

A CENTURY OF PARKS CANADA

1911-2011

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Negotiating a Partnership of Interests: Inuvialuit Land Claims and the Establishment of Northern Yukon (Ivvavik) National Park



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If the essays in this collection provide a single key lesson, it is perhaps that Parks Canada has wrestled with the issue of human presence in the national parks from its very inception. First entrenched under the direction of James B. Harkin, as demonstrated by Alan MacEachern in his contribution to the volume, the mandate of the agency to couple preservation with use has often created complex management dilemmas requiring administrators to reconcile the competing expectations of sightseers, industrial developers, scientists, wilderness advocates, aboriginal peoples, and others. Yet, as John Sandlos argues (both in his essay here and in his wider body of work), the National Parks Branch has often privileged the interests of tourists and other short-term visitors over those of local residents.¹ Indeed, the contributions by Bill Waiser, Ronald Rudin, David Neufeld, and I.S. MacLaren in this

volume confirm that officials have frequently, sometimes forcibly, opposed human habitation and local resource use in the parks. These essays support a growing international body of scholarship that documents the removal of local peoples from protected areas in which sustained human presence has been regarded as a threat to the protection of wildlife or the preservation of pristine nature.² While some scholars have questioned the effect of wilderness values on the early development of the national parks system in Canada (including Sandlos, earlier in this book), there can be little doubt that park officials in this country, to paraphrase Lyle Dick in the epilogue that follows, have often viewed people – especially local people – as a ‘problem.’³

When senior park planners began to contemplate the expansion of the national parks system into the Canadian North in the decades following the Second World War, they exhibited the same sort of biases against human settlement and local resource use that officials before them had demonstrated. These views were consistent with the rise in rationalism, scientific management, and high modernist planning in the Parks Branch that political scientist Paul Kopas has recently described, and which Neufeld and Olivier Craig-Dupont address in this volume.⁴ In the early 1960s administrators in the recently created Planning Division were determined to establish a great chain of wilderness reserves stretching from the Yukon-Alaska border to Labrador for the benefit of the increasingly affluent and mobile Canadian population (also described by George Colpitts and Jim Taylor here). Yet as critics of both the Canadian and American national parks systems have often noted, an avowed commitment to wilderness preservation by government administrators has not always prevented intensive development and environmental modifications in the national parks.⁵ Not surprisingly, then, the new northern reserves were planned as automobile-friendly vacation destinations connected by new roads to nearby communities, dotted with visitor facilities, and justified by their role in boosting the northern tourist economy. While the exceptionally large size of the proposed parks appealed to the scientific community and to a Canadian public gripped with nationalistic concerns about the fragility of the northern environment, plans to establish a new recreational frontier in the North were tailored to the expectations of southern visitors and presaged for local aboriginal peoples the sort of dispossession and disruption that had accompanied the creation of Banff and other national parks decades earlier.⁶

A central theme in this collection involves the influence of wider social, political, and intellectual developments on national parks policy and management in Canada. It is critical to understand that efforts to establish new national parks in the North during the second half of the twentieth century took place within a context of growing native political power and evolving federal land claims policy, both of which dramatically shaped how the new parks operated and the philosophy that underpinned them. These parks were fundamentally different from most of their southern counterparts because they were created through a process of negotiation with indigenous leaders. As a result, they reflected local ideas about land and wildlife and facilitated the involvement of Inuit and First Nations peoples in conservation planning. While some scholars have argued that co-management arrangements with Aboriginal peoples have merely reinforced colonial relationships and subordinated local concerns, it is important to understand that land claim negotiations were an effective way for northern leaders to 'talk back' to the state, as Peter Kulchyski and Frank Tester have put it in their recent history of game management in the Northwest Territories.⁷ Such an appreciation for aboriginal agency resonates with scholarship in subaltern studies and the recent work of Sherrill Grace and Julie Cruikshank, who have demonstrated how native and non-native northerners continue to oppose colonial incursions through various means, including art, literature, and storytelling.⁸

This paper examines the history of Northern Yukon National Park (later renamed Ivvavik National Park) in order to highlight how northern indigenous peoples have challenged and helped transform the practice of conservation in Canada. As the first national park in the country established as part of a comprehensive land claim settlement, Northern Yukon National Park set important precedents for future conservation planning both inside and outside the North and provided a stage for the Inuvialuit of the western Arctic to oppose the ideal of 'uninhabited wilderness' that historians Theodore Catton and Mark Spence have argued is at the root of the national park movement in North America.⁹ However, in addition to exploring the details of an influential episode in the history of the national parks system, this paper provides ways to explore several critical themes that knit the essays in this collection together. First, it highlights how national park establishment in Canada has often been characterized by social and political conflict rooted in different cultural understandings of nature. Second, it reveals how recent



FIG. 1. Ivvavik National Park. From *Ivvavik National Park Management Plan* (OTTAWA: CANADIAN HERITAGE, PARKS CANADA, 1994), vi.

engagements between indigenous peoples and national park officials, while unique in important respects, can be understood as part of a longstanding discussion in Parks Canada over the proper place of humans in the natural world. Third, it underlines how indigenous peoples and local communities have succeeded in raising issues of social and environmental justice in conflicts over protected areas, thereby introducing moral questions into conservation debates traditionally dominated by scientific, economic, and aesthetic considerations. Finally, the history of Northern Yukon National Park must be understood as part of a broader international movement toward managing national parks and other protected areas as cultural landscapes.¹⁰ Studying it helps us illuminate key aspects of this important trend.

