PROJECT REPORT 2001-18

FINAL PROJECT REPORT

sustainable forest management network

réseau sur la gestion durable des forêts

The impact of the traditional land use and occupancy study on the Dene Tha' First Nation

Sherry Horvath, Laura McKinnon, Mark Dickerson and Monique Ross

A Network of Centres of Excellence
Un réseau de centres d'excellence

For copies of this or other SFM publications contact:

Sustainable Forest Management Network
G208 Biological Sciences Building
University of Alberta
Edmonton, Alberta, T6G 2E9
Ph: (780) 492 6659
Fax: (780) 492 8160
http://www.ualberta.ca/sfm

ISBN 1-55261-128-0

The Impact of the Traditional Land Use and Occupancy Study on the Dene Tha' First Nation

compiled by:

Sherry Horvath
Laura McKinnon
Mark Dickerson
Monique Ross

JUNE 2001

Executive Summary

BACKGROUND

- Extensive forestry and oil and gas development activities have been occurring on Dene Tha' traditional lands since the 1960s. Today, there are more oil and gas resource development activities on Dene Tha' traditional lands than any other area in Western Canada.
- The combined effects of these development activities continue to have significant effects on the Dene Tha' traditional way of life.
- Between 1995 and 1997, the Dene Tha' worked in partnership with the Arctic Institute of North America to conduct a Traditional Land Use and Occupancy Study (TLUOS) that would document their traditional way of life and traditional uses of the land. The results were published in a book in 1997, titled *Dene Tha': Traditional Land Use and Occupancy Study*.

ABOUT THIS RESEARCH

The purpose of this research project is to examine the impacts of the Dene Tha' TLUOS on the Dene Tha' community. The research was conducted as a partnership project between the Arctic Institute of North America and the Dene Tha' community. It was funded by the Network of Centres of Excellence for Sustainable Forest Management. To identify the impacts of the TLUOS, researchers from the Arctic Institute worked with three Dene Tha' community members to develop an open-ended questionnaire, select community members to be interviewed, and conduct interviews in the Dene Tha' community. In total, 32 community members were interviewed:

- 12 elders who had been interviewed for the TLUOS
- 4 community researchers who had worked on the TLUOS
- 5 council members
- 4 Band staff
- 7 other community members

The Arctic Institute researchers then analyzed the interviews for common themes and responses. This outline presents a summary of the impacts identified by community members, along with selected quotes from the interviews and recommendations made by community members.

IMPACTS WITHIN THE COMMUNITY

Before beginning the TLUOS, the Dene Tha' identified goals they hoped to achieve by completing the TLUOS. Some of these goals were aimed at the community itself. They included: maintaining culture by passing on traditional knowledge to future generations; enhancing traditional land uses; locating and identifying traditional sites. Following are the impacts interviewees felt the TLUOS had regarding these goals.

A. Maintaining Culture

"We saw its [the book's] *effects on the youth in the classroom setting - the kids were really surprised. They said 'Did people really do that?' and 'Why did they do it that way?'"*

- The book is important for helping the community strengthen and maintain its culture. The book has helped to increase traditional knowledge within the community by recording and teaching about important stories and places.
- Community members should be made more aware of the book and its contents in order to help strengthen and maintain culture.

B. Increasing Traditional Land Uses

"Killing a moose is spiritual. There are certain things you need to do and certain ways to use the moose. By learning more about the land, and using the land, people learn more about their spirituality. It helps us to gain what we have lost."

- Encouraging traditional uses of the land is important for helping the community to maintain its culture and spirituality, for reviving the bush economy, and for showing the Dene Tha's presence on the land.
- Some interviewees felt the TLUOS has increased traditional land uses because the book is a useful guide and the study renewed interest and conversation about traditional ways. Some interviewees felt the TLUOS has not increased traditional land uses yet. Almost all the interviewees felt the book should be used to encouraged traditional land uses.

C. Identifying Important Sites for the Community

"Some of my uncles and aunts were interviewed and so I learned about my family, where they went, how they lived. It is good to know where our grandparents are buried. Now I know where my grandparents are buried and I can visit them. I never met them, but I can visit them out of respect."

- Recording stories about important places is just as important as recording their locations. Recording the stories and locations is important for maintaining the Dene Tha' culture and spirituality.
- The TLUOS has done a good job of collecting information about important sites, however many more locations and stories still need to be recorded quickly, before the Elders pass away.

