hunt, the hunter, as well as his wife if he had one, would take certain precautions to ensure good luck; after the hunt, too, the animal was respected for giving itself up to the hunter, and the hunter shared amongst his family or community.⁶⁵ Sliammon Fish Hatchery employee and environmental consultant Scott Galigos describes how his co-worker and friend Lee George has tried to maintain some of these traditions by continuing to hunt and redistributing the meat to other Sliammon. Sliammon Fish Hatchery employee and former manager Floyd George too, pointed out that,

Lee is carrying on the tradition of giving to the elders...It's a custom or a tradition or whatever you call it with our people. It goes back, I don't know when, but it's just sort of being revived again, revival. They call it '*No-hohm*'...So these guys are carrying on the tradition that you're supposed to give to the elders.⁶⁶

Consequently, Lee George's social status rose by doing so and he was recognized during a naming ceremony for him – he was given the name *nuth-No-hohm*, meaning “to provide a feast.”⁶⁷ Furthermore, hunting, along with harvesting shellfish or gathering traditional foods and resources, also re-inscribed traditional interfamily connections.⁶⁸ Floyd George mentioned how, prior to the imposition of the Department of Indian Affairs, reserves and other forms of property restriction, people:

had their own areas. And it was very, very...I call it custom...They had designated areas for certain families...So we'd go, 'Let's go digging at the point.' 'No, we can't

⁶³ George, interview with author, 6 August 2008

⁶⁴ Scott Galigos described how he felt respect for his ancestors after hunting goat because of the difficulty and skill needed. Kennedy and Bouchard, too, noted that only a very few men were goat hunters; only those with special training and with a guardian spirit possessed the power enabling them to do so.

⁶⁵ Kennedy and Bouchard, *Sliammon Life, Sliammon Land*, 36-39.

⁶⁶ George, interview, 6 August 2008.

⁶⁷ Scott Galigos, interview with author, 5 August 2008.

⁶⁸ Randolph G. Simothy, Sr., “Family Tree Update Will Provide Important Data: Tla'amin Kutish, Sliammon Seasons,” *Neh Motl*, 1 December 2004, 4.

go there my grandmother would say. You respect other people's little territory. We can't go out there or they can't come into your territory.'⁶⁹

During the 1950s through the 1970s, hunting was considered a respectable means to provide for one's family while staying off welfare. George recalled that during periods of economic slowdown at the Powell River Mill, where many Sliammon worked, men "lived on unemployment, a lot of people didn't want to go on welfare. So you had to sort of live off the land. A lot of people did a lot of hunting and fishing and clamming to supplement their food supply."⁷⁰ Aboriginal cultural and social relations as mediated through activities on the land- and seascape, though, have been largely ignored within park and conservationist discourse.

The Subaltern Speaks in Desolation Sound

The Sliammon have never been silent in their objections to how outsiders have conceptualized and used their traditional territory. It is only within the last couple of decades, however, that they have really been heard. There is evidence of cultural and political change in the relationship between the Sliammon and BC Parks – of a growing (albeit slowly) acceptance of a syncretic definition of wilderness that has found its way into official park policy. This process began not with BC Parks, nor from a popular demand from non-Natives, but with the provincial government's reluctant and court-coerced decision to negotiate treaties in the early 1990s. Getting British Columbia to the negotiating table was not easy for First Nations. British Columbia, as the only province in Canada not to sign treaties with the majority of its First Nations, has spent most of its history and vast sums of money avoiding this responsibility.⁷¹ First Nations, in turn, have used multiple forms of resistance to coerce the province into negotiations.

According to Chief Clint Williams and many academics, the most important factor in changing the relationship between the Sliammon and non-Native governments and industries concerning the environment itself has been court cases initiated by First Nations themselves. After the Second World War, a growing anti-colonial atmosphere in Canada and abroad led the

⁶⁹ George, interview, 6 August 2008. See also Siemthulut (Michelle Washington), "Bringing Traditional Teachings to Leadership," *American Indian Quarterly* 28.3-4 (Summer & Fall 2004): 587. Others such as Randy Bouchard and Dorothy Kennedy however, have explained these territorial boundaries to be much more porous, but nonetheless were still based on extended family connections that included the Klahoose, Homalco, Sechelt and Comox. See: Laura Roddan, "Shared Harvest Area Not a New Idea," *Neh Motl*, 1 April 2005, 5.

⁷⁰ George, interview, 6 August 2008.

⁷¹ Governor James Douglas concluded fourteen treaties with different Aboriginal groups on Vancouver Island from 1850-1854.

Canadian state to amend its Indian policies and Canadian courts to be more sympathetic toward Aboriginal rights. Such cases have re-affirmed Aboriginal rights and title, and thus forced the provincial government to respond to Native demands. Amongst academics and First Nations alike, the cases of *Calder*, *Sparrow* and *Delgamuukw* have achieved epic stature in that regard.⁷² Alongside legal action, many First Nations in British Columbia launched protests, often using roadblocks as their tools, against continued resource exploitation and political and economic marginalization.⁷³

While socially and culturally diverse, the post-colonial struggle against the provincial government has led First Nations in British Columbia, as a subaltern group, to demonstrate a degree of solidarity not before seen. Chief Williams, drawing on his own experiences, argued that because of First Nations' actions, non-Native governments and industry can no longer "brush Natives off the way they used to" before the court cases, political protests, and treaty process.⁷⁴ Williams' appraisal is correct; government and industry must now engage in a referral process before undertaking activity on disputed land or else risk wading into a volatile political and legal quagmire.⁷⁵

Unsurprisingly, much (often oppositional) treaty discourse arose concerning the extent to which First Nations would be involved in environmental management, including within parks. First Nations challenged the lack of Aboriginal inclusion and leadership in state-sponsored environmental conservation and the fact that their cultural interpretation of how to do this remained unconventional. But they also were quick to mimic the discourse of preservation and

⁷² For further reading, see: J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), 250-281; Douglas C. Harris, "A Court Between: Aboriginal and Treaty Rights in the British Columbia Court of Appeal," *BC Studies* 162 (Summer 2009): 137-164; National Aboriginal Forestry Association and Wildlands League, *Honouring the Promise: Aboriginal Values in Protected Areas in Canada* (Ottawa: National Aboriginal Forestry Association, 2003); and Tony Penikett, *Reconciliation: First Nations Treaty Making in British Columbia* (Vancouver: Douglass & MacIntyre, 2006).

⁷³ This series of protests, occurring periodically for more than a decade with fluctuating intensity, was eventually dubbed British Columbia's, "War in the Woods." See: Roger Hayter, "The Contested Restructuring qua Remapping of BC's Forest Economy: Reflections on the Crossroads and War in the Woods Metaphors," *Canadian Journal of Regional Science* 27 (2004): 395-414; Roger Hayter, "The War in the Woods: Globalization, Post-fordist Restructuring and the Contested Remapping of British Columbia's Forest Economy," *Annals of the Association of American Geographers* 96 (2003): 706-729; and Lorna Stefanick, "Baby Stumpy and the War in the Woods: Competing Frames of British Columbia Forests," *BC Studies* 130 (Summer 2001): 41-68.

⁷⁴ Williams, interview, 18 March 2009; Treaty Negotiations Office, "Sliammon First Nation Agreement In Principle Treaty Information," Treaty Negotiations Office, Victoria BC, no date, BCLL.; Isabel Budke, "Sharing 'Best Practices' in Intergovernmental Relations and Planning," Sliammon First Nation and City of Powell River, March 2007, in BCLL; and Welch et. al., "Treasure Bearers."

⁷⁵ Of course, federal, provincial, and municipal governments and industry still try to avoid consulting with First Nations. The difference now, however, is that First Nations have many more tools to contest these actions.

point out that they were far from opposed to parks in principle. Sliammon treaty negotiators even asked for areas of their proposed Treaty Settlement Land (TSL) to be designated as “Class A” parks to ensure their protection.⁷⁶ Coupled with a racist backlash that feared Aboriginal environmental mismanagement, however, most of British Columbia’s populace and its government officials only recognized a mockery of their prized parklands. When speaking in the public arena, politicians were quick to defend BC’s most prestigious and world-renowned “protected” areas. MLA J. Cashore correctly prophesized during the early stages of the treaty process that Natives would end up with more rights in “Class A” parks.⁷⁷ Reacting to a fear of losing its highly culturally and politically important parks, the provincial government passed Bill 53 in 1995, preventing parks from being removed from Crown property for treaty purposes while allowing for joint stewardship.⁷⁸ That same year, British Columbia’s government continued to fulfill its 1993 mandate to set aside twelve percent of the province’s land base as park space, regardless of the treaty process. When questioned about the viability of this process – BC Parks was, and remains, woefully underfunded insofar as filling its mandate was concerned⁷⁹ – MLA D. Mitchell, an “independent Liberal,” spoke with outrage and responded,

Who opposes parks, after all? Who could possibly oppose the creation of new parks? I would hope that no member of this Legislature would ever oppose the creation of a new protected-areas strategy as enshrined within provincial parks.⁸⁰

Ironically, Mitchell was also the only MLA present to mention that First Nations were concerned that the ongoing creation of parks would prejudice treaty discussions.

Out of the public eye and the drama of the legislative debates, however, the government response to First Nations’ demands for an increased presence in parks has been markedly less hostile, though it has proceeded at a bureaucratic pace. Treaty negotiations finally ended in 2011 and, as mentioned, the Sliammon voted to accept the agreement in July 2012.⁸¹ The Sliammon will now have, in theory, legal and political rights that include law-making authority over forest

⁷⁶ BC Parks, however, has consistently refused to grant these requests, largely, they argue because of inadequate funding.

⁷⁷ J. Cashore, “Parliamentary Debate,” *Hansard*, 3 May 1994, 10504. According to the *Park Act* (1995), and BC Parks’ website, a “Class A” park is designed to provide the most protection for park lands with the least amount of use, aside from recreational enjoyment.

⁷⁸ G. Wilson, “Park Amendment Act, 1995,” *Hansard*, 6 July 1995, 16700.

⁷⁹ John Doyle, “Conservation of Ecological Integrity in B.C. Parks and Protected Areas: Report 3,” (Victoria, BC: Office of the Auditor General of British Columbia, 2010).

⁸⁰ D. Mitchell, “British Columbia Legislative Assembly Session,” *Hansard*, 6 July 1995, 16703.

⁸¹ Laura Walz, “Tla’amin treaty receives approval: Community ratification passes threshold,” *Powell River Peak*, 11 July 2012, accessed 12 July 2012, <http://prpeak.com/articles/2012/07/11/news/doc4ffb1e51ccadb000880915.txt>.

management and environmental protection on treaty land. They also have the option to buy two Crown lots adjacent to Desolation Sound Marine Park and surrounding Indian Reserve 6. Activities within the park, including hunting and gathering, will continue to be allowed and are to be built into provincial park management plans.⁸² Additionally, Sliammon history and culture is to be recognized and publicized in the parks, and traditional Aboriginal place names are to be used, existing alongside non-Native names or replacing them altogether. Those Sliammon who are in favour of treaty envision legal, political, economic, and psychological benefits from final ratification. As Washington explained, “Treaty [will give] us huge forest tenures, shellfish tenures, [and] exclusive beaches again where people feel comfortable going. Just the ability to feel comfortable on your land knowing you’re not trespassing on someone’s is a massive [beneficial] mindset.”⁸³ Many Sliammon believe treaty will be empowering because they would be able to both create their own laws and have revenue coming back to the lands department, which in turn could be used to protect aspects of the environment important to them. Its proponents also see treaty as the best option available and the most the provincial and federal governments will ever be willing to budge from their respective positions of authority.⁸⁴

At the same time, some of the rights the Sliammon receive will be tempered by clauses in the treaty that maintain the superiority of existing laws. That is, in many ways the provincial government is allowing the Sliammon to finally play the government’s political game but not to make the rules.⁸⁵ The government can still limit Sliammon hunting, fishing and gathering activities for conservation measures. While the Sliammon will have the power to create new environmental laws on treaty lands, these laws must be in compliance with federal or provincial requirements; federal and provincial laws will prevail over those of the Sliammon if they

⁸² Treaty Negotiations Office, “Sliammon First Nation Agreement in Principle Provincial Parks and Recreation,” no date, in BC Legislative Library, Victoria, BC; and Sliammon First Nation and BC Provincial Government, “Sliammon First Nation Agreement in Principle,” (Victoria: BC Legislative Library, no date), 38, 44, 49, 55. The final agreement contains other provisions, including: “a large forest tenure, many aquaculture tenures, exclusive shellfish beaches, water licenses, cultural base camp sites, Parks collaborative managements and the right of first refusal on 1,474 acres of future acquisition land.” See: Sliammon Treaty Society, “Sliammon First Nation Information Update on Treaty Negotiations March 2009,” (Sliammon: Sliammon Nation Treaty Office, March 2009), 4.

⁸³ Washington, interview, 10 March 2009.

⁸⁴ Author, fieldnotes, Sliammon Treaty Office, 10 March 2009.

⁸⁵ Paul Walter, while Chief, argued that the Agreement in Principle represented “about 90% of what government wants and 10% of what Sliammon wants.” See: No author, “Negotiations Heat Up,” *Neh Motl*, 1 March 2005, 1. Davis McKenzie also argued that “The common sense understanding of what is reasonable and what is not [for treaty] is created by government, they largely own the debate.” See: Davis McKenzie, “How Does the Media Represent Our Interests?,” *Neh Motl*, 1 May 2005, 11.

conflict.⁸⁶ Sliammon treaty negotiators were, of course, aware and resentful of these restrictions, but they felt trapped.⁸⁷

While the structural level has been important in initiating change and challenging the settler-conservationist mythos, equally important has been the groundwork of a select few Sliammon and BC Parks individuals. Beginning in the mid-1990s, just as the treaty process was heating up, elder Norman Gallagher sought to entrench the Sliammon's environmental and cultural concerns into the provincial government's structure. He felt that those working for BC Parks could be allies; the Sliammon did not necessarily need to control the parks nor manage them in order to have their agenda inserted into park operations. Gallagher's first interaction with BC Parks was to complain about "squatters" and "ATV'ers" causing archaeological and environmental damage in South Texada Island Provincial Park. This initial complaint became an event that would be fateful for the larger Sliammon and BC Parks society, even when broader Sliammon or provincial structural forces resisted such change.⁸⁸

The main BC Parks office dismissed Gallagher's concerns, responding that the area had the best safeguard possible in the form of the *BC Parks Act*. Unconvinced by BC Parks' protectionist myth, Gallagher persisted. Using his influence to get broader Sliammon institutional support, as well as his personal connection with Senior Park Ranger Georgia Combes, Gallagher pressured BC Parks to agree to conduct an archaeological assessment and to clean up the large mess from the squatters, which finally occurred in 2007.⁸⁹ That is, they agreed to make it both more desolate by removing the squatter population and all signs of their existence and to make it more desirable by protecting the remaining Sliammon cultural remains from disturbance.

Gallagher also sought to integrate the Sliammon First Nation with BC Parks directly through employment. Combes recalled that Gallagher contacted BC Parks because he was

⁸⁶ BC Treaty Negotiations Office, "Sliammon First Nation Agreement in Principle Provincial Parks and Recreation," 1; Erik Blaney, personal interview with the author, 19 March 2009; and *Tla'amin Final Agreement*.

⁸⁷ Laura Walz, "Tla'amin Council Rejects Bi-Lateral Agreement: Negotiators Wait for the Federal Government to Conclude Discussions," *Powell River Peak*, 4 March 2009, 1. Coincidentally, John A. Macdonald tried to impose a municipal model on First Nations in order to strip them of their special status as guaranteed by treaty in the latter nineteenth century. See: John S. Milloy, *A National Crime: The Canadian Government and the Residential School System, 1879 to 1986* (Winnipeg: The University of Manitoba Press, 1999), 20-22.

⁸⁸ Sahlins describes this process as a "structure of the conjuncture." *Apologies to Thucydides: Understanding History as Culture and Vice Versa* (Chicago: University of Chicago Press, 2004), 155.

⁸⁹ Gallagher's influence and power in protecting Sliammon heritage sites is aptly described by John R. Welch et. al. in "Treasure Bearers," 83-114.

worried about the continued destruction of a Sliammon cultural identity as embodied in heritage sites, including old villages, transformer stones, and natural resources.⁹⁰ He was also concerned about the fact that he could not get young Sliammon individuals interested in these aspects of Sliammon culture and so sought BC Parks' help. BC Parks, under local Park manager Derek Poole, influenced by Norman Gallagher and the ongoing treaty process, sought to get more Aboriginal people involved with BC Parks. He thought that a Sliammon person could be trained as the new Park Ranger for the area, and Park's upper management believed in greater Aboriginal-BC Parks integration as well. Combes' job was to train this person in administrative and practical skills necessary to manage a provincial park, and Gallagher was to impart knowledge regarding Sliammon environmental and cultural management.