Conservation and Development in the Western Arctic

At the beginning of the 1970s, the northern Yukon was a hornet's nest of competing industrial interests, clashing government agendas, and conflicting environmental values. Following the rapid expansion of oil exploration in the western Arctic after the discovery of rich deposits off the coast of Alaska in 1968, the region became a hotbed of political controversy, garnering national headlines in Canada and attracting attention across the continent and overseas. Concerned about the fate of wildlife and unique tundra and taiga ecosystems in the area, environmentalists, the National Parks Branch, and the Canadian Wildlife Service (CWS) strongly condemned the growth of industrial activities along the Beaufort Sea coast. By contrast, federal officials in the Department of Indian Affairs and Northern Development (DIAND) – encouraged by the governments of the Yukon and Northwest Territories – generally supported the operations of oil and gas companies in the region, routinely granting permits for exploration on the mainland, offshore, and on the arctic islands. Furthermore, indigenous groups had deep cultural attachments to the rugged foothills, deeply etched valleys, and coastal flats of the Yukon North Slope. Both Gwich'in and Inuvialuit peoples had, at various points in their histories, used the region for hunting, trapping, and trading. Therefore, whether it was viewed as a storehouse of valuable natural resources, a wilderness in need of safeguarding, or a source of cultural and nutritional sustenance, these various groups valued the northern Yukon in

distinctive ways, ensuring that debates over its future were contentious affairs.¹¹

When Northern Yukon National Park was created in this contested region as part of a negotiated land claim settlement between the government of Canada and the Inuvialuit in 1984, calls for environmental protection in the hinterlands of the Canadian northwest were not new. Indeed, the interest of conservationists in the area date back to the 1940s, when American biologist Olaus Murie and his wife Mardy first considered lobbying the governments of Canada and the United States for the protection of wildlife in the Yukon-Alaska borderlands. The Muries were primarily concerned with the welfare of the Porcupine caribou herd, which wintered in the boreal forests of the Yukon interior but travelled annually to critical calving grounds in coastal regions on both sides of the international border (Fig. 1). Through their connections to the powerful Wilderness Society, Olaus and Mardy helped generate widespread support for protection of the northern caribou, culminating in the establishment of the Arctic National Wildlife Range in 1960 (Fig. 2).¹² A decade later, spurred to action by increasing oil exploration in the Beaufort Sea, a group of eminent Canadian biologists formed the Arctic International Wildlife Range Society (AIWRS) and called for the creation of a large reservation to protect the Yukon portion of the caribou range.¹³ Still another call for protection came from the small community of Old Crow on the Porcupine River, where Gwich'in residents demanded an end to oil and gas activity on their nearby trapping grounds in 1968.¹⁴ Faced with such stiff resistance to industrial growth in the northern Yukon, Canadian officials imposed a moratorium on development in the winter range of the Porcupine caribou herd in 1970.

Later in the decade, federal authorities were forced to make additional concessions on the coastal plains of the northern Yukon. As plans for the construction of pipelines and transportation corridors across the calving grounds of the iconic caribou herd proceeded, the government of Canada established the Mackenzie Valley Pipeline Inquiry in 1974 to assess the potential social and environmental impacts of industrial development in the region. Three years later, Mr. Justice Thomas Berger recommended in his final report, *Northern Frontier, Northern Homeland*, that the construction of a pipeline along the shores of the Beaufort Sea should be delayed pending the settlement of Aboriginal land claims and that a vast park should be established to protect