IMPACTS ON THE DENE THA'S RELATIONSHIP WITH OUTSIDERS

Other goals the Dene Tha' wanted to achieve through the TLUOS were aimed at improving the community's relationship with outsiders. These goals included: educating outsiders about Dene Tha' culture and presence on the land; protecting traditional sites from development activities; using the TLUOS as a tool in working together with industry and government for resource management. Community members identified the following impacts.

A. Awareness and Recognition of the Dene Tha'

"We need to tell the outside world that this is Dene Tha' territory. Areas of hunting and gathering are passed on from generation to generation within the Dene Tha' community, and should be recognized as territory."

- Many oil and gas companies are using the book to learn more about the Dene Tha'.
- The TLUOS has helped to educate outsiders about Dene Tha' culture and has helped to increase their awareness of how Dene Tha' use the land. However, the TLUOS has not increased outsiders' recognition of the traditional lands as Dene Tha' territory.

B. Protecting Traditional Sites and Traditional Uses

"There is no more big bush for the animals to live in. Before there were lots of wildlife - chickens, birds, rabbits - now there's not very much left. There's nothing left to live off the bush - the bears are starving."

- The TLUOS has been helpful in working with resource developers to protect important sites from development, but more sites need to be located and GPSed so that they can also be protected.
- Protecting specific sites is not enough. The land as a whole must be protected from the combined effects of resource development in order to maintain the Dene Tha' culture and lifestyle.

C. Communication and Consultation with Industry and Government

i. The Meaning of Consultation

"Improved consultation has happened and will continue to happen the book opens up dialogue between industry and First Nations. There is good information exchange with industry. Industry uses the book as a guide."

- Different community members expressed the following different ideas about what consultation means:
  - -industry telling the community about their development plans
  - -industry asking the community for feedback on their development plans
  - -industry and the community talking together to plan for development activities
  - -industry paying community members to operate within their traplines
- The TLUOS and the book helped to improve communication between the community and oil and gas companies, but communication between the community and forestry companies has improved only slightly, if at all.

ii. Schedule of Fees

"The book reinforced the Schedule of Fees for the Trappers' Committee It increased the government's respect for the community and what we could do. For example, the community was able to address companies that didn't comply to the Schedule of Fees through existing EUB [Alberta Energy and Utilities Board] *channels - these channels had been there all the time."*

- The TLUOS was helpful in convincing oil and gas companies to comply with the Schedule of Fees because it increased understanding and recognition of the Dene Tha's presence on the land.
- The money received through the Schedule of Fees was helpful for the community, but that should not detract from the larger goals of the TLUOS, which were to protect and secure the land for the Dene Tha'.

iii. Dene Tha' Consultation Pilot Project

"The TLUOS was a trigger for the Pilot Project. The EUB Project is just a step in the evolution of what started with the TLUOS it is all a part of the same thing. It [the EUB Project] *will go on and it will evolve again after September."*

- The creation of the Pilot Project shows that the Dene Tha' have been able to increase government recognition of their concerns about resource development on their trap lines and their need to be involved in consultation.
- The Pilot Project will enable the Dene Tha' to continue their TLUOS by identifying and GPSing more sites in areas where resource development activities are occurring. However, the TLUOS should be continued in all areas of the traditional lands in order to maintain Dene Tha' culture and lifestyle.

iv. Employment and Training

"Companies who are doing projects on traditional land consult with us, so we know what is happening on our land. Then the community can ask for people to be employed through the projects. Younger people are trained so that they can be ready to go out and work."

- The TLUOS helped to created employment and training opportunities for Dene Tha' community members by improving consultation between the community and oil and gas companies. However, more training and employment are still needed.
- Community Researchers who were hired to work on the TLUOS learned new skills and gained experience that would be helpful to them in the future.
- The TLUOS led to new employment positions in the community: Trapper Liaison, GPS positions, and other positions created under the new EUB Pilot Project.

COMMUNITY EMPOWERMENT

Although community empowerment was not an original goal of the TLUOS, many community members talked about how the TLUOS brought about empowering changes both within the community and in the community's relations with others.