While BC Parks only wanted an Aboriginal ranger, and one according to Combes that would follow the priorities of BC Parks while giving only the impression of full and equal cooperation with First Nations, the Sliammon believed that one day they would eventually manage all the parks within their traditional territory.⁹¹ To the Sliammon this training period was merely a stepping-stone to greater control of their lands and resources.⁹² Unfortunately, the job was physically demanding, low paying, and incredibly isolating (indeed, even "desolate"). All the potential Sliammon-BC Park employees – Vern Wilson, Pat Galligos and Tyler Peters – ended up switching jobs part way through their training. After Poole retired early due to the newly-elected Liberal government's downsizing program, Combes contended that his replacement, Hugh Ackroyd, was understaffed and had double the area to monitor compared to Poole. Relationships between BC Parks and the Sliammon suffered. Without Poole to push the issue, she continued, management did not feel First Nations concerns were important enough to warrant more effort, thus ending the program. Subaltern and individual agency, in this instance, could only go so far before being tempered by the larger BC Parks bureaucracy, its system of priorities and its ambivalence towards Indigenous issues.

Yet the actions of Gallagher and Combes, combined with those at the treaty table, provided Sliammon First Nation with the ability to secure representation on a number of other projects with BC Parks to address their own culturally-specific ideas of heritage and

⁹⁰ Combes, interview, 2 August 2008.

⁹¹ Combes, correspondence with the author, 13 July 2011.

⁹² Clint Williams, "Sliammon Work with BC Parks to Protect Archaeological Sites," *Neh Motl*, 1 July 2006, 3. At the same time that this was occurring, the Sliammon were managing Okeover Arm and Dinner Rock Parks.

environmental protection. The Sliammon were involved in co-chairing park management planning processes for several parks including Desolation Sound.⁹³ They have also convinced BC Parks in limited instances to “cap”⁹⁴ middens and burial sites, to remove or erect signage (though this has only occurred twice), to enforce regulations protecting both ecological and cultural sites from misuse, to remove all commercial shellfish tenures from inter-tidal areas within parks, and to employ Sliammon individuals on a seasonal basis.⁹⁵

Over time, these cross-cultural interactions have led to a growing debate among the Sliammon community about the role of provincial (and other) parks in protecting rather than despoiling cultural spaces. Erik Blaney, another Sliammon member in a position to have an historical effect, as well as one who was eventually constrained by broader structural forces, worked for BC Parks while living in Sliammon and then transferred to the main Parks office in Victoria to “get more Aboriginal people involved in parks.”⁹⁶ Once there, Blaney tried to extend the “Watchman” program as a platform from which Natives would receive more powers in parks, such as administrative, investigative, compliance and enforcement authority.⁹⁷ Many people in Sliammon who envisioned all the parks in the area being Sliammon-run were excited by the idea. Smith described the program from Sliammon Treaty’s perspective:

You have archaeological sites, you have beaches that need to be protected and make sure nobody’s polluting them, we have forests...So you could have a jack of all trades Watchman like person...[someone to] act as an authority in your own territory rather than just, you know, some Indian going ‘I’m going to call fisheries on you.’⁹⁸

However, Blaney recalled that he encountered resistance from Sliammon Council concerning the program for four years concerning funding, first while working in Sliammon and then in Victoria. Blaney left BC Parks in 2009 after being asked to try to get various First Nations throughout the province to pay for their own Guardian programs. He moved back to the Sliammon reserve and received a small amount of funding from the Band Council that same year

⁹³ Roddan, interview, 12 March 2009.

⁹⁴ “Capping” a midden refers to the practice of covering the midden with a protective layer of earth to prevent its further disturbance and erosion by people as well as environmental factors.

⁹⁵ Roddan, interview, 12 March 2009, Combes, interview, 10 March 2009; and Smith, interview, 11 March 2009.

⁹⁶ Blaney, interview, 19 March 2009.

⁹⁷ Ironically, and no doubt unintentionally, this was the same name given to those Sliammon appointed by missionaries in the late nineteenth and early twentieth centuries to report instances of Sliammon people who acted “un-Christian.”

⁹⁸ Smith, interview, 11 March 2009.

to run the Sliammon Guardian Watchman program on his own, though with no jurisdiction within provincial parks.⁹⁹

Sliammon First Nation has recognized the physical and discursive possibilities that parks and protected spaces offer in other ways, however, using mimicry and mockery. That is, they have coopted BC Parks for purposes that the various Parks Acts never intended. While doing so reinforced the idea that parks are the best way to conserve the environment, it also created a hybrid philosophy between parks/conservationist and Sliammon culture. This strategy began when Sliammon Development Corporation, involved in other tourism ventures, bought some existing campsites, a picnic site, and a marine hut that BC Parks and the Ministry of Forests were selling in 2004. They also successfully bid on the contract to manage Okeover Arm Provincial Park.¹⁰⁰ Sliammon Development Corporation, after years of community consultation, hoped to re-inscribe the Sliammon's links to the land and their authority over visiting outsiders. Sliammon leaders and other community members agreed that they wanted to eventually assume "operational management of all provincial parks within the territory... [to] provide a setting for Sliammon cultural rediscovery together with sharing with visitors."¹⁰¹ As the proposal for the purchase foretold, discursively linking the Sliammon to nature and implicitly challenging BC Parks' portrayal of itself as *the* champion of British Columbia's environments, "Like Coastal Western Hemlock seedlings nursing on the yesteryear's stump, tourism in Sliammon will have its roots in the cultural and natural resource wealth of the Territory...Sliammon is choosing to steward its resources wisely."¹⁰² Sliammon individuals were hired to operate the parks and to explain to park visitors the Sliammon's version of the area's history, replete with discussions of the importance of certain flora, fauna, and geographical features to the Sliammon's culture and the Sliammon's ongoing uses of these spaces – a far cry from the uninhabited wilderness narrative still largely entrenched within BC Parks' description of the area.

⁹⁹ Blaney, interview 19 March 2009.

¹⁰⁰ Combes, interview, 2 August 2008; and Frank Potter (pseudonym), interview with author, 31 July 2008.

¹⁰¹ Community Visions Consulting Group, "2003/4 Tourism Development Project Proposals for Sliammon Treaty Society," 2003, 5, in Sliammon Treaty Society Archives.

¹⁰² Community Visions Consulting Group, "2003/4 Tourism Development Project Proposals for Sliammon Treaty Society," 2. There have been many other instances of community discussion in setting aside park space in order to steward traditional resources. For example, see: Shawn Louie, "Plants: Medicinal, Edible and the Utilization of our Natural Resources: Update from Natural Resources Technician," *Neh Mottl*, 1 November 2004, 3. Sliammon First Nation also engaged the province in talks about taking over maintenance of Desolation Sound and Copeland Island Marine Parks and Malaspina Provincial Park, but these have not yet resulted in any change. See: Shawn Louie, "Commercial Recreation and Parks," *Neh Mottl*, 1 January 2005, 8.

While the Sliammon may have been successful at promoting an ecological image of themselves and assuming some of BC Parks' structural operations at least on some levels, they have fared less well economically. The Sliammon found that they, too, could not operate in the black. Ironically, then, they ended up paying for non-Natives to use their traditional territory – territory that they had never ceded – while also supporting the BC Parks structure.¹⁰³ In the opinion of some Sliammon, though, the fact that they could go beyond the BC Parks mandate in ensuring that conservation issues important to them, and not just the general public, were at the forefront of all operations made the venture worthwhile. Smith explained the conundrum, stating:

[I]t's what we want to do. We would want to run more parks. But it's about money. You know, [BC] Parks is getting rid of these for a reason. They don't have the money to run them. It's nice to take them on and protect those archaeological resources but at the same time the Band is going to run into a deficit because [these parks are] not moneymakers.¹⁰⁴

By showing that they were willing to go into debt to protect these environments, however, the Sliammon also demonstrated to outsiders their dedication to park protection, even if measured according to the dominant settler-conservationist's standards.¹⁰⁵

The Ongoing Narrative of Aboriginal Peoples, Parks and the Power of Perception

For BC Parks, conservationists, and other recreational enthusiasts, “desolation” or “wilderness narratives” were and continue to be a means through which to perpetuate and justify a Desolation Sound that is both choked with visitors and seen as full of nature, but largely absent of First Nations users and history. This structure, however, was set into motion long before the arrival of even the first yachters, with the gradual colonial displacement of the Sliammon from their traditional territories, and, even prior to that, Vancouver's act of naming and describing Desolation Sound itself. Though Vancouver thought he discovered a desolate landscape, for the Sliammon it was newcomers who eventually made it that way. The Sliammon have nonetheless kept up constant pressure to have their narrative acknowledged; and it, too, is a narrative that goes far beyond and before the history of a park. While it is a story that has been told for quite some time now, it is only recently that outsiders have begun to listen and appreciate it.

¹⁰³ Combes, interview, 2 August 2008.

¹⁰⁴ Smith, interview, 11 March 2009.

¹⁰⁵ The Sliammon even received praise from tourists visiting Okeover Arm Provincial Park for doing an excellent job, and for the pride that they took in managing land in their traditional territory. See: William and Lynn Day, “Letter to the Editor,” *Neh Motl*, 1 August 2008, 7.

It is also an ongoing narrative, one that has recently taken a turn for the worse. After years of complaints that BC Parks was doing little to protect the Sliammon's heritage sites, a string of burial grounds was desecrated over the summer of 2011. At one site, a burial box was broken apart and used as kindling for a fire and the scaffolding that elevates the burial box used as a means to suspend a pot over a campfire. Two other rock burial cairns were heavily disturbed to make room for a camp site. Interviewed about the incidents, Erik Blaney commented that the whole situation was "ridiculous" and that BC Parks is failing in its mandate to protect "these cultural heritage values within their boundaries..." He continued, "Tla'Amin's just fed up and I think we need to pound the table a little harder." Chief Williams sent a letter to BC Parks, calling upon them to devote more resources and increase their presence in the area. But he, too, expressed cynicism towards BC Parks, noting that Sliammon and BC Parks have talked about working together for a number of years but the only result has been "a lot of hot air."¹⁰⁶ It remains to be seen whether anything concrete and substantive will emerge out of the ongoing and heated discussion between Sliammon and BC Parks. Many within the community express an intense lack of confidence regarding BC Parks' repeated promises to protect Sliammon heritage sites, a situation that threatens to undo all the previous collaboration, if it has not done so already.

More broadly, the story above is one that shows the importance and usefulness of parks as windows into deeper issues of competing conceptions of the environment, issues that have very serious social, cultural and environmental consequences that still need to be addressed. This study, by expanding the Canadian non-national parks literature, demonstrates that the territorial dispossession of Indigenous peoples by conservationist policies and attitudes has been far more widespread than previously demonstrated. It also establishes that this exclusion continues today, whereas the lion's share of national histories focuses on the pre-World War II period. Moreover, while much of the Canadian literature on the topic of Aboriginal people and parks is concerned with the relationship between the development of conservation policy and the role of the federal state as a colonial authority, this ignores the fact that provincial governments – though having no jurisdictional authority over Indian policy – nonetheless could act as colonial powers by wielding conservation policy. Provincial and municipal governments, as much as national ones, have a

¹⁰⁶ Kyle Wells, "Burial Site Desecration: Band Seeks Resolution with BC Parks for Ongoing Problems," *Powell River Peak (Online Edition)*, 24 August 2011.

burden to come to terms with a history of what ultimately can only be described as environmental colonialism, no matter the benevolence, good intentions, and ecological importance of creating parks and protected areas.

- CHAPTER SEVEN -

How ‘Natives’ Think, About the Environment for Example:
Sliammon Culture, Nature and Ecological Stewardship

*You were taught from a very young age how to respect nature.*¹

Elsie Paul, Sliammon Elder

*We were our own, basically, conservationists.*²

Lee George, Sliammon Salmon Enhancement Society

For nearly two decades the Sliammon (Tla’amin) First Nation had been negotiating a treaty with the provincial government of British Columbia and the federal government of Canada. On July 10, 2012 eligible Sliammon voters decided to accept the final agreement. The treaty will provide the Sliammon with myriad governance powers that the Canadian government has barred them from exercising since it passed the 1876 *Indian Act*, the sum of which create a situation pregnant with the possibility for cultural, socio-political, and ecological change. Environmental matters lay at the heart of the settlement and this change. Tla’amin First Nation will have the power to independently implement a land code, manage significant forestry resources, domestic fishing, gathering and harvesting areas, and create their own protected areas strategy. Woven throughout the treaty’s language, moreover, is non-Native governmental recognition of the Sliammon First Nation’s identity as an authoritative steward of its traditional territory, a discourse which reflects a growing chorus of voices in the Sliammon community who identify theirs as an eco-conscious culture. In making this assertion, the Sliammon, as an Aboriginal people, are far from alone.

Indigenous peoples, scholars, non-Native environmentalists, and the public at large have had much to say regarding Native “environmentalism.” On the one hand, many scholars and environmental activists portray Aboriginal cultures as historically “ecological.” In rhetoric reminiscent of the Noble Savage, they argue that the world’s modern ecological and political crises would be solved if only “Western” culture mimicked how Indigenous peoples thought and acted towards the environment.³ On the other hand, numerous scholars have correctly identified

¹ Elsie Paul in *Kla-ah-men*, directed by Evan Adams (2004), DVD.

² Lee George in *Kla-ah-men* (2004), DVD.

³ E. Richard Atleo, *The Principles of Tsawalk: An Indigenous Approach to Global Crisis* (Vancouver: UBC Press, 2011); Winona LaDuke, *The Winona LaDuke Reader: A Collection of Essential Writings* (Stillwater, MN: Voyageur Press, 2002); Taiaiake Alfred, *Peace, Power, Righteousness: An Indigenous Manifesto* (Oxford: Oxford University

much of the “Ecological Indian” discourse as an ahistorical, constrictive, romantic idealization that is situated firmly within colonial discourse.⁴ They contend that even though the Ecological Indian is a “positive” stereotype, it still carries with it the pitfalls of essentialism. Indeed, employing any signifier for an Aboriginal culture that has many variations within it can override the differences that exist within that culture; signifiers can also be appropriated by the dominant colonial society or authorities within Aboriginal communities to police and license what counts as “authentic” and “inauthentic” Indigenous culture.

The common perception among environmentalists is that all Aboriginal cultures – though not all Aboriginal peoples – embody the spirit of environmentalism, and in many cases environmentalists have sought to mimic Aboriginal culture while really only understanding it on a surface level. What environmentalists, as well as many environmentalist and Aboriginal activist scholars, miss is that how Natives “think” about the environment is dynamic, and how Indigenous communities define how they think about the environment is an ongoing, often contested, dialogue over identity boundary making. In supporting certain definitions of Indigenous environmentalism, non-Native environmentalists (and environmentalist and Aboriginal activist scholars) become unwitting participants in this local process by lending weight to what counts as “authentically Indian” traits and discarding others, and thus make judgements regarding who are “real Indians” and who are not. Indeed, even though most Indigenous people have relatively limited personal interaction with environmentalists, the process of whereby the former have selected and invented from materials transmitted by

Press, 1999); Brenda Peterson and Linda Hogan, *Sightings: The Gray Whales' Mysterious Journey* (Washington, D.C.: National Geographic, 2002); Jim Birkhead, Terry De Lacy, and Laurajane Smith, eds., *Aboriginal Involvement in Parks and Protected Areas* (Canberra: Aboriginal Studies Press, 1996); Donald Fixico, *The American Indian Mind in Linear World: American Indian Studies and Traditional Knowledge* (New York: Routledge, 2003); Eli R. Gifford, Michael Cook, and Warren Jefferson, eds., *How Can One Sell the Air?: Chief Seattle's Vision* (Summertown, TN: Native Voices, 2005).