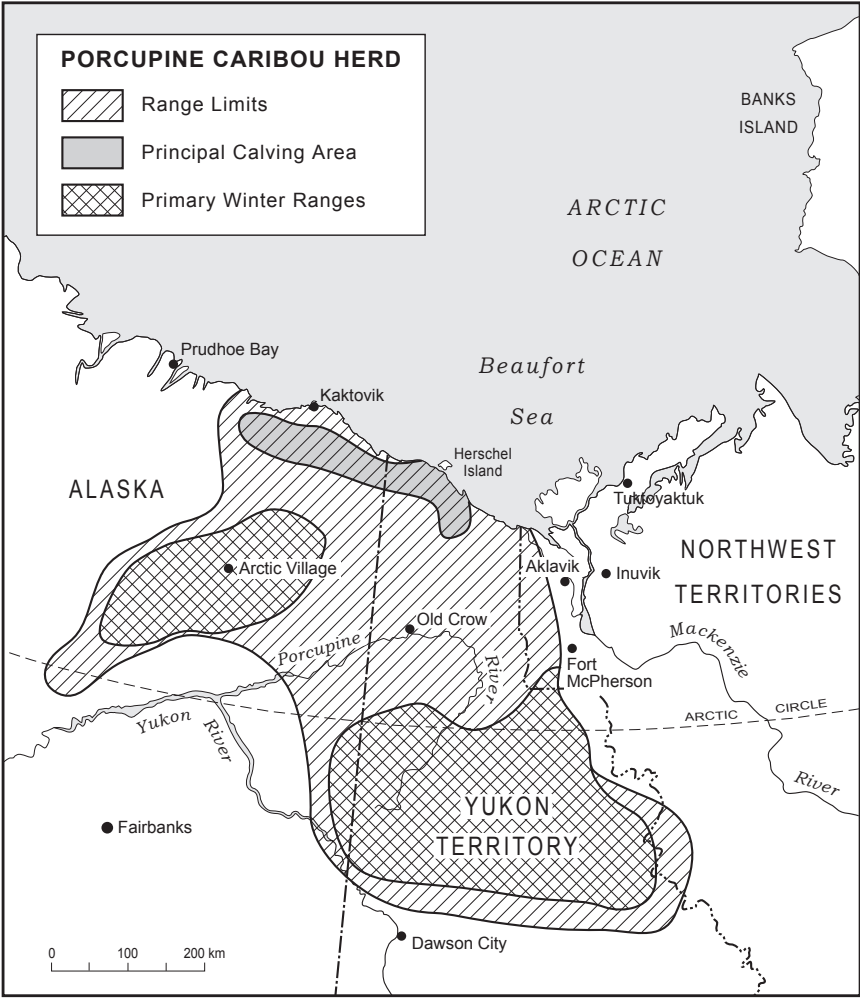


FIG. 2. COASTAL CALVING GROUNDS AND WINTER RANGES OF THE PORCUPINE CARIBOU HERD IN THE NORTHERN YUKON AND ALASKA, 1971-78. FROM *A NATIONAL WILDLIFE AREA IN THE NORTHERN YUKON AND NORTHWEST TERRITORIES* (OTTAWA: CANADIAN WILDLIFE SERVICE, 1979), 6.

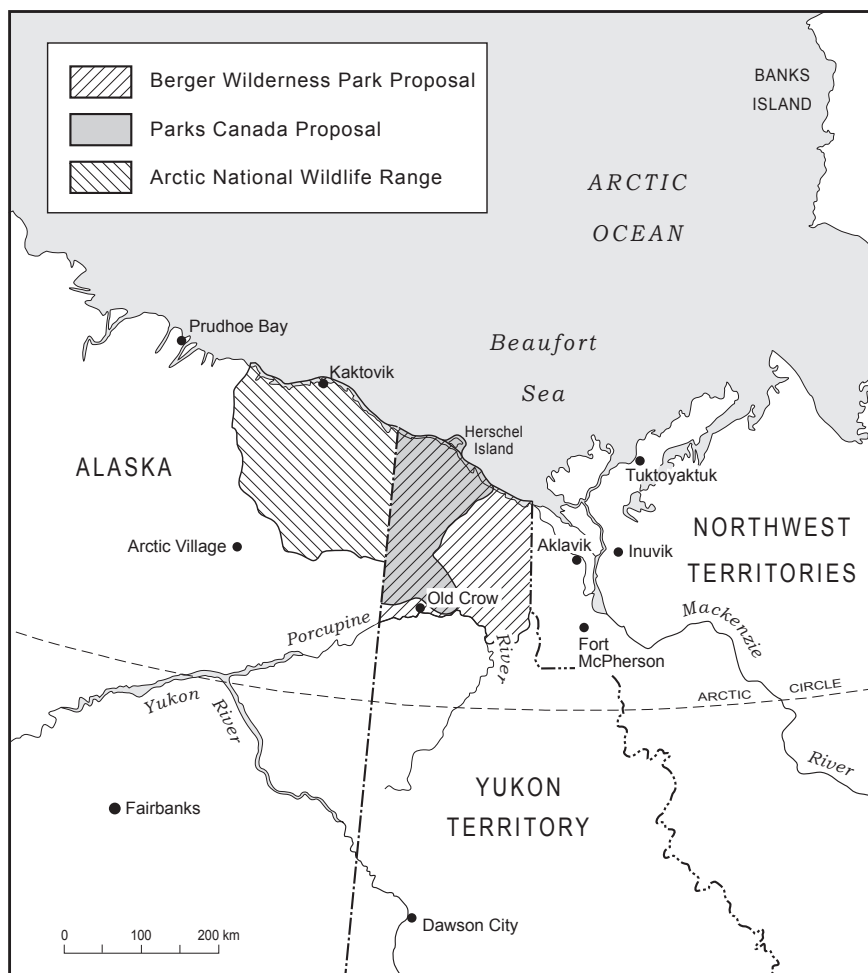


FIG. 3. THE YUKON-ALASKA BORDERLANDS, SHOWING THE ARCTIC NATIONAL WILDLIFE RANGE, THE BERGER WILDERNESS PARK PROPOSAL, AND THE 1977 PARKS CANADA PROPOSAL FOR A NATIONAL PARK IN THE NORTHERN YUKON. FROM CONSTANCE HUNT, RUSTY MILLER, AND DONNA TINGLEY. *WILDERNESS AREA: LEGISLATIVE ALTERNATIVES FOR THE ESTABLISHMENT OF A WILDERNESS AREA IN THE NORTHERN YUKON* (OTTAWA: CANADIAN ARCTIC RESOURCES COMMITTEE, 1979); AND *NORTHERN YUKON – A NATURAL AREA OF CANADIAN SIGNIFICANCE* (OTTAWA: PARKS CANADA, 1978), 5.

wildlife in the region (Fig. 3).¹⁵ This popular publication secured Berger's reputation as a defender of indigenous rights and environmental protection in Canada, but it drew heavily on the ideas of residents and outside experts far more familiar with the complex realities of northern society than the judge himself. In 1972, as part of ongoing efforts to expand the national parks system into the Arctic and sub-Arctic, Parks Branch officials identified the northern Yukon as a region rich in natural values and recreational opportunities and subsequently touted its wilderness qualities before the Berger inquiry.¹⁶ For their part, northern indigenous peoples made it abundantly clear in testimony at local hearings that their relationship to the land was critical for the survival of their communities and that they viewed their hunting lifestyles as an inherent right.¹⁷ With the help of his staff, Berger amassed these submissions and crafted their essential points into a blunt and principled work that resonated deeply with Canadians. While it is justly regarded as a landmark study in the history of the environmental and native rights movements in Canada, his report is best viewed as a synthesis of grassroots sentiment and technical expertise, rather than as an expression of personal political philosophy.