"It [the TLUOS] *created pride in leadership that something could actually happen. The book is a tangible result. People pulled together to get it done. If we work on one project and succeed, it shows that there can be spin-off projects, and if they are pursued we can succeed at them too."*

- The TLUOS helped to strengthen relationships and develop new skills and knowledge in the community by involving community members in the project.
- Pride in the community increased as community members realized what they could accomplish and how much traditional knowledge the community still holds.
- By helping to maintain culture, the TLUOS can promote health and wellness in the community. The TLUOS can help strengthen cultural values and beliefs that are important for guiding community decisions about the future.
- The TLUOS has increased the Band's confidence and knowledge so that community leaders and staff are better able to communicate with industry and government.

CONCLUSIONS

- The TLUOS has had positive impacts both within the Dene Tha' community and in the community's relations with others.
- TLUOSs should be conducted in ways that involve community members and give them control over the project, rather than having outside consultants gather and document traditional information. Many of the benefits of the Dene Tha' TLUOS resulted from community involvement.
- It is not enough for industry and government to use the TLUOS book as a reference guide for their development planning. Industry and government must consult directly with the community for resource development on traditional lands. The TLUOS book should serve as a tool for aiding consultation.

RECOMMENDATIONS GIVEN BY COMMUNITY MEMBERS

Some community members gave recommendations on how the TLUOS can be used to bring about more positive impacts for the Dene Tha' community.

1. The TLUOS should be used in new and creative ways to help strengthen and maintain culture in the community.

- Some examples provided by community members include:
  - -start a community storytelling program or festival
  - -use the book for radio programming
  - -read stories from the book during reading week at school
  - -use the book in counseling and Social Development programs to promote health and wellness
  - -make videos that can be shown on TV after BINGO
  - -translate the book
  - -organize workshops for elders to learn about and discuss the contents of the book
  - -organize workshops for Band staff to learn how to use the TLUOS in their work
  - -put copies of the book in waiting rooms at the nursing station and Social Development office

-display the book at the Band Office and the Store
-have someone go door to door to talk about the book

2. The TLUOS must be an ongoing process.

- Much more traditional knowledge still needs to be collected and documented.
- The TLUOS needs to be updated because the characteristics of the land are constantly changing due to resource development activities and changes in the environment.

3. The TLUOS should document current uses of the land, not only traditional uses of the land.

- Dene Tha' uses of the land have changed over time.
- Current uses of the land should be documented to help the Dene Tha' examine how they can benefit from the land today, and in the future.

THE IMPACT OF THE TRADITIONAL LAND USE AND OCCUPANCY STUDY ON THE DENE THA' FIRST NATION

TABLE OF CONTENTS

INTRODUCTION

Since the 1970s, Traditional Land Use and Occupancy Studies (TLUOS) [1] have been carried out with increasing frequency by Canadian First Nation communities and indigenous peoples around the world (Robinson and Ross, 1997). The first TLUOS in Canada, the Inuit Land Use and Occupancy Project, was completed in 1976. After interviewing hundreds of Inuit in 33 communities, the study resulted in over two hundred maps of seasonal subsistence activities and accompanying narrative. While this project was a significantly larger undertaking than most current TLUOSs, basic elements and desired results remain consistent: "These maps and oral testimonies were instrumental in documenting the Inuit presence in the Canadian north and the nature of their relationship with the land" (Kassam and Maher, 2000).

TLUOSs collect data about traditional and contemporary land use, by conducting interviews with elders and current bush users and documenting this knowledge for the future. Information is collected about Aboriginal wildlife management systems and the seasonal round of activities, as well as site-specific data such as locations of trails, cabins, graves, historic areas, spiritual sites, and the harvest of fish, wildlife, berries and medicinal plants. This information is then mapped, usually using Global Positioning System (GPS) and Geographic Information System (GIS)[2] technology and separate maps are overlaid to show regional use patterns. The result is a visual representation of the community's relationship to the land.

Traditional Land Use and Occupancy Studies have been conducted in a variety of ways. Some studies have been community driven, training community members to conduct the interviews, organize the information, and GPS the sites. In these studies, community members have played integral roles in the design and development of the TLUOS. Other TLUOSs have been initiated by industry or government. Private consultants have sometimes been sent into communities to gather information and complete maps. In many of these studies the participation of community members has been minimal. TLUOSs that are participatory and community-driven hold the potential of empowering communities and building the capacity of individuals

[1] Land use studies are known by a variety of names including Land Use and Occupancy Studies, Traditional Use Studies, mapping projects, and mapping biographies. Recently the term "Cultural Land Use and Occupancy Studies" has been used to indicate that the use of the land is not static and relegated to history, but is evolving from past to present to future.