⁴ Shepard Krech III, *The Ecological Indian: Myth and History* (New York: W.W. Norton & Company, 1999); Paul Nadasdy, “Transcending the Debate over the Ecologically Noble Indian: Indigenous Perspectives on Environmentalism,” *Ethnohistory* 52.2 (2005): 291-331; David Waller, “Friendly Fire: When Environmentalists Dehumanize American Indians,” *American Indian Culture and Research Journal* 20.2 (1996): 107-126; Bruce Willems-Braun, “Buried Epistemologies: The Politics of Nature in (Post)colonial British Columbia,” *Annals of the Association of American Geographers* 87.1 (1997): 3-31; David Rich Lewis, “Skull Valley Goshutes and the Politics of Nuclear Waste: Environment, Identity, and Sovereignty,” in *Native Americans and the Environment* ed. Michael E. Harkin and David Rich Lewis (Lincoln and London: University of Nebraska Press, 2007): 304-342; Anna J. Willow, “Clear-Cutting and Colonialism: The Ethnopolitical Dynamics of Indigenous Environmental Activism in Northwestern Ontario,” *Ethnohistory* 56.1 (Winter 2009): 35-67; Laura Wright, “Diggers, Strangers, and Broken Men: Environmental Prophecy and the Commodification of Nature in Keri Hulme's *The Bone People*,” in *Postcolonial Green: Environmental Politics & World Narratives* ed. Bonnie Roos and Alex Hunt (Charlottesville: University of Virginia Press, 2010), 64-79.

environmentalist culture has occurred. The Sliammon, as with other Indigenous peoples, have no doubt internalized aspects of the environmental movement, the most apparent being, of course, the Ecological Indian. However, the Sliammon's incorporation of environmentalism has not been simple mimicry. Instead, they have refigured the debate on environmentalism to encode their own notions of nature and culture into a culturally-specific environmental philosophy of their own design which ensures their cultural difference and seeks to gain maximum power within a changing colonial structure.⁵

Expressions of Sliammon Environmental Philosophy

*Since the beginning of time, our people have lived on the lands that the Creator provided for our ancestors. We lived by our traditional systems of governance that sustained us and our lands and resources for thousands of years. Our society governed all forms of environmental, social and political relations through a sophisticated system of traditional laws, as is our traditional way.*⁶

Declaration of the Sliammon People

*As the traditional territory has become developed, and exploitation of resources has escalated, some of the resources that are central to the Tla'amin way of life have been diminished in abundance, or are no longer available because of pollution or restricted access. The degradation of Tla'amin traditionally harvested resources must not be allowed to occur or worsen.*⁷

Land and Water Use Plan for Tla'amin Traditional Territory

Over the past few decades the Sliammon have collectively worked to gain greater environmental control within a colonial structure and settler society. As part of this effort they have produced a large body of "text"⁸ that cumulatively comprises a cohesive environmental narrative. Mary Louise Pratt terms "text" wherein colonized subjects undertake to represent themselves in ways that engage with the colonizer's own terms as "autoethnography" or

⁵ I am influenced here by Anthropologist Michael Taussig's discussion of alterity, what he describes as the need for a particular group, often subaltern, to distinguish themselves from the cultural influences of outsiders in order to maintain a sense of shared identity and community cohesiveness. See: *Mimesis and Alterity: A Particular History of the Senses* (New York: Routledge, 1993). See also: Clive Hazell, *Alterity: The Experience of the Other* (Bloomington, IN: AuthorHouse, 2009).

⁶ Sliammon Treaty Society, "Who We Are," <http://sliammontreaty.com/who>.

⁷ Sliammon Natural Resources Committee, *She'goymetsht Ams Hehaw – We Raise our hands in praise to our ancestors: Land and Water Use Plan for Tla'amin Traditional Territory*, August 2005, 15, Sliammon Treaty Society Resource Library (hereafter STSRL).

⁸ Text here is broadly defined to include oral history, film, and other modes of expression as all can be "read," and consequently deconstructed.

“autoethnographic expression.”⁹ She explains that such “texts” are the means by which colonized peoples construct their own identity in response to colonial/outsider representations and are usually addressed to both the speaker’s own social group as well as the colonial or metropolitan readers. This is much the case for the Sliammon. Myriad Sliammon-authored documents such as governance and environmental management schemes are meant to be read not only, or even primarily, by outsiders such as the provincial and federal governments, but by the Sliammon populace. As such, this represents a significant body of autoethnography where ideas expressed in this way are arguably more candid than when the Sliammon “speak” primarily to outsider audiences. Such voices can be found in, principally, the Sliammon’s monthly newsletter *Neh Motl* (“Us”). It is also important to note that extensive community consultation has occurred in the creation of all the Sliammon’s autoethnographic texts, and so can be considered to include multiple voices (in fact, community input is often directly quoted in these texts) and so represents a wide cross-section of Sliammon voices even if authorship is attributed to only one or a few people. The following chapter draws extensively on the “texts” described above, and supplements them with oral interviews and fieldwork that I and other outsiders have conducted with community members over the years. Used collectively, this body of material provides a fairly comprehensive insight into how the Sliammon construct their identity in relation to the environment and the environmental movement.

To speak accurately of Sliammon culture without discussing the environment is impossible. This is unsurprising. Academic and Indigenous authors alike have emphasized Indigenous peoples’ special relationship to the earth, a connection only made possible via the continuous occupation of a place for millennia and one in which nature and culture are entwined rather than dualistic.¹⁰ However, such scholarship often ignores the multiplicity of how different Aboriginal individuals incorporate the environment into their cultures at different times and for different purposes.

According to many Sliammon, as with other Indigenous peoples, all aspects of the tangible and intangible world (such as spirits) are interconnected, even familial. As Elder Elsie

⁹ Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation* (London and New York: Routledge, 1992), 7.

¹⁰ Keith Basso, *Wisdom Sits in Place: Landscape and Language Among the Western Apache* (Albuquerque: University of New Mexico Press, 1996); Alfred, *Peace, Power, Righteousness*; Winona LaDuke, *All Our Relations: Native Struggles for Land and Life* (Cambridge, MA: South End Press, 1999); Jack D. Forbes, “Nature and Culture: Problematic Concepts for Native Americans,” in *Indigenous Traditions and Ecology: The Interbeing of Cosmology and Community*, ed. John A. Grim (Cambridge: Harvard University Press, 2001), 103-124.

Paul stated in 2003, “There’s a lot of different legends about the different creatures, the fish, the animal life, that at one time they were human beings before the transformer came and they’ve now turned into something else so therefore you still respect them.”¹¹ Siemthult (Michelle Washington) explains how the Sliammon’s language reifies this sameness: “This connection is nourished by our teachings, which show how we are bound to the forests and waters of our territory... Our connection to the land is so strong that tree and relative are both called ‘*jeh jeh*’ in the Sliammon language.”¹² Slight differences in outlook depending upon context, however, do occur. Washington, investigating traditional forms of Sliammon governance in order to establish procedures for future governance, describes how Sliammon beliefs connected them to the environment: “Our creation stories speak of how the *She the gos* (Creator) put Sliammon people on this land. We have a deep and eternal connection to it, established at the time of our birth when our umbilical cord (*Mo xwa jeh*) is buried in the ground.”¹³ An oral history recorded by anthropologists Dorothy Kennedy and Randy Bouchard in the late 1970s captures a similar message, though unlike Washington’s use of the word “eternal”, Kennedy and Bouchard’s text warns that the Sliammon’s link to the world around them is tenuous:

Raven and a friend were invited to dinner at the village of the fish. Two children, a boy and a girl, were sent into the water and, shortly after, Raven was given his salmon dinner. Raven ate his meal, but instead of putting all the bones on his plate, he kept a small bone from the salmon’s head in his mouth. The bones were gathered up and thrown back into the water, where they changed back into the little children. The boy was okay, but the little girl couldn’t open her eyes. The parents knew that a bone had not been put on the plate and began to look for it. They searched all over. Suddenly, Raven pulled the bone out of his mouth and remarked, ‘Maybe this is the one!’ They told the little girl to go back into the water and then threw the missing bone in after her. When she came out, she was whole again. That is why you must always throw the salmon bones back into the ocean.¹⁴

The allusion above to the physical harm that can occur to people if the environment is not cared for properly, and the implication that one’s bond to the world was not assured, is a particularly telling, if seemingly minor, difference. Washington’s portrayal, created in the context of treaty negotiations and nation-building, is predictive with a sense of finality to it: no matter what

¹¹ Lyana Marie Patrick, “Storytelling in the Fourth World: Explorations in Meaning of Place and Tla’amin Resistance to Dispossession,” (MA Thesis, University of Victoria, 2004), 15.

¹² *Ibid*, 36, 38.

¹³ Siemthlut (Michelle Washington), “Yax utchw Kootegan Yix meh towlth: Reflecting on Traditional Governance,” (Powell River, BC: Sliammon Treaty Society Research Department, 2004), 36, STSRL.

¹⁴ Kennedy and Bouchard, *Sliammon Life, Sliammon Lands*, 26.

occurs, the Sliammon people will always have a special connection to the earth, and thus a connection to each other. Hers is an inclusive message, one meant to inspire and to produce a shared identity for the First Nation as it works through a divisive time. Kennedy and Bouchard's use of the Elder's discourse show that people they spoke to were instead looking backward and being descriptive; the Sliammon here possess a range of personal options, some of which can result in the literal severing of a Sliammon person from their culture, and thus their community and, ultimately, identity.

Implications for Sliammon identities and community belonging are present in every environmental management document written by and for Sliammon First Nation. PelachiewTxw (Eugene Louie) pays homage to it in the Sliammon's *Land and Water Use Plan*: "According to traditional spiritual beliefs, Tla'amin people acknowledge the existence of *She the gos*, our Creator, who placed us on earth with a way of life that has a special relationship with the land and its resources."¹⁵ The same is stated in the *Sliammon Fisheries Strategy*: "Within the world view and beliefs of the Sliammon Nation, all of the living things have a spirit, and 'are a somebody'. This belief is an integral part of the Sliammon culture. This belief has it's [sic] fundamental premise the inherent right of all living things to continue and prosper, without fear of over-harvest, or of disrespect."¹⁶ Concomitantly, numerous Sliammon individuals involved in governance have consistently portrayed themselves as the environment's stewards, a responsibility that they are born with and one which assures their well-being if fulfilled.¹⁷ Implicit to this construction is the equation that those who behave ecologically-appropriately are honouring the ancestors, while those who do not are betraying their ancestor's culture, the Creator and become, in this discourse, less authentically Sliammon and more "Other." In addition to policing the boundaries of their internal identity, such statements must also be read as a political act, a response to outsider representations claiming ownership of Sliammon traditional territories and the resources therein. In this way the Sliammon people are redeploying a more nuanced and personal vision of the Ecological Indian, one that counters the colonial process of deterritorialization.

¹⁵ Sliammon Natural Resources Committee, *She'goymetsht Ams Hehaw*, 7, STSRL.

¹⁶ Sliammon First Nation, *Integrated Fisheries Resource Management Plan for the Sliammon Nation (strategic plan)*, Final Draft, 1993, STSRL.

¹⁷ Ash Ish Ho Mete (Roy Francis), "Sliammon Publishes Land and Resource Plan," *Neh Motl*, 1 October 2005, 15.

Along with these depictions is the explicit suggestion that non-Natives should mimic the Sliammon's environmental philosophy. This suggestion inverts the superior/inferior binary expressed within colonial discourse whereby Natives are depicted as incapable of properly managing the environment and acting with foresight to maintain resources, but it also reifies non-Native environmentalist ideals of the Ecological Indian. As Lee George noted in a Sliammon-produced documentary emphasizing the importance of the treaty for the First Nation, "The way my ancestors did things, they did it right, and I think [the non-Native] government...needs to look at how that was done. And they need to use that as the standard of where to get to."¹⁸ Chief Paul made this same point in 1970 when interviewed for the *Powell River News*, predicting as well that the "Indians'" unique value system, especially their "different way of relating to the land...[by] think[ing] of belonging to the land," would eventually be embraced by non-Native society at large.¹⁹ His prediction, made during the early years of the modern environmental movement, proved to be fairly accurate as environmentalists revived, retooled and sought to mimic Rousseau's "Noble Savage."

Contemporary Sliammon people's written and spoken depictions of pre-colonial society, like environmentalist portrayals of the same, are universally idyllic: Sliammon ancestors act as excellent conservationists "in harmony with the environment," while the natural world, as an active agent, assures the Sliammon thrive in turn.²⁰ Ash Ish Ho Mete (Roy Francis) reminds the community via *Neh Motl* that, "Elders were always thinking of the future generations, as they did not want to leave their grandchildren with barren lands that were stripped of their natural abundance," and that their "daily intimate connection with the land" allowed them to develop "management systems that respected the limits of the natural world."²¹ Karen Galligos provides exactly the same message, writing, "The lands were abundant with resources, we had everything that we could ever use or need...Our people had such an idyllic life style back then."²² However, despite the similarities between Sliammon self-identification and environmentalist rhetoric, it does not mean that the Sliammon are adopting environmentalist idealizations of themselves *a*

¹⁸ *Kla-ah-men* (2004), DVD.

¹⁹ "Education Not Successful," *Powell River News*, 30 May 1970, 1.

²⁰ For example, explaining the use of GIS to "map" traditional values, the Sliammon describe themselves as traditionally living "in harmony with the land and its abundance of resources from a time well before the introduction of non-Sliammon governments." Laura K. Roddan and Arlene C. Harry, "Sliammon First Nation Uses GIS to Map Traditional Values," *Native Geography: Annual Magazine of the ESRI Native American/First Nations Program* <http://www.conservationgis.org/native/native4.html>.

²¹ Ash Ish Ho Mete (Roy Francis), "Sliammon Publishes Land and Resource Plan," *Neh Motl*, 1 October 2005, 15.

²² Karen Galligos, "Remembering Tiskwat – The Heart of Our Nation," *Neh Motl*, 1 January 2008, 4.

priori. Instead, the Sliammon are re-envisioning their own historical identity to fit contemporary political and environmental situations.

Indeed, evidence suggests the Sliammon, among other Indigenous populations: a) knew very well that resources could be exhausted; and b) went to great lengths to manage the environment in a manner encouraging maximum sustained yield. Examples of the latter include social restrictions on overharvesting, as well as intensive, large scale environmental projects such as clam gardens among other calculated means of creating or enhancing new ecologies such as species selection and transplantation.²³ Anthropologist Homer Barnett, conducting interviews with the Sliammon and other Coast Salish people in the 1930s, recorded Sliammon Chief Tom Timothy explaining that the Sliammon “did not eat female salmon or their eggs during the first half of the season. The prohibition was to conserve the fish, ‘to make more’.” Barnett concluded from his fieldwork that, “aboriginally some attention was paid to fish and game preservation. It was recognized, for example, that some fish had to get upstream, and therefore dams were deliberately made so that they could be cleared by a leap during high water. Wanton destruction of both fish and game was frowned upon.”²⁴

These portrayals of traditional Sliammon people as excellent stewards of the earth who inhabited an ecological and social utopia, of course, are not unique to this community. In fact, this identification is arguably the dominant discourse among Indigenous peoples in North America. It is also a highly contested version of the past that operates on the other side of a polemical debate. Scholars have problematized, if not rejected outright, the characterization of pre-colonial Indigenous societies acting as conscious (as opposed to accidental) conservationists. William Cronon has argued that conservation by Natives was “unintentional,” and Laura Wright has asserted that “in reality... environmental conservation is a rather recent phenomenon...[so] the development of a [pre-colonial Aboriginal] environmental conscience would have been

²³Collin G. Calloway, *One Vast Winter Count: The Native American West Before Lewis and Clark* (Lincoln and London: University of Nebraska Press, 2003); Paul E. Minnis and Wayne J. Elisens, eds., *Biodiversity and Native America* (Norman: The University of Oklahoma Press, 2000); Judith Williams, *Clam Gardens: Aboriginal Mariculture on Canada's West Coast* (Vancouver: New Star Books, 2006); Robert Boyd, ed., *Indians, Fire, and the Land in the Pacific Northwest* (Corvallis: Oregon State University Press, 1999); Nancy Turner, *Keeping it Living: Traditions of Plant Use and Cultivation on the Northwest Coast of North America* (Vancouver: UBC Press, 2005); Charles R. Menzies, ed., *Traditional Ecological Knowledge and Natural Resource Management* (Lincoln: University of Nebraska Press, 2006); and Raymond Pierotti, *Indigenous Knowledge, Ecology, and Evolutionary Biology* (New York: Routledge, 2011).

²⁴ Homer Barnett, *The Coast Salish of British Columbia* (Eugene: University of Oregon, 1955), 88-9.

neither possible nor relevant.”²⁵ Admittedly, the terminology of conservation as we now know it emerged in the late nineteenth-century. But this does not negate the fact that Aboriginal peoples were aware of ecological limitations and that they sought to enhance the diversity of, and maximize the resources they could use, without overtaxing the ecosystem.²⁶

Further, critics err when they argue that pre-colonial Aboriginal failures to conserve properly as proof of the non-existence of an Indigenous-specific kind of conservation. Such logic is faulty and applies a different standard to Native peoples than non-Natives. Early Euro-American conservation efforts such as predator-species destruction or the suppression of forest fires had quite the opposite of their intended effects; yet no one argues that those conservationists who enacted these programs with the *intent* of conservation cannot be labelled conservationists or having an “environmental conscience” because they misread the environment and misjudged the ecological consequences of their actions.²⁷ Demonstrating that within pre-colonial Native individuals/groups overused resources or mistakenly acted in a way that had the opposite of the intended effect, or even consciously over-consumed, does not negate the fact that Indigenous peoples understood that they needed to manage their natural resources. This understanding was reflected in the oral histories and behavioural traditions of the Sliammon as described above. At the same time, the simple fact that such management practices – especially taboos against mismanagement and stories such as the Raven and the salmon bones described above – existed prior to contact provides evidence that not everyone followed ecological protocols all of the time, but these instances are erased in the idyllic depictions of pre-colonial life.