Still, while *Northern Frontier*, *Northern Homeland* may not merit the label of individual genius and inspiration that some have bestowed upon it, the publication was crucial in shaping the political context of national park establishment in the northern Yukon. In addition to providing legitimacy and moral impetus to the emerging northern land claims movement, it drew on powerful and sentimental links between 'the North' and Canadian national identity to call for the protection of arctic ecosystems.¹⁸ Within months of its publication, the National Energy Board rejected the proposal by Canadian Arctic Gas Limited to build a pipeline along the Beaufort Sea coast and down the Mackenzie Valley. This decision was roundly applauded by environmental organizations across the country which, in turn, used the Berger report as a launching pad for campaigns against what they viewed as destructive and irresponsible northern resource development. For its part, the Parks Branch drew on the rising tide of environmental discontent to generate support for its plans to expand the parks system into the northern territories. This effort had been prompted years earlier by the development in 1970 of the National Parks System Plan, an agency-wide initiative to create national parks in thirty-nine natural regions across the country, and which yielded

proposals for new reserves in the southwest Yukon, along the Nahanni River, on Baffin Island, and in the western Arctic by 1977.¹⁹ In response to the environmental activism triggered by the Berger report and the lobbying of northern park planners, the federal government withdrew fifteen thousand square miles in the northern Yukon from industrial development in 1978 with the intention of creating of a national park and other conservation lands.²⁰ Six years later, Northern Yukon National Park was established in the westernmost corner of the withdrawn area.

Negotiating the National Park

As the oil companies, public interest groups, and federal and territorial agencies were debating the future of the arctic environment in the early 1970s, northern indigenous peoples were finding their political voice. Following the controversy sparked by the publication of the 1969 White Paper and the conclusion of the 1973 *Calder* case, which established a basis in Canadian law for a concept of Aboriginal title, the federal government made new commitments to address all unresolved land claims in dialogue with native leaders. Formal discussions were required to follow a prescribed format and were intended to facilitate the exchange of land, cash, and economic benefits for the extinguishment of certain Aboriginal rights.²¹ The announcement of the new federal policy resulted in an explosion of grassroots organizing in the North, as native groups prepared to take their grievances to the negotiating table.²² In the western Arctic, community leaders formed the Committee for Original Peoples' Entitlement (COPE) and began meeting with federal authorities.²³ The need for a grassroots political organization in the region had become apparent in 1970 during bitter conflicts between Inuvialuit hunters on Banks Island and oil companies operating in the Beaufort Sea. Island residents complained that seismic surveys were endangering caribou populations and interfering with traplines near their communities, and they threatened to take DIAND to court to halt exploration activities.²⁴ Once COPE was established, its leaders represented the Inuvialuit in a wide range of dealings with government and industry and joined the Inuit Tapirisat of Canada (ITC) in launching the Nunavut land claim proposal. However, when ITC withdrew

this proposal in 1976 in order to revise its negotiating strategy, COPE officials pushed ahead with a separate Inuvialuit land claim.

An early task for the new political leadership in the western Arctic involved organizing a Land Use and Occupancy Study, the standard legal vehicle for establishing Aboriginal title to territory in the new federal land claim process. When completed in 1976, the western Arctic study provided documentation on historic Inuvialuit land uses along the coast of the Northwest Territories and on Banks and Victoria Islands in the Arctic archipelago. The study also claimed traditional Inuvialuit use of the North Slope of the Yukon by documenting how the Inuvialuit had hunted caribou, whales, and other wildlife in the region for years and had established settlements along the coast.²⁵ When Inuvialuit negotiators submitted their land claim proposal, *Inuvialuit Nunangat*, to the federal government in 1977, they drew heavily on evidence from the western Arctic study to justify their demands for land ownership in the northern Yukon and their rejection of government proposals for protected areas in the region.

The Inuvialuit were not alone among indigenous groups in opposing the use of their traditional territories for state-run environmental protection. As Neufeld demonstrates in this volume, Aboriginal peoples in the southwest Yukon have protested the creation of the Kluane Game Sanctuary and Kluane National Park since the 1940s. Similarly, Sandlos has documented how native hunters and trappers resisted the establishment and thwarted the regulations of the Thelon Game Sanctuary and Wood Buffalo National Park in the Northwest Territories.²⁶ Indeed, by the time Inuvialuit negotiators submitted their land claim proposal, Inuit and First Nations people in many parts of the Canadian North had developed a suspicion of government conservation programs and a distrust of the National Parks Branch in particular. These apprehensions were often based on the knowledge of a long history of native displacement and exclusion at the hands of park managers, wildlife enforcement officers, and other conservation officials, in the North and beyond. The most common criticism leveled by native leaders was that park management interfered with Aboriginal harvesting activities. These leaders argued that a wide range of restrictions on hunting and trapping, the construction of settlements and camps, and modes of transport undermined the fundamental reliance of Aboriginal peoples on local wildlife. In addition, northern Aboriginal groups commonly objected to the tourist orientation

of national parks. They insisted that the construction of visitor facilities and the provision of recreational opportunities for southern wilderness enthusiasts caused disruptive social change in remote northern communities and generated tensions between local resource users and outsiders. As a means of addressing these problems, during the 1970s and 1980s Aboriginal organizations often demanded changes in park policies. While many of these organizations were not opposed in every respect to the creation of national parks, their demands were part of a larger effort by Inuit and First Nations leaders to make conservation officials respect the unique realities of local harvesting economies and lifestyles.²⁷