[2] Global Positioning Systems allow users to pinpoint the coordinates of a site (latitude and longitude) through the use of a hand-held GPS receiver in communication with sattelites. Geographic Information Systems are "computer-based systems that are used to store and manipulate geographic information" (Aranoff, as quoted in Johnson, 1997).

within the community. They can also help to foster a community's pride in its culture (Tobias, 2000).

This study uses the Dene Tha' First Nation (DTFN) as a case study to examine the impacts of a TLUOS on a First Nation community. The Dene Tha' conducted their TLUOS in partnership with the Arctic Institute of North America between the years of 1995 and 1997. The Arctic Institute provided off-site management of the TLUOS. Funding for the project was donated by more than a dozen different bodies, including oil and forestry companies, as well as the federal and provincial government. The Dene Tha' TLUOS used a participatory research process to collect data on important sites such as trails, cabins, graves, spiritual sites, hunting and trapping areas, and Dene Tha' place names. The TLUOS also collected ethnographic information such as stories, traditions, and beliefs. A Community Advisory Committee was formed to provide guidance to the project. It consisted of five Elders, one Councilor, the Executive Director, and the Land Use Administrator. Four community members were selected to act as Community Researchers and were provided training in interviewing and social science research by the Arctic Institute. Approximately seventy elders were interviewed, using an open-ended interviewing approach. Elders were asked about ethnographic information and site locations. The sites were then transferred onto seven different maps, with several sessions held for community members to verify the information on the maps. A second phase of the research followed, which consisted of 'ground-truthing' many of the sites and recording GPS (Global Positioning System) readings for these sites. In 1997, the Dene Tha' First Nation published their book, *Dene Tha' Traditional Land-Use and Occupancy Study*, containing the map sets, stories and photographs.

First Nations' goals in initiating Traditional Land Use and Occupancy Studies address two areas: 1) positive impacts within their community, and 2) positive impacts in their community's relations with others. In evaluating the impact the TLUOS has had on the Dene Tha' community, this research seeks to answer two questions:

1. What has been the impact of the TLUOS process and data within the community?
2. What has been the impact of the TLUOS in the community's relations with others, particularly in regard to meaningful participation in resource development decision-making?

I. BACKGROUND

FIGURES 1 and 2 AVAILABLE IN HARD COPY ONLY

The Dene Tha' maintained a nomadic and subsistence lifestyle until quite recently, living off the land in small encampments for most of the year. They carried out the subsistence practices their ancestors had for thousands of years, on the same traditional territory that stretched from northwestern Alberta to northeastern British Columbia and into the southern Northwest Territories. Their lifestyle was based on seasonal hunting and harvesting, and maintaining a relationship to the land played an integral part in their culture and spirituality. (DTFN, 1997).

The Dene Tha' adhered to Treaty 8 in 1900. No reserves were established in their traditional territory, however, until the Department of Indian Affairs began surveying in 1946. "Post-war governments wanted to persuade northern Aboriginal people like Dene Th'a to form more concentrated settlements so that they could be more easily assimilated into mainstream society" (Royal Commission on Aboriginal Peoples (RCAP), 1996: 432). The Dene Tha's nomadic and subsistence lifestyle continued until the 1950's when a residential school was constructed at Assumption. Catholic missionaries then encouraged the process of moving to permanent settlements and Dene Tha' families began to settle near the school in order to be close to their children. Families began to live in permanent homes; police and nursing stations, a grocery store, and a gas station were established. The result was the development of three permanent settlements: Assumption (also known as Chateh), Meander River, and Bushe River. (DTFN, 1997; RCAP, 1996)

The forestry and oil and gas industries arrived in the traditional territory of the Dene Tha' in the 1960s. Since that time, both industries have experienced tremendous growth, resulting in substantial contributions to Alberta's economy. The 1980s saw the development of new technology that enabled hardwood aspen, previously considered to be of no economic value, to be used for pulp (Pratt & Urquhart, 1994). Since then, Alberta's forestry industry has rapidly accelerated and diversified from primarily manufacturing commodity lumber to providing export lumber, pulp, fibreboard, engineered building products, prefabricated buildings, cabinets, and furniture (Alberta Economic Development website). Between 1992 and 1999 alone, Alberta's forestry industry shipments grew from $2.5 billion to $4 billion, and employment in the direct and indirect forestry sector grew from 10,250 jobs to 53,000 jobs (Institute on Governance, 1994; Alberta Forest Products Association (AFPA) website). In 1999, the forestry industry paid $270 million to the provincial government in stumpage fees and corporate income and property

tax (Alberta Resource Development website). Today, forestry is the third largest primary sector in Alberta (AFPA website).