Despite the dominant contemporary discourse among the Sliammon that their traditional culture is about being a steward of the environment, they have recognized that individuals within their own community have worked against this ideal as well. It is worth noting that these transgressions are only acknowledged in the recent past rather than pre-colonial times – a means, again, of creating a discourse of pre-colonial utopia that creates contemporary judgement standards based on an idealization of the past. For example, recurring community issues publicly

²⁵ William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England* (New York: Hill and Wang, 2003), 98; Wright, “Diggers, Strangers, and Broken Men,” 75-6.

²⁶ This aspect of the Sliammon and other North Coast Salish peoples’ history is detailed in Megan E. Caldwell, Dana Lepofsky, Georgia Combes, et. al., “A Bird’s Eye View of Northern Coast Salish Intertidal Resource Management Features, Southern British Columbia, Canada,” *Journal of Island & Coastal Archaeology* 7 (2012): 219-233.

²⁷ John Sandlos’ book *Hunters at the Margin: Native People and Wildlife Conservation in the Northwest Territories* (2007) is an especially good resource for demonstrating this point. Sandlos shows how the Canadian federal government’s northern conservation/preservation program consistently erred, with often disastrous ecological and social results, but was considered “conservation” nonetheless.

discussed include individuals dumping their garbage within the Sliammon reserve and those harvesting salmon and shellfish without following federal fisheries conservation regulations. Sliammon individuals in positions of authority have collectively sought, using both coercion and persuasion, to get the rest of their community to act uniformly – what they see as respectfully and properly – towards the environment. Michel Foucault discusses this process as a means of creating citizenry whereby some members are legitimate and some are not, and Roland Barthe describes it as boundary maintenance. Much of this effort has occurred through bureaucratic enforcement, in land codes and environmental management plans, as well as through punitive measures such as fines and shaming.²⁸ The meaning of this recognition is rife with political implications. On the one hand, a culture of resistance to colonial government rules and laws makes it legitimate – indeed even desired – for all Aboriginal people to thwart these disempowering, outsider-imposed constraints. But this leaves contemporary Native peoples in a conundrum: How do you encourage your community to follow colonial laws if they are actually in accordance with and supportive of traditional cultural laws and protocols? The answer here has actually been hybrid. In addition to Sliammon individuals rationalizing that negative ecological actions need to be stopped because they run counter to scientific studies conducted by outsiders (such as marine biologists) as well as their own observations of the ecology, both scientific and otherwise, they are also chastised for dishonouring ancestors and as such make themselves less authentically Sliammon than they would otherwise be.

Sliammon individuals especially active as environmental stewards have received public acclaim, their actions said to embody the traditional Sliammon ideal. In other words, to draw on Sahlins' ideas of individual agency, the Sliammon are engaged in a process of seeking to identify those whose actions are, or will be, fateful for the broader Sliammon society and who can enact structural change in a way that at least some desire. Erik Blaney, who worked for the Sliammon Treaty Society and served as the Sliammon “Guardian Watchman,” is one such individual. An article in *Neh Motl* represented him “as an example of what our ancestors strived for in being stewards of the land” and further praised his work because it “often brought him into conflict with the provincial or federal governments,” thus furthering the Sliammon First Nation’s anti-

²⁸ For examples see: “Treaty: Natural Resources,” *Neh Motl*, December 2011, 4; “Land Department Develops Environmental Laws,” *Neh Motl*, 1 April 2007; *Tla’amin First Nation Environmental Management Framework (EMF)*, n.d., STSRL; Tla’amin Planning Team, *Sliammon First Nation Comprehensive Community Plan*, March 2007, STSRL; Eugene Louie, “Environmental Clean-Up of Reserve Lands Underway,” *Neh Motl*, 1 March 2008, 5; Eugene Louie, “Environmental Clean-Up of Reserve Lands Underway,” *Neh Motl*, 1 March 2008, 5.

colonial agenda.²⁹ Staff at the Sliammon Salmon Hatchery have also received commendation within *Neh Motl*'s pages on numerous occasions, one article exclaiming, "Congratulations, Lee [George] and Scott [Galligos], and may you continue to assist Mother nature and to teach countless others the importance of all of our natural resources!"³⁰ Equally as importantly is the "anonymous" section of *Neh Motl* titled "Blackberries & Su Su's" (borrowed directly from the *Powell River Peak* newspaper's anonymous "Roses and Raspberries" piece), wherein Sliammon residents write to either applaud or shame individuals or groups for performing certain activities. *Su Su's* (stinging nettles) are routinely "hurled" at community members that "burn or dump their garbage," or perform other activities that "hurt Mother Earth," while blackberries (ironically an introduced species that Salish people embraced early on) are "given" to those who initiate and lead events such as community clean-ups.³¹ These efforts are all regarded as necessary to correct ongoing ecological decline as well as to enforce an ideal of how a Sliammon person should aspire to act, the composition or cultural character of the Sliammon people writ large, and how outsiders perceive the Sliammon people. In fact, those whose actions demonstrate to both insiders and outsiders that Sliammon culture is one of ecological integrity while also providing evidence of non-Natives causing ecological decline – much as Blaney and the Salmon Enhancement Society (Hatchery) staff have done – are seen as especially valuable.

The Sliammon's ecological narrative largely parallels mainstream environmentalism's declensionist trope. The two diverge in their colonial and anti-colonial politics. Sliammon environmental discourse is anti-colonial at its core, emphasizing local, First Nation's control. Environmentalist discourse, especially in British Columbia, largely, if also usually unintentionally, reinforces (neo)colonial epistemologies that call for outsider control with First Nations playing at best a supporting role in managing the environment.³² Colonialism and ecological damage are, for the Sliammon, inextricably bound and their autoethnographic

²⁹ "Farewell to our Co-worker," *Neh Motl*, 1 November 2011, 2.

³⁰ "Salmon Enhancement Program Acknowledges 20 Years of Commitment," *Neh Motl*, 1 April 2008, 6

³¹ For a couple of examples see: "Blackberries & Su Su's," *Neh Motl*, 1 May 2006, 12; "Blackberries and Su Su's," *Neh Motl*, 1 August 2007, 12. Illegal garbage dumping is a recurrent theme and problem raised by Sliammon community members. See: "One Year Of Sliammon Garbage Enough to Fill Salish Centre," *Neh Motl*, 1 November 2004, 2.

³² Willems-Braun, "Buried Epistemologies." Anti-colonial(ism) is defined here as "the point at which the various forms of opposition [to colonialism] become articulated as a resistance to the operations of colonialism in political, economic and cultural institutions. It emphasizes the need to reject colonial power and restore local control." See: Bill Ashcroft, Gareth Griffiths and Helen Tiffin, eds., *Post-Colonial Studies: The Key Concepts*, 2nd ed. (New York and London: Routledge, 2007), 11-12.

expression identifies two causes of ecological decline. First is the forced separation of the Sliammon from their traditional territories, thus severing their link with the environment in a manner similar to the raven and salmon story and the imposition of a colonial structure wherein the Sliammon are stripped of the power to enforce corrective measures. Second is the colonial regime's inability to assume a proper stewardship role and fill the void left by the Sliammon's exclusion.³³ Following from this thought, the Sliammon have portrayed repairing their relationship with the environment, including educating both the Sliammon people and outsiders about the former's obligation, as the key to breaking free of colonialism's bonds and reversing the decline of species which the Sliammon value. Evan Adams, a Sliammon First Nation physician, playwright and actor (known best for his role in *Smoke Signals*), exemplifies this position:

...as with any First Nations people, if you ask them who they are, it's about their relationship to their lands and their territory. If you go around our territory, if you look at places that are important to us [that have been damaged]...Fishing grounds that are no longer there. Look at those kinds of things and then I think it gives you a different perspective as to why we need to get involved in the stewardship of our lands and resources. And as scary as it may be, we need to be able to do it...So I think it's a big challenge but it's one that we have to face because it's about who we are.³⁴

To accomplish this feat, Sliammon individuals have sought to incorporate what they discuss as their traditional environmental philosophy into everyday discourse and action. This philosophy is encapsulated in the Sliammon emphasis of *Ta'ow*, or "the teaching of our ancestors," a term and concept that runs throughout most environmental management documents. Another is the attempt to direct the everyday discourse of how the Sliammon community thinks about the environment, specifically portraying traditionalism as curative. A recurring monthly environmental piece in *Neh Motl* titled "*Helt Ums Too Wah* (Connections to Where We Come From)," provides both ecological and cultural information on a specific species (e.g., great blue heron; salmon) and tips on how to properly conserve the species and its habitat, while "Dippers

³³ See for examples: Gary Mitchell, "Messages from the President and Board," *Neh Motl*, May 2012, 4; Sliammon Natural Resources Committee, *She'goyemtsht Ams Hehaw – We Raise Our Hands in Praise to Our Ancestors: Land and Water Use Plan for Tla'amin Traditional Territory (Draft)*, August 2005, 15, STSRL; Sliammon Treaty Society, *Tla'amin Draft Gathering Plan*, May 2005, 5, STSRL; Sliammon First Nation, "Integrated Fisheries Resource Management Plan for the Sliammon Nation (strategic plan), Final Draft," 1993, STSRL; "The Future of Lund: Kla Ah Men Village Site to Become TSL," *Neh Motl*, 1 August 2005, 3; "Sliammon Treaty Nearing Completion But Two Deal Breakers Remain," *Neh Motl*, July 2008, 1; "Treaty: Where are we Now?" *Neh Motl*, February 2012, 4; Michelle Washington, "Herring Needs Our Help," *Neh Motl*, November 2011, 5.

³⁴ *Kla-ah-men* (2004), DVD.

and Sauces” educates people on eating traditional foods in order to, literally, reconnect with their environment.

This everyday discourse also runs throughout the recently approved treaty agreement, a document many in the Sliammon community regard as the best tool to fix their fractured relationship with the earth and to “heal” both the environment and the Sliammon people. Treaty also features prominently in the Sliammon’s anti-colonial narrative. Beginning in 1994 with the initiation of the treaty process, key individuals within Sliammon First Nation have used treaty negotiations in an attempt to rally their community to reverse both processes of ecological degradation and colonial deterritorialization.³⁵ As the text accompanying a proposed treaty settlement lands map explains, “Treaty is about re-establishing Tla’amin people’s relationship and connection with the traditional land and resource base to practice aboriginal and treaty rights and take back our stewardship role once again.”³⁶ However, the Sliammon’s anti-colonial narrative is not xenophobic. Rather, it repeatedly emphasizes the need for cooperation with non-Natives who are most often referred to as “our neighbors.” For example, the *Integrated Fisheries Resource Plan* explains, “Many of these [fisheries] resources are at a low ebb at this point in history due to recent change, and thus the Sliammon Nation wishes to work with all peoples to show respect, rejuvenate, co-manage, and bring back these resources.”³⁷ In another *Neh Motl* article Roy Francis, chief treaty negotiator for the Sliammon, writes, “This territory is ours. It always has been and always will be. We recognize the need to share and co-exist with our neighbours...[but] we will not be told how to be in our Territory.”³⁸ Co-existence and making the Sliammon’s presence felt has extended to many in the Sliammon community enthusiastically participating in annual events and initiatives created by the environmentalist movement.

In the past decade the Sliammon First Nation has participated in the International Coastal Cleanup and Earth Day (including hosting Earth Day activities at Sliammon I.R. 1 for the City of

³⁵ Deterritorialization is defined here as a perceived weakening of ties between a culture and the places to which that culture identified.

³⁶ Text accompanying Sliammon Treaty Society, *Gijehs Tla’amin (Sliammon Lands) Treaty Settlement Map*, n.d., STSRL. See also: Davis McKenzie, “Council Advises Negotiators on Key Political Issues,” *Neh Motl*, 1 September 2007, 1; “Negotiations Heat Up,” *Neh Motl*, 1 March 2005, 1-2; “Sliammon Poised to become largest self-governing land owners in the territory,” *Neh Motl*, December 2008, 4; *Kla-ah-men* (2004), DVD; Laura Walz, “Negotiators initial final agreement: Community members and dignitaries celebrate a milestone in Tla’Amin First Nation’s history,” Powell River Peak (online), 26 October 2011, <http://www.prpeak.com/articles/2011/11/01/news/doc4ea74eec36349375572664.txt>.

³⁷ Sliammon First Nation, *Integrated Fisheries Resource Management Plan for the Sliammon Nation (strategic plan), Final Draft*, 6-7.

³⁸ Ash Ish Ho Mete (Roy Francis), “Sliammon Publishes Land and Resource Plan,” *Neh Motl*, 1 October 2005, 15.

Powell River). Sliammon initiatives have also been discursively linked to environmentalist catchphrases or concepts, such as the “100 mile diet” or incorporating the term “sustainability” into nearly all governance documents.³⁹ With all these linkages being made, however, the Sliammon have been especially careful to distinguish themselves and their thought from that of the environmental movement/environmentalists, thus denying that any colonial mimicry is occurring. For example, a *Neh Motl* article contends the term “sustainability” is not imported but rather is the modern equivalent of the traditional Sliammon phrase “*Tlo metsxw otl matuxw* (to ‘just take enough’),” thus implying that the Sliammon are not simply following the environmental movement and broader society’s lead, but in fact had known about the importance of sustainability long before settler society popularized the concept.⁴⁰ Doing so not only ensures a measure of Sliammon difference, but also anticipates the need to nest the power to define how such concepts are to be enacted with the Sliammon people rather than with outsiders who have been quick to criticize Indigenous people when they act in a way seen incompatible with Western environmentalist beliefs. Maintaining these distinctions is especially important when the Sliammon work with environmentalist organizations.

Their longest sustained relationship with an environmentalist group has been with the Powell River Parks and Wilderness Society (PRPAWS) over the development and management of the Sunshine Coast Trail. PRPAWS, formed in 1992 as a local activist group concerned about the lack of remaining old growth forest around Powell River, constructed a 180 kilometer trail from Sarah Point in Desolation Sound to the Saltery Bay Ferry Terminal. While PRPAWS did not consult the Sliammon when constructing the trail, assuming they were going through “wild,” unused space, a significant amount of it passes through Sliammon traditional territory, and some of which they claimed as Treaty Settlement Lands (TSL). PRPAWS feared that they would lose what was, for them, an integral section of the trail if the Sliammon First Nation pressed its claim. Rather than demanding complete control of this space, however, Sliammon leaders saw an opportunity for them to gain some power over the trail, and by extension to reassert their stewardship of the space, and concomitantly the ability to structure how people used and viewed

³⁹ “Youth Lead Cleanup Effort,” *Neh Motl*, 1 September 2007, 3; Brenda Pielle, “Earth Day Celebration Showcases Sliammon’s Natural Beauty,” *Neh Motl*, 1 May 2006, 8; “Save the Planet , One Little Step at a Time,” *Neh Motl*, May 2009, 4; Michelle Washington, “Hetl Ums Too Wah (Connection to Where We Come From),” *Neh Motl*, June 2010, 14; Erik Blaney, “Wind Storm Creates Hazard for Wildlife: Agykson Needs Your Help for Beach Clean-up,” *Neh Motl*, March 2010, 5; Michael Pederson, “Sliammon Community Garden,” *Neh Motl*, May 2012, 7.

⁴⁰ Siemthlut (Michelle Washington), *Yax utchw Kootegan Yix meh towlth: Reflecting on Traditional Governance* (Powell River, BC: Sliammon Treaty Society Research Department), 2004, STSRL.

that space. Working with PRPAWS, Sliammon officials created signage staking the First Nation's cultural claims, providing its historical interpretation of the area's environment and history, and identifying Sliammon archaeological or traditional use sites along the trail. In other words, the Sliammon were able to maintain their presence, both historical and ongoing, and implicitly dispute the trail's dominant wilderness narrative. As Chief Williams explains, Sliammon First Nation has not had any real conflicts with PRPAWS because, ultimately, their interests in ecologically-sustainable economic development overlap far more than they differ.⁴¹ That being said, struggles for power over this area and its definition persist. For example, PRPAWS publications on the history of the Sunshine Coast Trail only acknowledge the Sliammon when describing the short section of the trail which runs through Sliammon TSL rather than recognizing that the entirety of the trail runs through Sliammon traditional territory regardless of the treaty.⁴²

When the Sliammon have allied with environmentalists in protest activities, the former have been meticulously precise in describing their actions as protecting their Aboriginal rights and fulfilling their stewardship obligations rather than propping up the environmental movement or environmentalist groups. For example, a coalition of the environmentalist organization Georgia Strait Alliance, the Sliammon First Nation, and many other citizen groups successfully opposed the creation of a salmon farm at Raven Bay, Texada Island, in 2004. In this instance, all parties were careful to point out that while they were united in opposing the proposed salmon farm, they all had their own specific reasons for doing so. For the Sliammon, this meant protecting their Aboriginal rights and resources (specifically fishing and other harvesting) and their worry that the farm would prejudice treaty negotiations.⁴³ While the Georgia Strait Alliance was conscious of the Sliammon's different agenda, this distinction has sometimes been difficult

⁴¹ Clint Williams, interview with the author, 18 March 2009.