Faced with this resistance from indigenous groups, Parks Canada was forced to revise its traditional approach to managing protected areas under its jurisdiction. The process was tentative at first and (as MacLaren argues in the penultimate chapter in this collection) it applied primarily to new northern parks rather than pre-existing southern ones. But a confluence of developments in different parts of the country made it difficult for officials to forestall. In 1973, northern First Nations voiced concerns before committees of the House of Commons and the Senate that the creation of national parks outside the framework of land claim negotiations amounted to the denial of Aboriginal title. As a result, Parks Canada created a new legal designation known as a “national park reserve,” which set aside land for national park purposes but did not finalize boundaries or management arrangements pending the settlement of native claims.²⁸ In addition, the final report of the Mackenzie Valley Pipeline Inquiry forced federal officials to change their approach to northern conservation. Building on key inquiry recommendations, Parks Canada established a Northern Parks Working Group in 1979 to develop policy guidelines for reconciling the interests of wilderness preservationists, resource developers, and Aboriginal communities, and to examine the viability of “joint management regimes” involving these groups.²⁹ So, too, events in southern Canada reinforced policy changes in the North. For instance, after families removed from Kouchibouguac National Park in New Brunswick protested their expulsion with civil disobedience in the 1970s, park officials abandoned the use of expropriation as a tool for land acquisition (see Rudin, this volume).³⁰ Therefore, by the end of the decade, Parks Canada was in the midst of making fundamental procedural and policy changes precisely as the controversy over Northern Yukon National Park was unfolding. It is

telling that when a revised edition of the *Parks Canada Policy* was approved by the federal Cabinet in 1979 it included provisions permitting subsistence activities in national parks and establishing more inclusive mechanisms for sharing management authority with local communities. In particular, the following statement, included in a background section of the document, was clearly written to address the concerns of Aboriginal northerners:

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. Their culture reflects this fundamental relationship. In certain cases, lands which have been traditionally used by native people are the subject of unresolved native land claims. If such areas are to be protected within the national parks system, they must be planned and managed in a way that reflects these special circumstances.³¹

In regular contact with DIAND officials as a result of their land claim negotiations, Inuvialuit leaders would have been well aware of the changes taking place in Parks Canada during these years, and they took advantage of them to influence conservation plans in the northern Yukon. A close examination of Inuvialuit land claim documents reveals that, as negotiations began, COPE officials were deeply distrustful of federal conservation practices, yet remained committed to the principle of conservation itself, as long as they could define it on their own terms. For instance, the opening pages of *Inuvialuit Nunangat* list the four overarching goals of Inuvialuit negotiators. The fourth goal describes the “[p]rotection and preservation of the Arctic wildlife, environment, and biological productivity” as a priority.³² Not surprisingly, Inuvialuit negotiators were determined to prevent the destruction of key subsistence resources on their traditional territories in the face of increasing industrial activity in the western Arctic. Certain features of the land claim proposal confirm this, most notably provisions for the creation of new protected areas on Inuvialuit-owned lands and an ecological preserve in the Beaufort Sea. Yet in other ways *Inuvialuit Nunangat* suggests that the Inuvialuit themselves required protection from government conservationists. For example, several sections demand guarantees of Inuvialuit access to large

tracts of land in the Mackenzie Delta as a means of guarding against the exclusion of local people by federal agencies. Another section calls for an end to the prosecution of Inuvialuit hunters under the *Migratory Birds Convention Act*. And still other sections demand Inuvialuit ownership of key wildlife areas (including the northern Yukon), a clear indication that negotiators did not trust federal authorities to care for important resources.³³

When read in conjunction with other aspects of the land claim proposal, these sections suggest that Inuvialuit leaders felt a profound ambivalence about state conservation in the mid-1970s. On the one hand, they recognized its potential benefits, yet on the other, they objected to the way it was practised. As historian Paul Sabin has argued in his analysis of the Mackenzie Valley Pipeline Inquiry, local control over resources and government programs was a key political objective for northern native peoples in the 1970s.³⁴ Indeed, Inuvialuit land claim documents demonstrate how the COPE negotiating team was motivated by an overarching goal of ensuring meaningful participation in Canadian society for the Inuvialuit, while simultaneously preserving their cultural identity and protecting the northern environment.³⁵ The efforts of negotiators to secure greater control for the Inuvialuit over the establishment and management of protected areas on their traditional territories were part of a larger strategy to reconcile these basic objectives.

Shortly after COPE leaders submitted their land claim proposal in the spring of 1977, they were told by government officials that their demand for land ownership in the northern Yukon was unacceptable to the Crown. The DIAND minister, Warren Allmand, explained that the Yukon territorial government claimed jurisdiction over the entire area and was vehemently opposed to the surrender of any of it to a First Nation whose members lived primarily in the Northwest Territories. This impasse prompted the first major compromise in the western Arctic negotiations.³⁶ Drawing on the final report of the Mackenzie Valley Pipeline Inquiry, federal officials suggested that a wilderness park of no less than five thousand square miles stretching across the Yukon coastal plain should be considered as an alternative to fee simple ownership by the Inuvialuit. The proposal provided for the continuation of Inuvialuit hunting and trapping within park boundaries and included guarantees that lands surrounding traditional fishing camps would revert to Inuvialuit ownership if they were withdrawn from the public dedication.³⁷ After some deliberate consideration, COPE negotiators agreed to this proposal

because it afforded them the opportunity to select other lands in the western Arctic as part of their settlement package while ensuring a certain degree of protection for valued wildlife in the northern Yukon.