The oil and gas industry has also experienced significant growth in Alberta. Between 1980 and 1999 the production level for natural gas rose from 63.9 billion cubic metres per year to 121.6 billion cubic metres per year. The petroleum sector is the largest single contributor to Alberta's economy, creating 41,500 jobs in 1992 (Institute on Governance, 1994) and investing more than $26 billion in 1996. (Stelfox & Wynes, 1999) Over the past five years, Alberta's international trade in goods and services for the oil and gas industry has experienced a growth rate of almost 10% per year (Alberta Economic Dev't website).

Despite the tremendous growth in the oil and gas and forestry industries in the last two decades, First Nation communities continue to experience living conditions well below the Canadian average. They have not benefited from the rapid development occurring on and around their traditional lands. In 1991, 47.2% of Aboriginal people in Canada had an annual income less than $10,000; social assistance was the sole source of income for 48% of Aboriginal people living on-reserve. Housing on reserves is overcrowded and below standards. In 1997, the Department of Indian Affairs found that only 52% of homes in Aboriginal communities were adequate. One in four Aboriginal homes do not have full operation bathroom facilities; 20% of Aboriginal communities have water systems that pose a significant health risk. Improvements in housing, sanitation, and nutrition are needed to combat high rates of disease such as tuberculosis, which is forty-three times higher among registered Indians than others born in Canada. Employment in Aboriginal communities is also a problem, with at least 25% of the entire Aboriginal population in Canada being unemployed. For those who choose to remain in their communities and on their traditional lands, the impacts of poverty are a fact of life. (Grand Council of the Crees, 1998).

In addition to the lack of economic benefits experienced by First Nation communities, cumulative effects of resource development on traditional lands have made it difficult to carry out traditional and subsistence activities. Dene Tha' traditional land to the north and south of Assumption is among the most densely accessed areas in the Western Canada Sedimentary Basin. Industrial activities in the Basin are "unprecedented in terms of both their huge scale and rapidity of development" (Alberta Environmental Protection, 1998:1). Hay/Zama Lakes, in the heart of Dene Tha' traditional territory, is listed as an area that experiences the highest densities of seismic lines, roads, wellsites, gas processing plants, and pipelines in Alberta (Stelfox &

Wynes, 1999). Dene Tha' elders explain, "seismic lines criss-cross the land; oil and gas installations appear on every trapline; logging activities drastically alter furbearing habitat" (DTFN, 1997: 15). Despite these pressures, the Dene Tha' continue to hunt, trap, and fish, as well as carry out other subsistence activities on their traditional land. These activities provide a crucial part of the resources of most homes.

Although First Nation communities continue to use the majority of their traditional lands for hunting, gathering, and cultural purposes, it is only on reserve lands that they have some authority over land use[3] (DTFN, 1997). As a result they tend to be excluded from meaningful participation in resource development decision-making and have little influence over the level of disturbance on traditional lands. The past and current alienation of Aboriginal people from natural resource use and from traditional land uses continues to contribute to difficulties faced by First Nations communities. Payne and Nepinak assert that "the Canadian paradigm in natural resources management has resulted in poverty in Aboriginal populations and severely restricted the development of viable First Nations economies and communities" (1996:167). Recent court decisions have affirmed Aboriginal rights on traditional land, and Canada's National Forest Strategy has stated that Aboriginal people have an important role to play in planning and managing forest resources within their traditional lands (Robinson & Ross, 1997). However, these political and legal successes have not yet translated into social and economic well-being for First Nation communities.