⁴² R. E. Walz, *The Sunshine Coast Trail Third Edition* (Powell River, BC: End of the Road Press, 2009), viii; Emma Levez Larocque, *A Dream of Giants: The Story of the Sunshine Coast Trail* (Powell River, BC: Ell Books, 2011), 34, 42, 45.

⁴³ Denise Smith, interview with the author, 11 March 2009; Laura Walz, "Midden Found in Raven Bay," *Powell River Peak* 23 September 2003, <http://prpeak.com/articles/2003/09/23/import/20030923-archive45.txt>; Georgia Strait Alliance Press Release, "Salmon Farm Denied," 3 December 2004, <http://georgiastrait.org/?q=node/255>; Laura Walz, "Feds End of Line for Raven Bay Fish Farm," *Powell River Peak*, 7 December 2004 <http://prpeak.com/articles/2004/12/07/import/20041207-archive59.txt>; Laura Walz, "Adding Voice to the Debate," *Powell River Peak*, 9 December 2003 <http://prpeak.com/articles/2003/12/09/import/20031209-archive25.txt>; Laura Walz, "Opposition Resurges to Fish Farm," *Powell River Peak*, 14 September 2005 <http://prpeak.com/articles/2005/09/14/import/20050914-archive34.txt>; and Laura Walz, "Sliammon opposes Plan," *Powell River Peak*, 15 July 2003 <http://prpeak.com/articles/2003/07/15/import/20030715-archive41.txt>.

for environmentalists more broadly to grasp. It has even led to conflict or tension environmentalists have subsumed Native objectives into their own agendas.

The emergence of independent power producer, “green” projects (such as run-of-river hydroelectric power generation) throughout British Columbia in recent years has led to those in the environmental movement paternally defending local First Nations from these development ventures, and portraying them as victims of uncaring capitalist development and government-industry collusion. The chiefs of the Sliammon, Klahoose and Homalco First Nations responded publicly to this characterization challenging once again the stereotypical Ecological Indian as anti-capitalist and anti-industrial development, by proclaiming that as “front line environmental and economic stewards of our territories [they had] participated heavily in the provincial environmental assessment process and augmented it with their own traditional use and archaeological studies.” The chiefs further lambasted the “anti-IPP (independent power project)” groups for arguing that the sector should be shut down entirely as environmentally destructive, countering with their own position that included “a very welcome place for private sector partnerships [and] First Nation equity ownership.”⁴⁴ Such incidents of direct conflict are definitely the exception, largely because, as the following section describes, the Sliammon have usually engaged in environmental actions on their own, with non-Native environmentalists fading in and out of the picture as their interests and level of commitment overlap.

⁴⁴ Ken Brown, Walter Paul, and Darren Blaney, “Viewpoint: First Nations Support Green Power,” *Powell River Peak*, 30 July 2008, 8-9.

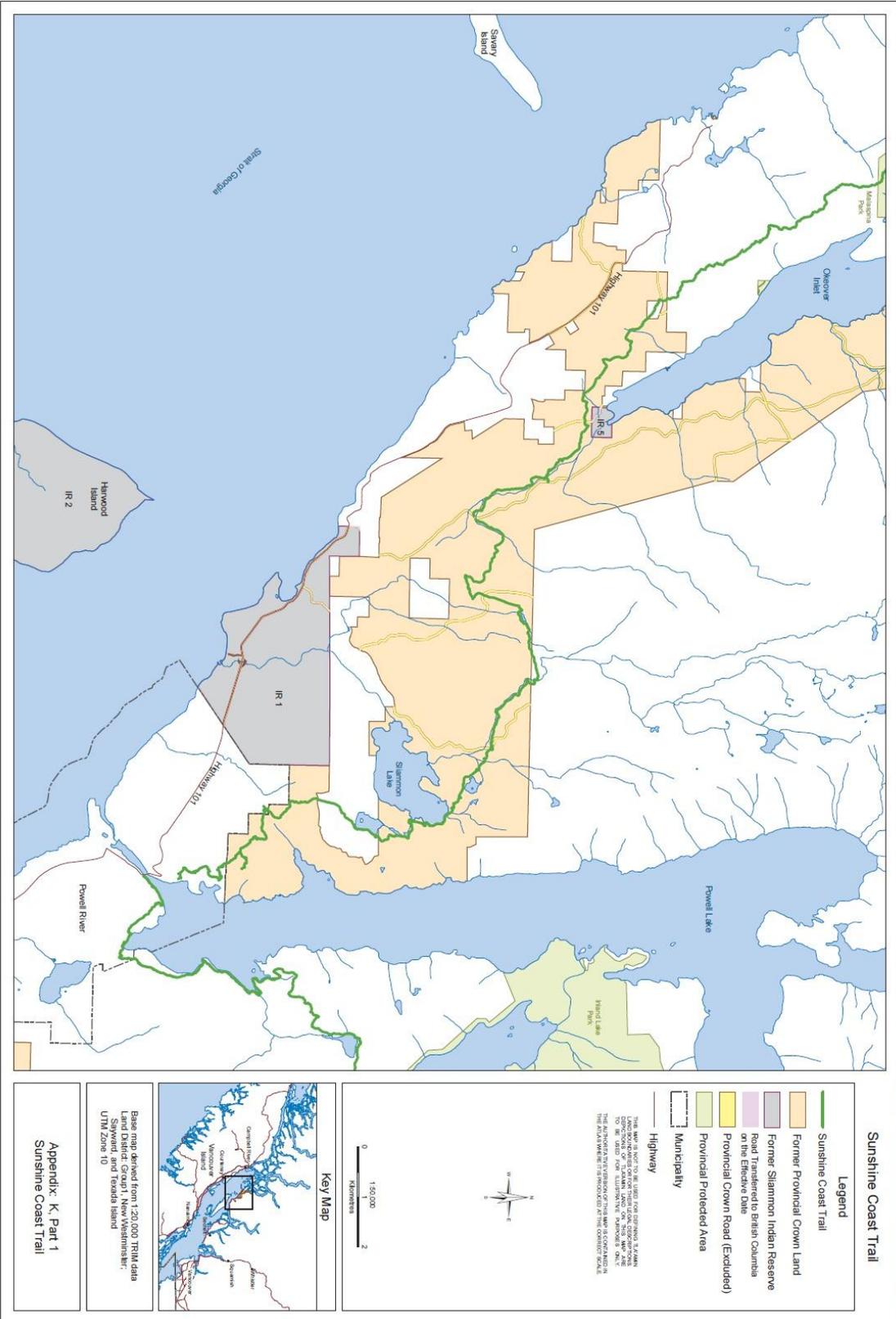


Figure 7.1: The section of the Sunshine Coast Trail that runs through Tla'amin treaty settlement lands. From: *Tla'amin Final Agreement Appendices*, 275.

Praxis to Practice: Sliammon First Nation and Ecological Restoration

*Give them [school groups] habitat sheets and [teach them] how to take care of the environment. Some kids just take the stickers home or whatever, but if you can impact one kid to go into marine biology or something like that, then there you go right.*⁴⁵

Scott Galligos, Sliammon Salmon Enhancement Society

*In our negotiations, we are working hard to protect Sliammon's access to the resources of the ocean. That means salmon, bottom fish, shellfish. It means the whole range of resources that the ocean provides. The Strait of Georgia is the source of our wealth; when we need food for our elders, and community functions, that's where we go. The fishery is ours – ours to protect.*⁴⁶

Roy Francis, Tla'Amin Chief Treaty Negotiator

Over the past three and a half decades the Sliammon First Nation has engaged in an ever-expanding program of environmental restoration and sustainable management initiatives that mimic similar non-Native environmental programs but also mock them by making them overt political acts that challenge the municipal, provincial and federal governments' asserted power to act without regard to Sliammon First Nation's authority over their traditional territories and the resources therein. Additionally, building their own programs has allowed the Sliammon community to refine and solidify their environmental philosophy. Positive results have, in turn, further motivated the Sliammon to expand these projects as the community writ large has recognized the opportunity to gain even more power in relation to that of outsiders, thus shifting (though not yet upsetting) the colonial imbalance over time. In the process of realizing these ecological ventures, however, the Sliammon's efforts have also worked to entrench the ideology of environmentalism and strengthen the environmental movement. Amongst the Sliammon community, two long-term endeavors in particular have become emblematic of their own environmental activism. Both regularly appear in autoethnographic texts and make headlines in those produced by outsiders: the Sliammon Salmon Hatchery and the Theodosia River watershed restoration.

The Sliammon Salmonid Enhancement Program was initiated in 1977 at a time when Pacific Northwest fish stocks were crashing and many Sliammon individuals were still heavily involved in the commercial fishery. Floyd George recounts that Joe Mitchell, then Sliammon's chief, and Glen Calvert, involved in economic development, sought to address both the declining

⁴⁵ Scott Galligos, interview with the author, 5 August 2008.

⁴⁶ "Sliammon Treaty Nearing Completion But Two Deal Breakers Remain," *Neh Motl*, July 2008, 1.

salmon population and unemployment on the reserve. George remembers that the hatchery was initially a matter of practicality:

One night I got a phone call from Joe. He asked me if I could attend a meeting regarding doing something with the salmon enhancement program. There was no such thing as the salmon enhancement program then. So I said sure. So we had a meeting late into the night, the three of us. He said, 'We don't know what we're getting into,' he says, 'but we have to do something about the salmon stocks.' ... So I said I don't have very much experience myself and my education isn't that great either. And I'm a logger, loggers being seasonal. So they said, 'You're going to be off in the winter anyways. If you get this going maybe you could try this out for a while. If we get it off the ground we'll see what happens next spring.' So we had meetings, meetings, meetings during the winter, then early during the spring they signed a contract with [the Department of] Fisheries and Oceans [on] April 1st, 1977.⁴⁷

Despite signing a contract, however, the program was very much ad hoc. George continues:

Then what am I supposed to do, I said. There was no such thing as a salmon enhancement program. So they developed the program as they went along. 'Maybe Floyd could do an inventory on the stream first. Walk the stream, maybe hack a trail along the stream.' There was already trails, people used to go fish along the creek. So I brushed out a trail by myself. The only tool I had was a thermometer and a machete.⁴⁸

Little by little, the Sliammon hatchery crew and Sliammon leadership pushed for greater expansion and benefitted from the assistance of government agencies, especially the Department of Fisheries and Oceans (DFO), who all sought to encourage First Nations to mimic government fishery management programs to ensure that the non-Native-dominated commercial fishery remained viable. The DFO provided training in salmon biology and salmonid enhancement to the hatchery crew. Focussing on chum, George recalls, the hatchery team collected a quarter-million eggs the first year, 1977, and released 40,000 fry in 1978.⁴⁹ Since that first season, the Salmon Hatchery crew have ambitiously expanded both geographically and in the number of eggs they harvest and fry they release. In the process, the Sliammon have come to incorporate both the scientific knowledge of salmon enhancement and, increasingly, their traditional ecological knowledge (TEK) to restore salmon-bearing streams and become recognized by outsiders as legitimate ecological stewards in their own right.

⁴⁷ Floyd George, interview with the author, 6 August 2008.

⁴⁸ Ibid.

⁴⁹ Ibid.

Academics have labelled the pairing of science and TEK “knowledge integration,” which essentially involves intertwining the two knowledges to create a more complete, culturally sensitive, and accurate understanding of the environment. “Knowledge integration” prescribes that while Aboriginal and scientific explanations may sound quite different, they are often actually about the same processes but are conceptualized using different metaphors. For example, Aboriginal claims to kinship with the natural world can be thought of as similar to recent data from the Human Genome Project that has found humans share an incredible amount of identical genes with animals and plants.⁵⁰ Moreover, knowledge integration is valued as a means to bring together two bodies of information that are complementary but also both incomplete, thus filling the other’s gaps. Knowledge integration is particularly important because it is the discourse that has for some time dominated co-management arrangements between Aboriginal peoples and government environmental agencies or university researchers; it is also the method environmentalists most often espouse.

Yet there is an inequality in the “knowledge integration” paradigm in that the Aboriginal discourse of traditional ecological knowledge is recognized as inherently political (which it is), but scientific discourse is portrayed as objective (which it is not). Consequently, not all scholars agree that the integration approach is useful for Indigenous people. Anthropologist Paul Nadasdy argues that, “Knowledge integration takes for granted existing power relations between Aboriginals and state by assuming that [TEK] is simply a new form of ‘data’ to be incorporated into existing management bureaucracies and acted upon by scientists and resource managers.”⁵¹ Furthermore, environmental scientists generally only accept Indigenous knowledge as valid if it can be corroborated with scientific data.⁵² In other words, science – and by extension usually the non-Native government structure – is still the final authority when it comes to reading the material world. Indeed, many Sliammon individuals have complained about these problems when trying to work with government bureaucracies such as BC Parks and, especially, the DFO. Some scholars have even gone so far to argue that science and TEK are incommensurable; one

⁵⁰ Peter Knudtson and David Suzuki, *Wisdom of the Elders: Native and Scientific Ways of Knowing about Nature* (Vancouver and Toronto: Greystone Books, 2006), viii.

⁵¹ Paul Nadasdy, *Hunters and Bureaucrats: Power, Knowledge, and Aboriginal-State Relations in the Southwest Yukon* (Vancouver: UBC Press, 2003), 25. Julie Cruikshank asserts much the same, writing, “Indigenous knowledge continues to be presented as an object for science rather than as a system of knowledge that could inform science.” See: *Do Glaciers Listen: Local Knowledge, Colonial Encounters, and Social Imagination* (Vancouver: UBC Press, 2005), 257.

⁵² Keiichi Omura, “Science Against Modern Science: The Socio-Political Construction of Otherness in Inuit TEK (Traditional Ecological Knowledge).” *Senri Ethnological Studies* 67 (2005): 323-344.

can neither mesh together knowledge structures that originate from within two very different cultural contexts, nor judge them by the other's standards.⁵³ Scholars against knowledge integration have proposed the only solutions to this quandary are to treat TEK as superior to scientific ecological knowledge, thus reversing the perceived power imbalance described above, or to jettison the latter entirely.⁵⁴ Such a stance, however, is entangled in an essentialist, salvage, and romantic view of Aboriginal identity, one that ahistorically rejects the process of transculturation whereby Aboriginal people have increasingly adopted and learned "science." It also ignores the fact that Indigenous people themselves have chosen to redeploy science for their own anti-colonial purposes.

Certainly, the Sliammon population has expressed unanimity in portraying knowledge integration as useful and in acting upon that perception. For example, the Sliammon's *Wildlife Harvest Plan* was crafted using "input from community members who...share[d] their Traditional Knowledge of our territory, and the traditional practices used to harvest wildlife [in order to] integrate [it with the] technical management practices used today by our Province, so we can create a foundation for sustainable wildlife management."⁵⁵ According to the *Fisheries Management Plan*, too, engaging in "knowledge integration...articulate[s] the Sliammon cultural world view to other user groups."⁵⁶ Scientific ecological knowledge, in short, is viewed as a useful tool, one that can be employed for purposes the Sliammon see fit. It is important to note there is no evidence, based upon the Sliammon's autoethnography, to suggest anyone here believes engaging in scientific practice has resulted in their disempowerment, or that science itself is inherently colonizing, only that outsiders have used science for such ends. Nor is there evidence suggesting that those Sliammon who utilize science are thought of by other members of their community as being less authentically "Sliammon" than those who do not.

⁵³ Leanne R. Simpson, "The Construction of Traditional Ecological Knowledge: Issues, Implications and Insights," (PhD Diss. University of Manitoba, 1999); and Charbel Niño El-Hani and Fábio Pedro Souza de Ferreira Bandeira, "Valuing Indigenous Knowledge: To Call it Science Will Not Help," *Cultural Studies of Science Education* 3 (2008): 751-779.

⁵⁴ Vine Deloria, *Red Earth, White Lies: Native Americans and the Myth of Scientific Fact* (Golden, CO: Fulcrum Publishing, 1997); and Winona LaDuke, "Traditional Ecological Knowledge and Environmental Futures," *Colorado Journal of International Environmental Law and Policy* 127 (1994): 127-148.

⁵⁵ John Hackett, "Sliammon and Lheidli T'enneh Share Information In Wildlife Chapter Negotiations," *Neh Motl*, 1 Nov 2004, 2. Hackett mentioned much the same in a follow-up article when thanking the community for its input and stating that he would do his "best to integrate Traditional Knowledge within the Wildlife Harvest Plan." "Update on Wildlife Research Planning," *Neh Motl*, 1 March 2005, 8. See also Laura K. Roddan and Arlene C. Harry, "Sliammon First Nation Uses GIS to Map Traditional Values."

⁵⁶ Sliammon First Nation, "Integrated Fisheries Resource Management Plan for the Sliammon Nation (strategic plan), Final Draft," 9-10.