The Inuvialuit Land Rights Settlement Agreement-in-Principle (AIP) signed between COPE and federal officials in October 1978 reflected the fact that Inuvialuit leaders felt by this point that any final settlement was likely to confirm the government of Canada as the owner of most of the land in the western Arctic. Consequently, they decided to focus their negotiating efforts on gaining control over the management of natural resources on Crown lands. In particular, the AIP included several provisions intended to protect Inuvialuit access to wildlife within the proposed park, to increase their influence over park planning, and to accommodate their cultural values in policy decisions. Perhaps the most significant of these provisions gave expression to Inuvialuit desires to maintain their hunting and trapping lifestyles in the face of rapid social and economic change in their communities. These provisions granted the Inuvialuit exclusive rights to hunt and trap within park boundaries, to construct temporary facilities and use motorized transport in the park, and to trade, barter, and sell animal products procured on the Yukon North Slope. They were designed to protect longstanding Inuvialuit harvesting activities by guaranteeing access to park lands and by permitting the use of late-twentieth-century technologies, rights negotiators intended to secure by employing the tools of the modern bureaucratic state. Furthermore, COPE leaders insisted that Inuvialuit beneficiaries should play significant roles in the management of any permanent conservation regime established in the northern Yukon. This demand resulted in the creation of the National Wilderness Park Steering Committee (NWPSC), a joint management board charged with the task of defining the purpose and functions of the proposed park and developing management guidelines for its operation. The new board included two Inuvialuit members, two members from Old Crow, and representatives from the Department of the Environment and the Department of Fisheries and Oceans. Lastly, COPE officials demanded employment opportunities in the park for beneficiaries of the final land claim settlement.³⁸

When the AIP was signed, all of these issues remained to be negotiated in detail and there was no guarantee that federal authorities would ultimately accede to COPE demands. Nonetheless, the document contains valuable information on Inuvialuit perceptions of national parks in the late

1970s and provides a useful benchmark for assessing how debates over the northern Yukon unfolded in subsequent years. Two features of the agreement seem particularly worthy of emphasis. First, the document makes plain the importance that the Inuvialuit attached to wildlife and habitat conservation in their land claim negotiations. The fact that environmental protection featured so prominently in discussions between COPE and the federal government reflects both the desire of the Inuvialuit to safeguard wildlife resources on their traditional territories and their pragmatic understanding that protected areas could serve their larger social and cultural needs. Second, the AIP demonstrates the determination of the Inuvialuit to ensure that conservation was practised according to a new set of rules in the western Arctic. Many residents of the region were suspicious of how national parks had been run in the past, and felt that Aboriginal people themselves should be responsible for managing local land and wildlife. They insisted that if new protected areas were created as part of their settlement with the federal government, they should be established on terms set by the Inuvialuit themselves. Given the range of competing interests at play in the western Arctic during these years, it remained unclear in 1978 whether Inuvialuit demands would eventually be fulfilled through the negotiating process. But in the face of growing resistance to their land claim proposal, COPE officials remained committed to protecting local harvesting lifestyles and asserting Inuvialuit rights as their particular region of the North changed quickly around them.

Opposition and Compromise

As political ecologists and other scholars of conservation have often demonstrated, protected areas have frequently been sites of social and political conflict, pitting state managers against local peoples and other organized interests.³⁹ Indeed, many of the essays in this volume highlight how national parks have become terrains of struggle in battles over identity, ideology, and authority. In the wake of the signing of the AIP, the deliberations of the National Wilderness Park Steering Committee epitomized such feuding. From the outset, the group was deeply divided over key aspects of the management regime proposed for the Yukon North Slope. For one thing, the Yukon territorial government refused to participate, arguing that any

park proposal designed to block industrial activity along the Arctic coast was non-negotiable. In addition, Aboriginal and federal committee members had conflicting ideas about the best way to manage the area and disagreed on where its boundaries should lie. Parks Canada felt the area should be managed under the *National Parks Act* and should cover approximately eighty-two hundred square miles in the western half of the northern Yukon (Fig. 3). In contrast, Inuvialuit officials, by this point resigned to the idea that some form of protected area would be established in the region, argued that existing park legislation was inadequate for safeguarding wildlife and insisted that a more appropriate legal instrument was required. For its part, the Canadian Wildlife Service felt that even the fifteen thousand square miles of the northern Yukon withdrawn from development by DIAND in 1978 was inadequate. Motivated by an overriding concern for the protection of the Porcupine caribou herd, CWS officials argued that the boundaries of the conservation regime should be extended into the Northwest Territories and that the entire region should be managed as a National Wildlife Area.⁴⁰

In addition to disagreements over appropriate boundaries and legislative mechanisms, heated disputes broke out among committee members over the finer details of management. In particular, the Inuvialuit demand for exclusive harvesting rights within the boundaries of any protected area established on the North Slope generated determined resistance from the Departments of Environment and Fisheries and Oceans. In response to pressure from southern First Nations for amendments to the *Indian Act* and federal wildlife laws in the mid-1970s, both of these agencies developed departmental policies opposing 'special privileges' for Aboriginal people. At the end of the decade, they remained firmly committed to these policies, fearing that wildlife regulations based on ethnic or racial considerations inevitably generated social tensions and undermined conservation efforts.⁴¹ Likewise, the Inuvialuit demand that a primary objective of the wilderness park should involve the "recognition, elaboration, and protection" of Aboriginal rights did not sit well with federal authorities. In the late 1970s, debates over the constitutional status of indigenous peoples were prominent on the national stage, and the Inuvialuit drew on them in negotiations. Their demand for broad group entitlements suggests that they regarded the committee as more than merely a forum for addressing technical and managerial issues, but rather as a platform for airing historic grievances and a vehicle for

political empowerment. However, for Parks Canada and CWS officials, such a suggestion raised fundamental questions of governance that lay outside the mandate of the committee and threatened to bog it down in ideological debate.⁴² In the end, such disputes effectively derailed the NWPSC, forestalling early efforts at joint management in the western Arctic not long after they began. The final committee report, submitted in May 1980 reflected the lack of consensus among Aboriginal and government members and, as a result, was quickly shelved by senior federal bureaucrats.⁴³

The resistance the Inuvialuit faced during NWPSC deliberations was mirrored by reaction to the Agreement-in-Principle as a whole. Shortly after the agreement was announced to the public by COPE and the federal negotiating team, vigorous denunciations of it began to surface, seriously jeopardizing further negotiations on the wilderness park. The strongest response to the agreement came from the Yukon government, which regarded the document as fundamentally unconstitutional because territorial officials did not participate in the negotiating process.⁴⁴ In addition, industry executives criticized the agreement for obstructing the search for Arctic oil; Dene and Inuit groups argued it infringed upon their own land claim negotiations; non-Aboriginal northerners complained it discriminated against them; and NWT officials insisted it violated their jurisdiction over wildlife matters.⁴⁵ In response to these criticisms, federal authorities began to backpedal on their agreement with the Inuvialuit. Following its victory in the May 1979 election, the new Conservative government came to power with a mandate to overhaul federal Aboriginal policy. In subsequent months, the chief federal negotiator on the western Arctic claim made efforts to renegotiate key aspects of the AIP as he received directions from his superiors in DIAND to curb Inuvialuit demands. Senior government bureaucrats seemed particularly determined to meet the needs of the oil and gas industry for greater access to promising reserves in the Mackenzie Delta.⁴⁶ Whatever the reasons for the shift in federal strategy, these actions outraged COPE officials, resulting in a complete breakdown in negotiations.

When discussions between COPE officials and their federal counterparts resumed in January 1983, the Inuvialuit were in a much weaker bargaining position than when negotiations broke off. While the Liberals were in power again in Ottawa, formal talks had been stalled for more than two years and community leaders were feeling increasing pressure to reach a

settlement as federal funding dried up and industrial activities in the western Arctic intensified. Faced with this situation, Inuvialuit negotiators suggested several trade-offs to federal officials in an attempt to reach a final agreement. Most important, they proposed a new form of conservation area, a National Wilderness Reservation, for the Yukon North Slope. The proposal made significant concessions to oil and gas companies by permitting industrial development within the reservation and by abandoning COPE demands for reversionary ownership of withdrawn lands. On the other hand, it retained a strong emphasis on Inuvialuit harvesting requirements by insisting upon the protection of Aboriginal lifestyles, permitting the establishment of small settlements, and demanding that Inuvialuit beneficiaries receive the same hunting rights in the northern Yukon as they would on the rest of their settlement lands. In exchange for their package of concessions, COPE negotiators wanted federal authorities to reconsider their positions on Inuvialuit land selections and financial compensation.⁴⁷

The fact that COPE officials put forward a proposal for a new kind of protected area in 1983 is a telling indication of how dramatically their attitudes toward bureaucratic conservation had changed in the six short years since their land claim negotiations began. Dead set against any alternative to fee simple land ownership on the North Slope in 1977, they were willing to accept a vast state-managed reserve in the region by the middle of the following decade. However, while the Inuvialuit proposal for the wilderness reservation was received favourably by the chief federal negotiator, senior bureaucrats in DIAND ultimately succeeded in wresting further concessions from COPE. In the end, rather than a single reserve stretching from Alaska to the Northwest Territories along the Yukon coastline, a conservation regime involving several government agencies and emphasizing multiple use was established. Northern Yukon National Park was created in the western portion of the reserved region. A "special conservation area" permitting limited industrial development was established in the eastern portion.⁴⁸ Since the southern half of the region remained subject to the land claims of the Vuntut Gwich'in First Nation, decisions on the future of that area were postponed. In part, the decision to divide the region into distinct conservation units was a result of bureaucratic wrangling between federal agencies. In September 1983, Parks Canada demonstrated its renewed interest in the area by announcing a new park boundary proposal for the northwest corner of

the territory.⁴⁹ The following month, CWS officials made public their desire to see a flexible management approach adopted in the east. In addition, applications by oil and construction companies for permits to build ports and production facilities at locations on the Yukon coast in the summer of 1983 probably reinforced federal efforts to keep the region open to industrial activity. Certainly, Yukon politicians continued to voice their desire for the construction of a development corridor through the area.⁵⁰ Whatever the exact configuration of influences leading to the establishment of a mixed conservation regime in the northern Yukon, the creation of the western national park and the eastern development zone effectively ended Inuvialuit hopes for a larger protected area and stronger conservation legislation in the region.