Rather, the Sliammon have perceived the incorporation of scientific management as a useful means of working within a colonial structure to press their land claims and to revive and enhance their stewardship authority of it. The Sliammon Salmon Hatchery staff has branched out to monitor other sites on behalf and in the interests of Sliammon First Nation, re-connecting and entrenching the Sliammon's role as "guardians" of their traditional territory, both lands and waters.⁵⁷ While Floyd George is now retired, Lee George, the current hatchery manager, and Scott Galligos, another long-time Sliammon Salmon Hatchery employee and active member of the community, both hope to continue expanding and intensifying their reach, to gather more information within the Sliammon's watershed, and to target more rivers "that can be restored back to sustain fish life."⁵⁸ Using knowledge derived from the hatchery (i.e., salmon biology; technological training), the Sliammon have added an especially potent means to police their territory by working within the dominant colonial structure. Galligos, for example, notes that he has used environmental data collected while working as an environmental monitor to halt non-Native logging activities.⁵⁹

Despite the Salmon Hatchery enjoying an extremely positive relationship with the DFO, the Sliammon First Nation has had, and continues to have, a contentious relationship with this agency. Specifically, hatchery staff have pointed to the DFO as the prime culprit in allowing the fish populations to deteriorate in the first place. Lee George, for example, called for greater collaboration with neighboring First Nations in the face of DFO bungling: "Fish resources used to be plentiful in this area, now we are taking the scraps of DFO's mismanagement... We need to stand up together as First Nations people and fight for control of our resources."⁶⁰ Dealing with a government that puts resources into restoration and simultaneously undermines this is incredibly frustrating for hatchery staff and only adds fuel to the Sliammon's desire to gain stewardship over their traditional territories, including parts of the ocean. Galligos expressed these feeling in *Neh Motl*:

It is frustrating when these factors are out of your control, despite the best efforts from [hatchery] staff, the runs seems to be on the road to extinction... It would be a shame to see the disappearance of a fish species during your lifetime, while we have a chance to do something about it now. There is [a] Species At Risk program which

⁵⁷ George, interview, 6 August 2008; "Salmon Enhancement Program Acknowledges 20 Years of Commitment," *Neh Motl*, 1 April 2008, 6.

⁵⁸ *Ibid*; and Scott Galligos, interview with the author, 5 August 2008.

⁵⁹ Galligos, interview, 5 August 2008.

⁶⁰ Davis McKenzie, "Sliammon To Table Fish Chapter," *Neh Motl*, 1 December 2004, 1.

has to be approved at the Government level to protect endangered stocks, such as these coho, but red flags have not gone up just yet. It is a very noticeable and concerning issue here and now, but we need to get the word out there to the general public. So consider this the first red flag.⁶¹

The Sliammon's *Fisheries Resource Management Plan* also drew on their evidence gathered from the hatchery to criticize how the commercial fishery is handled. While celebrating the hatchery for being "very successful in producing fish, and also in creating a high level of proficiency in salmon husbandry by the Sliammon Nation," it laments that

... continuing high interception of these chum and coho stocks in the Johnstone Strait mixed stock fishery has often left little surplus fish, even from this clearly successful hatchery. The long term effects of this mixed stock fishery has been to permanently depress and gradually push to extinction most of the other twenty odd rivers and creeks in the Sliammon territory.⁶²

The result, the document concludes, is that the Sliammon Hatchery is propping up a non-Native-dominated, unsustainable commercial fishery which gets first access to the salmon stocks while the Sliammon are restricted from accessing enough salmon to even meet their "Aboriginal food needs."⁶³ Should the hatchery ever shut down, its staff estimate that the salmon runs which they restock would be endangered within a scant three to five years.⁶⁴ It is for this latter reason that staff want to educate their community and the non-Native public about the hatchery's importance specifically and environmental sustainability in general.

Over the hatchery's life-span, the hatchery crew and Sliammon First Nation more broadly have used it as an educational and cultural tool. Maintaining an open-door policy, the hatchery staff regularly informs the public of the improvements which they have made to various salmon runs and habitat throughout the region.⁶⁵ The hatchery has also partnered with the Powell River School District to run cross-cultural tours for two decades. It is not just the scientific ecological aspects of the site that are important though; hatchery programs serve as a springboard into educating people about Sliammon culture as well. Galligos details the programs' activities:

⁶¹ Scott Galligos, "Coho Returns To Sliammon River At All Time Low," *Neh Motl*, 1 December 2006, 1.

⁶² Sliammon First Nation, *Integrated Fisheries Resource Management Plan for the Sliammon Nation (strategic plan)*, Final Draft, 19-20.

⁶³ Ibid.

⁶⁴ *Kla-ah-men* (2004), DVD.

⁶⁵ Such information is described and publicized, for example, in: Carol Heffernan, "Sliammon Hatchery," *Savary Island News*, 4 October 1989, 4.

We incorporate the Salish culture into the enhancement tours here. The smokehouse is one of the big items, and the aquarium... The kids come down and spend half a day in the community of Sliammon with their parents and chaperons and whoever wants to come out. We'll head out to the sweat lodge here, rites of passage learn about that, purification, cleansing, becoming young men and women. Then we'll head down to the rec centre and inside the centre there's various stations where they can learn about various arts and crafts and things like that. It's totally free to the public. It's all part of the public awareness education. So we'll exhaust pretty well the whole school district in the span of between seven and nine days, depending on how many groups we get... [The program has been] highly successful and it's nice to have the kids come out. I think if kids can come down and get their hands dirty and their hands or feet wet then it's more impact than sitting in the classroom and learning about it on the board.⁶⁶

This emphasis on integrating cultural and ecological protection and restoration has not been lost on the Sliammon community. Galligos and Floyd George both boast that an increasing number of Sliammon have been coming to the hatchery for surplus salmon (those stripped of eggs) and using the on-site facilities to smoke them, passing the knowledge and experience on to others as an important aspect of their relationship with the environment and their ancestors.⁶⁷

Through their efforts and exposure the hatchery staff have persuaded outsiders to become involved in supporting the hatchery's efforts. Non-Natives have supported both Sliammon ecological restoration initiatives and the Sliammon's expanding role as environmental stewards. Floyd George acknowledges the assistance of the Powell River municipality and the Powell River Community Futures, a federal initiative to develop local economic activity, for providing funding for numerous expansion projects on the hatchery grounds. The Powell River Salmon Society, too, partnered with the Sliammon Hatchery to harvest coho for the Theodosia River enhancement project.⁶⁸ Galligos emphasized that visitors have volunteered their assistance, and this he feels is the most important aspect of what the hatchery does:

Public awareness and education is our biggest ally right now. We could put out all the fish we wanted to, but the best part is when you have people coming down and they put the word out...to their friends. You know we have so many people and they're just blown away... We'll get donations from people who absolutely loved it out here and they want to help out... if you get someone out of country, out of

⁶⁶ Galligos, interview, 5 August 2008. See also: Scott Galligos, "Sliammon Hatchery Returns Benefit All," *Neh Motl*, 1 December 2007, 2.

⁶⁷ George, interview, 6 August 2008; and Galligos, interview, 5 August 2008.

⁶⁸ Galligos, "Sliammon Hatchery Returns Benefit All," 2

province, and they get to try something that's so valuable here, they'll put the word out to how valuable the resource is and how we need to protect it.⁶⁹

Though aimed first and foremost at benefitting the Sliammon people, the Sliammon Salmon Hatchery nonetheless serves as a prime example of how a non-environmentalist structure can be a leader in circulating both the everyday discourse of environmentalism and spurring environmental activism.

The Theodosia River watershed restoration project is one of Sliammon First Nation's other major long-running ecological endeavours. Unlike the hatchery's experience, however, convincing outsiders of the importance of the "Theo" has been a difficult struggle. Historically, the Sliammon intensively used the watershed, having occupied this area for millennia; the permanent settlement here later became Toquanna Indian Reserve. Non-Native interests, most notably logging companies employing the practice of clearcutting, moved into the valley in the mid-twentieth century and greatly disrupted Sliammon use of the area.⁷⁰ In fact, the logging industry lay at the heart of the Sliammon's narrative of ecological decline and colonialism.

Two processes have severely compromised the Theodosia River system. The Theodosia Dam, constructed in 1956 in the upper reaches of the system, subjected the Theodosia River to a water diversion, directing up to 80% of the river's flow into Powell Lake to boost the generation of hydroelectric power for the local pulp and paper mill. Less water in the system, especially at key spawning times and during hot summer months, increased the temperature of the river and reduced the transport of gravel required for spawning salmon habitat downstream, drastically diminishing the salmon population.⁷¹ Additionally, the area immediately above the Toquanna Reserve, located in a valley, was logged in the 1960s. An extensive logging road system was also constructed above the reserve in order to access this timber. Unfortunately, these roads were not built to last. Two landslides, one in 1995 and the other in 1998, altered the Theodosia watershed. Toquanna Reserve was hardest hit, with the slide creating a new channel directing water into the reserve. The landslides also negatively impacted already meagre fish populations.⁷² In a few short decades the Theodosia had gone from one of the most productive salmon spawning rivers in the region to hardly being capable of supporting any salmon at all. After each of the above

⁶⁹ Galligos, interview, 5 August 2008.

⁷⁰ Roy Francis, "Theodosia River Impacted by Development," *Neh Motl*, August 2009, 1.

⁷¹ The Community of the Powell River Region and the Powell River Community Futures Development Corporation, *The Theodosia Salmon Enhancement Project*, 6 November 1998, 13, STSRL.

⁷² Davis McKenzie, "Righting Past Wrongs: Restoring Toh Kwon_non," *Neh Motl*, 1 September 2005, 1-2



Note: this figure will include the Appendix before the Effective Date

Figure 7.2: The Theodosia River and surrounding area. From: “Theodosia Shared Decision Making Area,” *Tla'amin Final Agreement Appendices*, 315.

events, the Sliammon also went from intensely using the area to hardly visiting at all. But they were not content to abandon the area.

The Sliammon began pushing for ecological restoration of the Theodosia River area years before the first landslide occurred, focussing their efforts, at first, on dam removal. According to former Chief Walter Paul, elders directed him in 1993 to have the Theodosia dam removed for both ecological and cultural reasons. “The Theodosia was very near and dear to some of our elders who [had] lived in the Theodosia area,” Paul recounted, and they felt it was time for the Sliammon to assume responsibility for the area once more and fulfil their ancestral obligations (as detailed in the first half of this chapter).⁷³ He began working on this issue, at the same time as the Salmon Hatchery staff turned their attention to rehabilitating and restocking the Theodosia River. Both were frustrated by government apathy and industry negligence. The Sliammon’s *Fisheries Resource Management Plan* (1993) highlighted the problems in the area: absence of DFO monitoring; high harvest rates in the Johnstone Strait fishery; water diversion for power generation, especially during the critical periods of low summer flows; and inadequate records of water flow by both the logging industry and government.⁷⁴

After years of frustration in failing to persuade either industry or government to action, the Sliammon were joined by outside supporters in the late 1990s. Numerous interest groups, including the Outdoor Recreation Council of BC, joined the Sliammon in forming the Save the Theodosia Coalition. Those in power sought to re-establish a degree of stability to this space by co-opting the process. On 28 February 2000, Pacific Papers (the dam’s owner) and the provincial Ministry of the Environment, Lands and Parks agreed to decommission the dam. They established the Theodosia Adaptive Water Management Planning Committee to hear input from agencies and the public with how to proceed with the dam decommissioning.⁷⁵ Sliammon First Nation’s power was diluted as they were included simply as one of many “stakeholders” despite the fact that they had spearheaded the effort and had felt the environmental/cultural impact of the dam more intensively and for longer than had anyone else; this was their homeland while for most “stakeholders” it was merely a periphery. As Paul remembers, “People had their own

⁷³ Patrick, “Storytelling in the Fourth World,” 45.

⁷⁴ Sliammon First Nation, *Integrated Fisheries Resource Management Plan for the Sliammon Nation (strategic plan)*, Final Draft, 21.

⁷⁵ Ministry of Environment, Lands and Parks, “Natural Water Flows to be Restored to the Theodosia River – Dam Decommissioning Leads to Restoration of Ecosystem,” 28 February 2000, <http://commons.bcit.ca/theodosia/news.html>; and Elizabeth Brink, “Canadian Dam to be Decommissioned,” *World Rivers Review* 15.2 (April 2000): 11.

agendas. I felt that [Tla'amin's] agenda was being put aside for other peoples' agendas.⁷⁶ The government and industry ploy nearly succeeded; talks bogged down, little was actually accomplished and by 2003 most stakeholders had dropped out of the committee.

The Sliammon, however, stayed on, as did Powell River Energy Incorporated (PREI), the only other remaining stakeholder and the company which had gained power rights to the dam. In the process, the Sliammon re-inscribed their role and responsibility as stewards of the land by persevering to see the project through when other parties had essentially lost interest and turned their attention elsewhere. Galligos recalls that when non-Native groups became apathetic the Sliammon “just took the bull by the horns, and we said well, we’ll do it ourselves.”⁷⁷ Others within the Sliammon community have since suggested the First Nation’s unrelenting desire to see this issue through garnered them outsider recognition and rallied greater Sliammon community support, sparking their interest in a place which many had never visited. Lee George, for example, explained,

[W]e are in the driver’s seat from an environmental perspective... Basically what we are trying to do is reintroduce Sliammon’s role as conservationist within our own territory by showing the community that we are not only looking after for ourselves, but also future generations. If we are not doing anything to address the situation in Theo we are missing the point. Our ancestors selected this original village site as a reserve because of the abundance of fish. If we let the fish go, then what?⁷⁸

By 2005 the Sliammon’s persistence reaped results. They secured federal and provincial government funding to lead an environmental cleanup of the Toquanna Reserve as well as to divert the water flow in order to create habitat more favourable to salmon.⁷⁹ But much more remained to be done, especially as the initial water diversion did not work as well as expected. Ongoing Sliammon efforts snowballed into greater support from the non-Native community. In 2006, the Powell River Salmon Society, Powell River Community Futures, and the Province of BC all contributed funding to restock the Theodosia; the Sliammon Salmonid Enhancement Society (which runs the Sliammon Salmon Hatchery) led the restoration effort.⁸⁰

⁷⁶ Patrick, “Storytelling in the Fourth World,” 70-1.

⁷⁷ Galligos, interview, 5 August 2008.

⁷⁸ Davis McKenzie, “Righting Past Wrongs,” 1-2. George was, essentially, correct. Numerous newspaper articles emphasized the Sliammon’s lead in addressing this ecological disaster, and even partnered with the conservation group Living Rivers Georgia Basin Vancouver Island to get support for their endeavors.

⁷⁹ Davis McKenzie, “Righting Past Wrongs,” 1-2.

⁸⁰ Denise Smith, “Project Aims to Restore Fish Habitat at Theodosia,” *Neh Motl*, 1 June 2006, 1.

Among the Sliammon community, the “Theo” has become an idiom for their ability to succeed even amidst great adversity and opposition, as well as to fulfil their ancestral obligations to the environment. All the discursive aspects of Sliammon environmental identity and nation building described in the first half of this chapter are present when people discuss the Theodosia. Denise Smith, for example, expressed to the Sliammon community that restoring the Theodosia was “hard work” but would provide “*jenxw* (fish) for our generations to come.” She further argued that the Sliammon should be working to “restore or enhance all of our river systems in our Territory.”⁸¹ After filing a lawsuit in July 2008 for additional cleanup of the Toquana Reserve and the waters of the Theodosia Inlet, Roy Francis explained to the Sliammon community that Sliammon First Nation is “working very hard to rebuild its role in the stewardship of the [Theodosia] watershed,” and that Sliammon is “also looking to play a lead role in the planning for the Theodosia watershed into the future. Non-Sliammon development is surrounding us continually, and it’s important to take responsibility for its management.”⁸² Lee George stated the same: “Our elders talk about the huge fish that they used to pull out of there [Theodosia]. We see it as our responsibility to bring the fish back for our children and grandchildren.”⁸³ After both the provincial and federal governments reluctantly agreed in early 2012 to contribute funds towards another cleanup, Smith deployed the same discourse combining environmental responsibility and stewardship: “Although our people don’t currently live in Theodosia, we do still have an interest in making sure that the land was cleaned up properly and that our river is safe and healthy so that we continue to see fish returning.”⁸⁴ It is especially important to identify in the comments above their certainty that the Sliammon will be able to enjoy the Theodosia area and the rest of their traditional territories in the future. It is an optimistic discourse, even if situated within a metanarrative of ecological declension and colonial oppression, one that is increasingly expressed within the Sliammon community and has spurred the nation to undertake myriad environmental ventures. While usually not linking themselves to the environmental movement, the Sliammon have nonetheless also contributed to

⁸¹ Ibid.

⁸² Francis, “Theodosia River Impacted by Development,” 1. See also: “Sliammon Launches Lawsuit over Major Damages,” *Neh Motl*, August 2008, 1.