The national park that was ultimately established by the signing of the Inuvialuit Final Agreement (IFA) in June 1984 was dramatically different from most other national parks previously created in Canada. Most importantly, it was distinguished by its accommodation of Inuvialuit interests and cultural values. For instance, park management guidelines provided for the exclusive right of Inuvialuit hunters to harvest game in the park. This right was limited by quotas set by government wildlife biologists, but it effectively reserved the total allowable harvest for Inuvialuit beneficiaries. Moreover, park policies provided a number of additional protections for Inuvialuit hunting and trapping, including the right to use modern technologies and the right to sell animal products. These protections, in combination with economic and employment guarantees, ensured that park regulations did not prevent the Inuvialuit from conducting important cultural activities or contributing to household incomes, as they had in other parks. Finally, the settlement legislation made provision for the establishment of a co-management body comprised of equal numbers of native and government representatives. This arrangement gave the Inuvialuit some control in formulating park policy and a voice in management decisions. To be sure, Inuvialuit influence was restricted in a number of ways, most notably because federal ministers retained final authority over many park matters. Moreover, some park policies were inconsistent with Inuvialuit priorities, especially those that made allowances for industrial activities along the Beaufort Sea coast.⁵¹ Still, when Northern Yukon National Park was established after seven years of negotiating, it reflected the success of COPE officials in gaining recognition

for Inuvialuit interests and demonstrated how some of them had come to appreciate its value in accomplishing larger social and cultural objectives.

Indeed, viewed collectively, key sections in the IFA reflect both the desire of the Inuvialuit to preserve wildlife habitats on their traditional territories and their pragmatic understanding that protected areas could serve the long-term needs of their communities. By the end of the first year of negotiations, COPE officials had concluded that the creation of a national park in the northern Yukon could play an important role in fulfilling the broad mandate they had been given by residents of the western Arctic. They appreciated that if Inuvialuit people could jointly manage the land, wildlife, and natural resources in a protected area, they need not own that land. Through a process of conflict and compromise at the negotiating table, they had learned that an appropriately sited national park would allow them to concentrate their limited land selections elsewhere without suffering any significant costs.⁵² Moreover, the IFA as a whole demonstrates the determination of the Inuvialuit to ensure that both conservation and industrial development were practised according to a new set of rules on their traditional homelands. Rather than accepting federal efforts to retain full control over land management in the western Arctic, COPE leaders insisted that protected areas created as part of their negotiated settlement should be established on terms set by local hunters and trappers. In the end, such demands suggest that, rather than valuing Northern Yukon National Park for its own sake or regarding it as an inherent good, COPE negotiators came to view it as a vehicle for community survival, using it to 'talk back' to the state during a period of rapid social change.

Rethinking Colonial Conservation in the North

In recent years, environmental historians and other scholars have argued compellingly that state conservation in northern Canada has been closely tied to broader efforts to control the social and economic lives of Aboriginal peoples. Sometimes drawing on research from colonial settings in Africa and South Asia, these scholars have highlighted how a wide range of environmental protection measures, including national parks, game laws, and wildlife education programs, have displaced resident communities and have been used by government authorities to assimilate or acculturate indigenous

populations. Most of this research has focused on the late nineteenth and early twentieth centuries, but lately some scholars have extended its central arguments to the present. The most provocative of the new literature argues that recent innovations in conservation planning such as the co-management of natural resources represent only partial, even disingenuous, efforts to decolonize state environmental protection.⁵³

There can be little doubt that government conservation agencies operating in the Canadian North continue to manage land and wildlife in ways that alienate local people and present challenges for Aboriginal communities. Yet the case of Northern Yukon National Park suggests another way to understand the history of conservation in the region, one that highlights how Aboriginal peoples have forced shifts in government policies and how their views of protected areas have changed over time. Through the vehicle of land claim negotiations, the Inuvialuit of the western Arctic challenged the exclusionary conservation practices that state environmental managers have often employed in North America. Their opposition was rooted in deep cultural attachments to their homelands and the conviction that harvesting lifestyles must be protected if their communities were to remain healthy. During the 1970s and 1980s, these efforts contributed in important ways to the emergence of new approaches to protected areas management by forcing Parks Canada officials to question their assumptions about why parks exist and how they should be run. However, much more than mere pleas for inclusion in enduring colonial institutions, Inuvialuit protests were motivated by an alternative vision of conservation itself, one that challenged Canadians to scrutinize their understanding of wilderness and re-imagine the human place in nature.

NOTES

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- 4 Paul Kopas, *Taking the Air: Ideas and Change in Canada's National Parks* (Vancouver: UBC Press, 2007): 37–66. On high modernism, see James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998).
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- 6 On agency plans to expand the park system into the North in the 1960s, see Lloyd Brooks and Harold Eidsvik, *National Park Potentials: Northwest Territories and Yukon: Report of Field Operations and Recommendations* (Ottawa: Department of Northern Affairs and National Resources, National Parks Branch, 1963). See also W.M. Baker, *Prospects for National Park Development in Parts of the Yukon and Northwest Territories*. Report prepared for the National Parks Branch, Department of Northern Affairs and National Resources, May 1963. On public concerns about the fragility of the Canadian Arctic during this period, see P. Whitney Lackenbauer and Matthew Farish, "The Cold War on Canadian Soil: Militarizing a Northern Environment," *Environmental History* 12 (2007): 932–36, and John Livingston, *Arctic Oil: The Destruction of the North?* (Toronto: CBC Merchandising, 1981). On the impact of the creation of Rocky Mountains Park, later Banff National Park, on the Stoney Indians, see Binnema and Niemi, "Let the Line be Drawn Now," and Janet Foster, *Working for Wildlife: The Beginnings of Preservation in Canada*, 2nd ed. (Toronto: University of Toronto Press, 1998), 30, 84. On the exclusion of Aboriginal peoples and other local residents from Point Pelee, Georgian Bay Islands, and Riding Mountain National Parks, see Sandlos, "Federal Spaces, Local Conflicts" and "Not Wanted in the Boundary." On the impact of the creation of Wood Buffalo National Park on Aboriginal peoples, see Sandlos, *Hunters at the Margin*, 23–108.
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