⁸³ “First Nation Seeking Redress: Damage to Toquanna Reserve Affects Formerly Prosperous Salmon Runs,” *Power River Peak* 6 August 2008 <http://www.prpeak.com/articles/2008/08/12/news/doc4899e0eb53d9b011062527.txt>

⁸⁴ Denise Smith, “Theodosia Gets Much Needed Funding for Clean Up,” *Neh Motl*, May 2012, 1.

its efficacy, extended its reach, and worked towards its penultimate goal of creating a sustainable human-environment relationship.

Towards a Postcolonial Environmentalism

*Resources are still getting used up and licensed out and the Sliammon are trying to save these beaches, etc. Business people come and go, but the Sliammon are going to be here forever. The Sliammon have been pretty non-confrontational, though, and this allows for a dialogue to occur. As this reputation builds, it will benefit the Sliammon because they will have more voice, more say, and more opportunity to be involved with the lands and resources that they used to.*⁸⁵

Chief Clint Williams

The title of this chapter is a play on Marshal Sahlins' book *How 'Natives' Think, About Captain Cook for Example*. Sahlins outlines his ideas on how best to understand Indigenous rationality, and, especially, of the pitfalls of assuming a universal rationality among all peoples.⁸⁶ How Natives "think" about the environment – as with anything else – is dynamic. It is a process of cultural negotiation, one where individual and collective debates over how to define what makes "common sense" are caught up in a whole host of local and external factors. Sliammon First Nation has been highly active over the past few decades in defining itself as an ecologically responsible community as part of its nation-building and decolonizing process. Some of these definitions align more or less with standard conceptions of "Indianness" as expressed within the environmentalist community. When dealing with the environment, of course, the Sliammon could not help but be influenced by the discourse and activities of the environmental movement. But as measured via a comprehensive analysis of the Sliammon's rich body of autoethnographic expression, the Sliammon have recoded the definition of environmentalism within their own community and when engaging with outsiders to include aspects of it that they see as compatible with their own culture and interests and to reject those aspects with which they do not agree. Most notably, the idea of "wilderness" is a term completely absent from the Sliammon's vocabulary. Imagining a space absent of a human presence, or conceiving as humans separate from nature, is simply too foreign a concept to reconcile with their spiritual beliefs that their ancestors reside throughout their traditional territories and exist in myriad forms. Additionally, the idea of "wilderness" is too colonial in that it depicts certain places to be "empty," a

⁸⁵ Clint Williams, interview with the author, 18 March 2009.

⁸⁶ Marshal Sahlins, *How 'Natives' Think: About Captain Cook For Example* (Chicago: University of Chicago Press, 1995).

perception which reifies a *terra nullius* paradigm and erases tangible and intangible traces of Sliammon occupation in these areas. The Sliammon have also arrived at a culturally specific definition of ecological sustainability. Sliammon leaders have both coerced and persuaded people in their own community to adopt a particular identity which they see as authentically Sliammon. This has been part of a citizen-making process for a First Nation which has struggled with internal divisions and socio-economic hardships. Sliammon First Nation also, over the past decade and a half, had to define itself to the provincial and federal governments for treaty-making purposes. This definition unequivocally states that the Sliammon people are stewards of the environment and that sustainability will only be realized when the Sliammon fulfil their obligations. Implicit in this definition is the necessity for a post-colonial situation to exist where the Sliammon First Nation can exert authority over outsiders in their traditional territory, but also to have the power to regulate the actions of its own members.

Imagining and implementing a culturally-specific Sliammon “environmentalism” has not been detrimental to the environmental movement. Individual and collective efforts within the Sliammon community have no doubt helped to direct their own people as well as outsiders how to think about the environment in a way that supports the environmental movement’s overall goals, including for “Green” attitudes, policies and practices to become commonplace. Equally as important, the Sliammon have engaged in activism to physically modify the environment in a way, again, that contributes to the environmental movement’s quest for individuals and communities to act “Green.” This has occurred through repeat, small-scale activities directly linked to the environmental movement such as participating in Earth Day or environmental clean-ups, or in large scale, intensive ventures, most notably the salmonid enhancement program. Further, in order to gain power within a colonial structure the Sliammon First Nation has had to undertake and remain committed to environmental actions when no one else would or in the face of counterproductive actions by non-Natives. The Theodosia watershed restoration is the prime example of this persistence. Since the 1990s the Sliammon have been at the forefront of efforts in seeking to remove the dam, and working to restore the Theodosia River salmon habitat after the landslides. In fact, without the Sliammon’s persistence and dedication, the issue would have vanished in 2003 when all other stakeholders abandoned the restoration project.

More broadly, the Sliammon have provided non-Native environmentalists with a possible alternative environmentalism and alternative to the Ecological Indian, one which is less likely to

incur the anger of Native (among other) communities. Indeed, scholars, activists, and the public alike have criticized the environmental movement for its often uncompromising position on “wilderness,” its critique of industrial and capitalist development without regard to the local situation, and its romanticization of Indigenous people. Some environmental activists have even gone so far to argue that because of these problems and the resulting “green backlash” the environmental movement had “died.”⁸⁷ Consequently, any alternative avenue through which mainstream environmentalists can proceed to re-envision the way in which they achieve their goals, especially in an era of increasing anti-environmentalist conservatism and government cuts to environmental programs, needs to be identified if the environmental movement hopes to remain relevant.

While the form and content of Sliammon environmental thought may not (and indeed should not) be regarded as a blanket solution, it is nonetheless one that can help rectify the often ambivalent relationship among Natives and environmentalists. This relationship can be mutually beneficial. As Chief Williams noted, interests between environmentalists and Aboriginal peoples usually overlap more than they differ, so opportunities for collaboration are plentiful. Scholars studying this situation in other Indigenous communities have suggested much the same. Susan Kollin, for example, posits that,

Alaska Natives have often envisioned different ways of understanding the region, creating images and portraits of a land where human beings forge respectful and reciprocal relations with nonhuman nature, and where the divisions and distinctions between nature and culture are not so deeply defined. As environmental scholars and activists have increasingly argued, it is becoming clear that many of our current ways of thinking about wilderness are at a dead end and even pose danger to human and nonhuman nature.⁸⁸

The alternative to accepting this conclusion is that environmentalists will miss out on opportunities to be involved in and support ventures initiated and funded by First Nations. Or, worse, environmentalists will continue to undermine themselves and fail to see their goals fulfilled by entering into conflict with Indigenous peoples, thus alienating potential allies.

⁸⁷ Adam Werbach, “Is Environmentalism Dead?” *A Speech Presented to the Commonwealth Club*, San Francisco, December 2004; Ted Nordhaus and Michael Shellenberger, *Break Through: From the Death of Environmentalism to the Politics of Possibility* (Boston and New York: Houghton Mifflin Company, 2007); Mark Dowie, “American Environmentalism: A Movement Courting Irrelevance,” *World Policy Journal* 9.1 (Winter 1991/1992): 67-92; and Eileen Guana, “El Dia De Los Muertos: The Death and Rebirth of the Environmental Movement,” *Environmental Law* 38.2 (2008): 457-472.

⁸⁸ Susan Kollin, *Nature's State: Imagining Alaska as the Last Frontier* (Chapel Hill: University of North Carolina Press, 2001), 159-60.

- CHAPTER EIGHT -

Conclusion:

Appraising Indigenous Experiences with Environmentalism, Environmentalists and the
“Ecological Indian”

Struggle was never on level ground, but power was not monolithic either...Collaborators and allies of colonial regimes – or people simply trying to make their way within empire – also pushed rulers of empire to change the way they acted. Subtle and dramatic changes at critical conjunctures are both part of [colonialism’s] story.¹

Frederick Cooper, *Colonialism in Question*

Control of the environment in the broadest sense (resources, land, and ecology) has been, and remains, at the heart of conflicts between Indigenous people and colonial states and societies. During the rise of conservationism in the later nineteenth century and the concomitant setting aside of lands as parks, protected areas or game preserves this pattern of conflict continued and it has done so through the modern environmental movement. Consequently, the iconic image of the “Ecological Indian” and its antithesis, the “Un-Ecological Indian,” have over the past 150 years been constructed and projected as the identities most associated with Indigenous people. Environmentalists have expressed variations of the Ecological Indian in myriad forms and forums, from literature, ethnographic exhibitions, and cultural eco-tourism to the discourses of environmental conservation, wilderness protection, and elsewhere. Making discursive connections between the environment on the one hand and Aboriginal communities and peoples on the other has had real consequences. The preceding chapters have revealed how discourses of Indigenous identity, especially that of the Ecological Indian, and its intersection with notions of environmentalism, particularly realized through the creation of parks and protected areas, has alternately empowered and disempowered Indigenous peoples as well as altered physical environments. Such dis/empowerment and ecological change have been realized through a plethora of intersecting social, cultural and environmental processes; processes which this dissertation attempts to demonstrate are illuminated through an analysis of change and continuity in the Ecological Indian identity.

¹ Frederick Cooper, *Colonialism in Question: Theory, Knowledge, History* (Berkeley: University of California Press, 2005), 25.

The Ecological Indian as Dynamic Construct

The ongoing work of identity boundary maintenance between Natives and non-Natives as they struggle to define the relationship between Indigenous society and the environment can appear, at first, a unidirectional process working with a monolithic construct. The Ecological Indian identity has actually been deployed by many different people for different reasons at different times. Its relationship to Aboriginal people, environmentalism, and environmentalists has inevitably been extremely fluid. And yet this fluidity of meaning (and the associated implications for nested socio-political power) runs contrary to dominant popular and academic discourse which, despite the forty-year shift toward social history and the more recent two decade old turn to critical theory, has consistently sought to identify its essential characteristics.² In other words, scholars have approached this construct – whether affirming it as an accurate historical representation or not – from a structuralist perspective that has relied on loosely defined cultural precepts to create an atemporal, fixed meaning. While literary critics and some cultural anthropologists have identified certain general – though by no means universal – trends in how the Ecological Indian has been cast, an historical examination reveals that variation as much as cohesion marks this representation over time.³

Though government agents, non-Native environmentalist groups, and Natives themselves have shared understandings of the Ecological Indian's role within colonized space, such agreement has never lasted. This dissertation pays special attention to what happens when differences in identity-construction are realized. The result is often jarring; conflict often ensues. As the environmental movement has learned, clashes with Indigenous people undermine their message and compromise public opinion. For instance, non-Native organizers of the Banff Indian Days originally perceived and marketed the Stoney as embodying all the Ecological Indian's traits such as its atemporality, anti-modernist outlook, and greater connection to "nature." The Stoney, in turn, selectively embraced these traits when performing in the park but later found themselves trapped. Over time many non-Native promoters came to believe the Stoney were losing their link to nature. Their ambivalent relationship with the natural environment, as with their ambivalent relationship with the colonial state, was interpreted not as

² These studies are described in Chapter 1.

³ Among the most popularized characteristics of the Ecological Indian include: traditional; holistic, deeply spiritual world-views; anti-modern; live in harmony with, or at one with, nature; and produce a negligible ecological footprint.

an expression of the complexity of their culture and the dynamic nature of their economy, but as a corruption of their tradition – as an unhealthy and inauthentic mimicry of the worst elements of non-Native society. Their participation in events such as the rodeo, while ignoring “traditional Indian” competitions such as archery and horse racing (the latter, of course, ironic since Europeans introduced horses to the Americas) and their conspicuous consumption of alcohol, only reinforced these assessments. If the Stoney were not part of nature, then they were not welcome in the park. At first non-Natives sought to reverse (what they perceived) as Stoney cultural decline, but the result was an impasse between the Stoney and the Indian Days’ organizers. The relationship between the Stoney and those seeking to conserve them as part of the national park’s environment ultimately broke down and Indian Days’ organizers recruited different First Nations who were perceived as more accommodating of non-Native ideals about what an authentic Indian should be.

Non-Natives within certain environmentalist groups or communities, including government agencies, also found it particularly disconcerting, if not aggravating, when they disagreed internally or with one another regarding the value and legitimacy of the image of the Ecological Indian. Agents within the Department of Indian Affairs who constructed the Stoney as excellent conservationists, for example, outraged other government officials who pictured the Stoney as despoilers of game populations. Collaboration between Native Americans and the federal government also angered Washington State’s conservationists. The internal documents and private letters of the Olympic Park Associates reveal an organization divided as often as not when it came to defining the ability of Native Americans to act as ecological stewards. Though this situation is “messy” and this on-again, off-again consensus and disagreement difficult to convey, the attempt is necessary as it reveals the inconsistencies within colonial discourse and, ultimately, the dysfunction of colonialism.

Among Aboriginal communities there is also significant variation in definitions of the Ecological Indian which exist alongside efforts to disengage from it, nuances that all too often get flattened in academic and public discourse. While many Aboriginal groups portray themselves in ways that are commonly thought of as “traditional,” all also have features which provide evidence of cultural hybridity and of cultural and socio-economic change over time. The Sliammon’s identity vis-à-vis the environment includes many of the popularized Ecological Indian signifiers – traditional, spiritual, connected to nature – as well as the incorporation of

language (if not concepts) born of the environmental movement such as “sustainability.” Additionally, aspects of this identity are constructed in relation to colonialism and nation building, influences that make the Ecological Indian trope much more complex, if not unstable.

The example of the Native Americans on the Olympic Peninsula provides an even starker contrast to how the Ecological Indian is typically cast. Expressions of traditionalism, spiritualism, and even of anti-modernism were not widespread among Native American tribes when expressing themselves to state representatives prior to the environmental movement. As Alexandra Harmon has noted, by the first few decades of the twentieth century the “traditional” or “pre-modern Indian” was so devalued by the state and society in an atmosphere of supreme confidence in scientific methods and the righteousness of bureaucratic management that Native Americans were reluctant to characterize themselves as such when it came to claims of competency in environmental management. Consequently, whenever defining themselves to outsiders who were in positions of power, tribal representatives sought to operate within the structure in which they found themselves. Native Americans here thus defined the Ecological Indian as scientifically informed and trained, possessing modern technology, consistently updating their methods to be cutting-edge, and, perhaps most interestingly, deferring to field “experts” who were often non-Natives. Such a depiction is far different from the Ecological Indian as exemplified by (inaccurate historical accounts of) Chief Seattle, from the “Indian” and “Cowboy” dynamic that the Stoney portrayed at Banff, and from depictions across North America which require further investigation.

Additionally, dominant images of their identity are contested among Native American communities. Those in the Olympic Peninsula (as with those in the Stoney and Sliammon First Nations) were not unanimous in their adoption of one particular identity and many viewed hybrid depictions incorporating the lingo of science and modernity as either inaccurate or even a betrayal to their Aboriginal ancestors. Dissension became especially apparent once the modern environmental movement was in full swing in the late 1960s and throughout the 1970s, when the more popularized image of the Ecological Indian was being regularly deployed by environmentalists in activist campaigns and the Red Power movement was spurring a traditionalist revival. This internal disagreement could become vitriolic. After the Quileute tribal government enacted numerous fish closures, a segment of the tribe opposed the biologists (sometimes Native but often-times not) who recommended these closures. Even more so, this

opposition denounced their tribal leaders for acquiescing to biologist demands and for allegedly working within and maintaining, rather than against and dismantling, Washington State's colonial structure. This subaltern group constructed their own identity of an authentic Quileute, deploying the more recognizable and salvage anthropology-based version of the Ecological Indian.⁴

The Ecological Indian identity has thus been far from static or one-dimensional. Different Native actors, as well as non-Natives, have sought to entrench their particular definition of it in regards to their own culture and community in order to gain power within multiple structures – tribal governments, non-Native parks, colonial bureaucracies – as levers controlling the environment and how people act within it.

Entrenching and Uprooting Native-Newcomer Relationships

My dissertation has sought greater insight into how Natives and environmentalists come to a general consensus of the Ecological Indian's composition, the powers that come from that depiction, how such agreements break down, why and when such occurrences happen, and the consequences. The structure-event framework is particularly apt for doing so. Engaging the dynamic tensions that characterize relationships between structures and historical events reveals that the more deeply entrenched a particular structure, such as a bureaucratic environmental management regime, a system of provincial parks, or an agreed upon spectacle where Natives and non-Natives have their roles to play, becomes, the more significant the event required to shift it in any meaningful way. Minor events, such as individuals deviating from expected norms, are subsumed by, and interpreted within the context of, structures. Only major events that jar society and as such cannot readily be explained by or understood within existing structures, such as landmark court cases or environmental disasters, hold the potential to transform the structures of society and thereby create opportunities for structural change, or at least to change the balance of power within those structures. Consequently, the dynamic interplay between structure and event (as the former seeks to subsume the latter and the latter seeks to transform the former) is always simultaneously constricting and freeing.

⁴ Christian Penn, Sr., Fisheries Representative, Quileute Tribe, to The Native American People of All Tribes and Bands & Settlers of the Land, "Resolution," 19 February 1980, in Washington State Archives, Olympia, Attorney General Fish & Wildlife Working Files, AR 89-12-546, box 487, f. Quileute 1979-80.

The creation of a park, in particular, is a powerful event just as park management is a powerful structural imposition that has implications not just for those within its boundaries, but also beyond its borders. Parks serve as excellent case studies to explore Native experiences with environmentalists and environmentalism because they tend to exacerbate issues that arise between Natives and newcomers regarding the environment elsewhere as well as act as magnets to pull environmentalists into contact zones they may otherwise bypass. For all Indigenous groups the creation of protected areas within spaces once freely accessible to them, and the concomitant wilderness philosophy which accompanied it, presented a formidable challenge to their cultural, socio-political and ecological practices. Parks and protected areas delimited a highly constrictive space in which certain Aboriginal actions were curtailed and where their agency in terms of land and resource management was further and more conclusively defined by outsider-imposed criteria. The Ecological Indian standard against which all Aboriginal activities were judged did provide a discursive and operational space within which Indigenous people could function within parks. But it was also one that was increasingly restrictive. Moreover, it reached beyond park borders to influence Native behaviour on reserve and within broader newcomer society by creating expectations of authenticity that Native people had to live up to in order to sustain the legitimacy of their claim to a voice and presence within and beyond parks.

When outsiders have included Natives within parks, it has only been with the intention of further entrenching the park's efficacy. This hardly meant that Natives never supported the goal of parks, or did not find opportunities within these spaces, as the examples of the Stoney, the Makah, and the Sliammon aptly show, or that these spaces went uncontested. But, when Natives challenged the limits to their activities within parks, or indeed the very existence of parks, and thus by extension their place within a colonized space, they were met by fervent opposition that typically cast Natives as Un-Ecological Indians. In Canadian and American society, Un-Ecological Indians are inevitably regarded as less authentic "Indians" whose assertions of other Indigenous rights – e.g., the right to self-governance, to economic activities, and to land and resource management generally – are weakened when they fail to live up to idealized expectations.

Aboriginal people have, with varying degrees of success, navigated their way through these colonial impositions, in the process entrenching park structures even as they have sought to dismantle them. In British Columbia, while BC Parks resisted allowing First Nations to exercise

any authority within provincial parks for decades, the Sliammon First Nation (among other First Nations) have recently integrated themselves into the BC Parks administrative structure, including having their role (at least in theory) recognized in official policy documents and their cultural sites and values protected and integrated into the dominant wilderness narrative. By enacting this structural change the Sliammon put themselves in a position of power to legitimately criticize BC Parks based upon the agency's own rules and standards. This has recently created a backlash as BC Parks officials, who have regretted their predecessors' decision to open a space for the Sliammon, have reverted to exclusionary tactics once more. In Banff National Park as well, the Stoney were able to negotiate a space for themselves. Merchants' profits and the park's popularity in general were furthered by the Stoney's participation in its economy and landscape. Doing so simultaneously bolstered the Stoney's claim of ownership to the area (even at the expense of other First Nations) and their opportunity to mock colonial discourse regarding the Stoney's marginalized position as a colonized people. But it also constricted the options available to them when seeking to present a multifaceted, hybrid identity. Furthermore, both the Makah and the Quileute were able to negotiate for themselves space within the Olympic National Park, but ultimately had to concede their support for the park institution and the wilderness ideology backing it.

Aside from the creation of parks, other events have been equally important in shaping the history of Aboriginal peoples and environmental advocacy. For instance, the emergence of a scientific management ideology and bureaucracy in the Olympic Peninsula deeply affected how the state (both federal and local) and Native American tribes interacted. Both "sides" agreed that for "Indians" to be ecological, they needed to pursue a scientifically-directed environmental bureaucracy. While Washington State and, to a lesser extent, the federal government had hoped this direction would maintain Native Americans in an inferior, colonized position, relying upon non-Native conservation experts, Native Americans themselves saw conservation endeavours as a means through which to not only gain power within a colonial-dominated structure, but to change that very structure from the inside out. At one point both Natives and non-Natives reached consensus on the need for the "Indian" to be scientifically ecological, the reactions of different levels of government to Native American conservation initiatives varied. Once Washington State's conservation authorities recognized the threat to their power that Native Americans working within a colonial structure posed, both state officials and the public at large

sought to reverse this by discrediting the idea that “Indians” could be ecological. Conversely, the federal government saw this as an opportunity to relinquish some of its fiscal responsibilities if Native Americans could be expected to determine their own future, albeit one limited to the possibilities within a reserve system, and so encouraged Native American tribes to continue down that path and even to support them in their fight against Washington State.

My study has also revealed that environmental, rather than human, events have also played a significant role in the history of Natives and environmentalists and environmentalism. Admittedly, some of these have been human-induced. The collapse of salmon stocks was a particularly important environmental event which had major implications for the relationships between Native Americans and conservation officials and sportsmen in Washington State as well as between the Sliammon First Nation and non-Natives. Human *perceptions* of ecological change also matter. From conservationists blaming the Stoney for supposedly decimating animal populations to the perception among some Sliammon that yachters are the main cause of pollution, even of “red tides,” within Desolation Sound, “readings” of ecological shifts have had a major impact on how Natives and non-Natives interact. At other times, non-human induced environmental occurrences were extremely important in affecting existing Native-newcomer structures and in revealing where power was nested and who controlled it. For example, it was only after multiple tsunamis devastated Southeast Asia that the Quileute could imagine a new rhetorical tack to persuade popular environmentalists, the National Park Service, and the general public to transfer lands – including areas designated “wilderness” – from Olympic National Park to the tribe, and that non-Natives could come to shift their thinking to rationalize the loss of “wilderness” as something not only possible but morally desirable. Yet existing structures often persevere. The Quileute still found it necessary to identify themselves as “Ecological Indians” when promising not to develop certain portions of this territory, thus reinforcing outsiders’ expectations of what types of activities would be proper in this space and allowing them to retain power over this space even though it was no longer in their direct possession.

The Commodification of the Ecological Indian

This analysis has shown that the Ecological Indian representation has become both a resource to be produced and consumed and a type of capital to be spent and leveraged. Deploying the Ecological Indian can help individuals and groups to get their point across and to

either reinforce existing power structures or upset them. In other words, it provides those who control this commodity agency within existing structures as well as material with which to work in reinforcing or redirecting those structures. As a non-tangible commodity, much like a stock, the Ecological Indian representation has seen its value fluctuate, in some circumstances being highly sought after because of its ability to obtain results for its bearers, and in others being worthless or even a liability, and thus devoid of discursive power to motivate people to action. Consequently, there has always been, and no doubt will long remain, a competition over controlling the production, dissemination, and consumption of this construct. The result of this competition – a symptom of colonialism and anti-colonialism – is that the relationships between Natives and non-Native environmentalists are, to draw on Homi Bhabha, inevitably ambivalent.

Finis Dunaway hinted at the Ecological Indian's commodification when he examined how the environmental movement appropriated and manipulated pictures, including the Ecological Indian, as rhetorical devices that could be deployed to get their point across and build social capital. Once in control of such images – both their production and dissemination – environmentalists could sway public and state opinion. This persuasive power resulted in new laws created and policies written to support the structure they envisioned for themselves as well as increased support in the form of new members and monetary donations. Dunaway shows how, in dominating the production and message of these images, environmentalists shared dominant views and conceptions of environmentalism to the exclusion of alternative and subaltern perspectives, thus masking the ways in which “structural inequalities produced ecologies of injustice.”⁵ In other words, by controlling the greatest stake in the commodity, environmentalists could control the outcome, but also often blinded themselves to the unintended side-effects of their monopoly.

However, Dunaway never makes the stretch to explicitly link the creation of images and identities with the production of resources and their commodification, nor does he discuss how the power and value of such images are constantly in flux, depending largely upon both who is producing and consuming them. Further, Dunaway's article leaves open the possibility to explore how opponents of environmentalists produced counter-images which sought to negate the Ecological Indian's value. Finally, he does not investigate the role actual Native Americans

⁵ Finis Dunaway, “Gas Masks, Pogo, and the Ecological Indian: Earth Day and the Visual Politics of American Environmentalism,” *American Quarterly* 60.1 (March 2008): 71.

(rather than impostors such as “Iron Eyes Cody”) play in this process.⁶ My dissertation makes these links and interprets these processes.

As the importance of the Ecological Indian-as-commodity has grown, those either unable to tap its wealth, or who see it as a threat to their own capital – i.e., those whose power depends upon the predominance of the Un-Ecological Indian representation – have sought to devalue it. A multi-faceted social, environmental, and cultural approach reveals many ways that such devaluation occurs. Opponents of the Ecological Indian representation have variously used raced, classed, and gendered arguments to critique Natives for acting in ways seen as irreconcilable within national and provincial or state parks and with “game” conservation. Managing ecological change via who accesses, extracts, and controls environmental resources has also been at the forefront of such efforts to discredit the Ecological Indian. Finally, Aboriginal culture and hybridity has largely been perceived as irreconcilable with the dominant environmentalist and settler mentality of “wilderness,” even as the Ecological Indian is constructed as a vital component of that wilderness. Yet what is most fascinating about all these case studies is that these same conservationist individuals and groups drew upon – and thus recognized the existence of and reinforced – the Ecological Indian, even when twisting it to criticize contemporary Native Americans for their own advantage.

Of course, Natives themselves have been prime proponents of the Ecological Indian and as such have sought to manipulate its value in situation-specific ways. This occurred in Banff with the Stoney – with the chiefs assuming a prominent role – supporting the park and highlighting their people’s innate connection to “Nature.” On the Olympic Peninsula the Makah drew upon the Ecological Indian as insurance to outsiders that they would manage Ozette “appropriately.” This stood in contrast to the image constructed by the Makah’s opponents, such as the Olympic Park Associates, who cast contemporary Natives as chronic despoilers of the

⁶ Marshal Sahlins’ study of the sandalwood trade – though a tangible resource unlike the Ecological Indian – in Hawaii, situated within a structure-event analytical framework, provides arguably a greater insight into the process which I describe in my own study. He details how various actors became involved in a competition over the trade, with Natives and non-Native merchants seeking to increase its value, while others such as missionaries sought to devalue it in favour of religious conversion. He situates this Native-newcomer competition within the existing structures of Hawaiian society, specifically the process by which the chiefs came to control sandalwood. The event of Western trade caused an increase in the value of sandalwood as well as raised the incentive for chiefs to not only make more profit from merchants by working within this outsider mercantile system, but to exclude non-elite Hawaiians from collecting and trading sandalwood using their own structures. See: *Anahulu: The Anthropology of History in the Kingdom of Hawaii Volume 1: Historical Ethnography* (Chicago: University of Chicago Press, 1992), 57-81.

environment. The Sliammon's ongoing struggle with BC Parks mirrors those of Native Americans with state conservation agencies. For decades the Sliammon have expressed outrage at what they see as government environmental mismanagement, incompetence, and public indifference, if not complicity, in unsustainable resource access and extraction practices, while, at the same time, the Sliammon feel that conservationists are ignoring what the Sliammon have to offer to the detriment of all people and the environment. Meanwhile, outsiders have expressed fears that the Sliammon treaty agreement provides them with too much undeserved power over ecological decisions both within and beyond their reserve spaces.

Indeed, at the heart of this Ecological Indian valuation process lies the prevalent belief among non-Natives that any Native gain – economic especially but also political and social – is undeserved, if not somehow ill-gotten.⁷ Even in cases in which the Ecological Indian maintains a high valuation, colonial governments and the general public have often denied the authority of Aboriginal people to appropriately and independently manage the ecology, especially within “wilderness” spaces. This tendency sheds light on the ambivalent ways in which relationships between Natives and environmentalists, and Natives and newcomers more broadly, have been structured and unfold.

The Ongoing Legacy of the Ecological Indian

However the Ecological Indian is defined, the fact remains that its existence has a real impact on how Natives and non-Natives think or act towards one another, themselves, and the environment. These impacts need to be better understood by the American and Canadian public if future accommodations and agreements over Aboriginal rights are going to be reached and reconciliation between colonizers and colonized is to be achieved.

Aboriginal peoples at large have attached their identities to, and had their identities constructed as, an all-encompassing trope that places them as superior to Westerners when it comes to relating to “Nature.” In many cases these same peoples have benefitted politically through greater outsider recognition of Indigenous knowledge and their claims to traditional territory, including environmentalist support during periods of protest, economically through

⁷ Alexandra Harmon has aptly traced the persistence of this jealousy and fear of Native American economic gain in *Rich Indians: Native People and the Problem of Wealth in American History* (Chapel Hill: University of North Carolina Press, 2010). Rudi Colloredo-Mansfeld, in “Dirty Indians: Radical *Indigenas*, and the Political Economy of Social Difference in Modern Ecuador,” *Bulletin of Latin American Research* 17.2 (May 2005): 185-205, has shown the same, paying particular attention to the accusation by non-Natives that Indigenous gain is somehow inauthentic.

endeavours such as cultural tourism, and culturally via revivals of traditional practices. As with any endeavour, however, some scholars argue that the costs outweigh the benefits regardless of their significance. The Ecological Indian image is part of a larger process of identity boundary making, one that has created prestige and power for certain individuals, while for others it has curtailed their power and agency. Those who have identified with the image have found favour with the environmental movement and its proponents. Those who have sought to advance economic development agendas, to diversify politics, and to problematize cultural essentializations have found themselves outside of this structure.

Of course, for individuals and groups vying for power within Indigenous societies, using the environment and identity construction is nothing new. Before Europeans imposed the Ecological Indian as a dominant colonial discourse, and before parks and protected areas were established, Natives had diverse voices (just as they do today). Some enhanced and augmented their political authority by being (what we have since termed) un-ecological via the hunting of beavers, bison, and sea otters in an unsustainable manner. They did so to take advantage of the mercantile, and then capitalist, systems in which they found they could engage and through which they could secure additional power within their own social and political structures. Those who felt that their and their people's position was best served otherwise, or who were disempowered by this new outsider structure, chose to lament these actions and would respond with their own varied forms of resistance, including xenophobic movements that called for a return to nature and the expulsion of non-Native produced goods and ideology. Ultimately, these power struggles created points of contestation within Native society as well as between Natives and newcomers, but it also created opportunities for compromise, mutual benefit and change. My dissertation reveals the way these sorts of processes and occurrences have continued into the present.

The Ecological Indian discourse, and its situation within the creation of parks and protected areas as well as other environmentalist-inspired ventures, has simply added a new avenue for arriving at power within Indigenous and colonial structures. Native leaders who deploy the Ecological Indian discourse have gained power – though this has often been tempered by outsiders, such as when Natives are prescribed a token, if not subservient role, within parks and other environmentally protected areas. Further, deploying this language, and thus entrenching this identity within the dominant structure, works to delegitimize the authority and

possibility of those within and outside of Native societies who might take a different tack. Understanding these processes and their results is key to liberating Natives and newcomers alike from the blinders that the Ecological Indian discourse has created and to revealing where the power that comes with this image within Native and non-Native society is located.

My interpretation of the relationship between Natives and non-Natives regarding environmentalism has found significant instances when a general consensus has been met and the aims or goals of those involved – both colonizer and colonized – have been at least partially realized. In certain cases that give hope to a Native-newcomer reconciliation, some non-Native individuals have even been willing to forego their established base of power to the benefit of Natives. Georgia Combes' dedication to working with the Sliammon First Nation, and Norman Gallagher's decision to trust in Georgia Combes, and by extension BC Parks, with highly sensitive cultural information, some of which apparently had never been shared with official representatives of government agencies before, is a fine example of this process. A similar instance occurred when John Osseward of the Olympic Park Associates supported the Makah's claim to the Ozette Reserve because he felt it was the morally correct choice. And, in the case of the Stoney and conservation in and around Banff National Park, numerous Indian Agents actually worked to defend the Stoney not only from outsider attacks, but from their own department's assimilationist policy and what they perceived as injustice within a colonial structure.

Unfortunately, such instances have been especially rare and are often fleeting. Further, though these relationships are often perceived by those involved as structurally changing – even a radical departure – they are most commonly only an extension of what has come before and what is to be expected within the Ecological Indian discourse and the field of environmental management. To speak to the examples in the paragraph above: even the Stoney's staunchest DIA supporters did not seek to decolonize a colonial relationship, but rather to ensure the Stoney had a place within it. As much as Osseward supported the Makah because he felt it was the morally correct action, he also believed that the Makah would act in a manner befitting the Ecological Indian (with non-Native, environmentalist encouragement) and so was able to rationalize his support. As much as Combes sought to alter the BC Parks structure, her work with Gallagher did not upset the province's insistence on exclusive assertions of management rights. In fact, BC Parks' approach to working with the Sliammon actually reinforced it. Even though

the power dynamics shifted slightly, the structure remained largely the same, and the results in every case have been to reinforce the colonizer-colonized relationship as ambivalent. This state of affairs will continue to poison Native-newcomer relationships so long as there remains value, and thus the potential for power, in the Ecological Indian representation.

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