The history of the Dene Tha' people illustrates how colonization and resource development projects initiated by non-Aboriginal Canadians have critically affected the mutually dependent culture and land base of many First Nations. Most First Nations in Canada are currently rebuilding their social fabric, culture and traditions, looking both to the past and present for avenues to community health, wellness, capacity and the restoration of self-sufficiency. The Dene Tha' have a rich cultural heritage, and have continued many of their traditional activities. In addition, the Dene Tha' language is spoken by almost all community members (DTFN, 1997). First Nation communities today are seeking ways to *both* maintain their culture *and* become involved in resource planning and management so that they can control, and benefit from, the resource development occurring on their traditional lands. The Dene Tha' do not see these two goals as mutually exclusive, but rather as goals that should be jointly pursued for the betterment

[3] DIAND (the federal Department of Indian Affairs and Northern Development) is legally responsible for the management of reserve lands.

of the community. This research examines the role of the Dene Tha's TLUOS in achieving these goals.

II. METHODOLOGY

This project was conducted in 2000 as a joint project of the Network of Centres of Excellence for Sustainable Forest Management (NCE) and the Dene Tha' First Nation (DTFN), with funding from the NCE. Once the Dene Tha' First Nation Band Council agreed to participate in the project, three community members were asked to act as Community Researchers: Lorny Metchooyeah, Connie Martel, and Roger Yatsallie. The project was designed around an open-ended questionnaire developed with community interviewers. The contributions of the community researchers were critical to the implementation of this project.[4] They critiqued and revised the questionnaire and advised the selection of community members to be interviewed; the interviewees were selected by purposive sampling where the criteria for selection were typicality or interest based on the researchers' judgement (Robson, 1993). The community researchers also conducted the majority of the interviews, translating when necessary. Open-ended interviews were conducted face to face with a total of thirty-two community members. The sample consisted of elders (most of whom had been interviewed for the original TLUOS), former Community Researchers on the TLUOS, Band staff, Council Members, and general community members. The key factor in the success of the research was the Community Researchers. Their knowledge of the community, its members and the Dene Tha' language, and their enthusiasm for the project opened doors and hearts, allowing mutual interest and trust between interviewers and interviewees in a way that would have been impossible without their participation.

III. IMPACTS OF THE TLUOS WITHIN THE COMMUNITY

During the initial stages of the TLUOS, the Dene Tha' identified a number of goals they hoped to achieve by undertaking the project. Some of these goals were aimed at maintaining their culture by educating community members and ensuring that traditional knowledge is passed on to younger generations before the Elders are gone. The TLUOS also sought to assist in enhancing traditional land uses. By recording the Dene Tha's traditional and current presence on

[4] It is important to note that interpretations and critiques presented in this paper are those of the authors, and not the community researchers.

the land, and by passing on wisdom related to proper use of the land, the community hoped the TLUOS would help traditional uses to continue despite increasing pressure from non-traditional uses. Another major goal of the TLUOS was to locate and identify traditional sites. The Dene Tha' wanted to ensure that the locations of these sites were not forgotten after the Elders passed on. These original goals were the focus of a number of questions asked participants in this project.

A. Maintaining Culture

Many of the participants in this study expressed general concern about a loss of culture within their community. They explained that fewer traditional ceremonies are held and fewer young people are practicing traditional ways. They also talked passionately about the importance of maintaining their culture. One Dene Tha' community member explained that there must be an understanding of culture and of the past because *"after that you can tie together historical background and today's perspective."* [5] Many participants expressed a fear that when the Elders die, the traditional knowledge they hold will be lost forever.

Almost all of the participants stated that the book[6] has played, or will play, an important role in helping the community to maintain its culture. The Dene Tha' have three schools in their community: one each in Assumption, Meander, and Bushe. A few of the participants were aware that the book is currently being used in the Assumption school to teach children Dene Tha' culture and language. Those who were aware of the book's use felt it had strong impacts on the children. One participant explained, *"We saw its effects on the youth in the classroom setting - the kids were really surprised. They said 'Did people really do that?' and 'Why did they do it that way?'"* Some participants with school age children felt the book was very useful. However, many of the people interviewed did not know whether the book was being used in any of the schools. The schools in Meander and Bushe do not currently use the book to teach children. These schools, unlike Assumption, belong to the public school system and do not offer a Dene Tha' cultural class as part of their curriculum. Almost all of the participants indicated that the book would be useful for educating children, and there was a general perception that the book should be used in all three schools.

[5] In this paper all italicized quotes are verbatim quotes taken from the interviews, with original grammar and syntax.
[6] The TLUOS, Dene Tha' Traditional Land-Use and Occupancy Study (1997) was frequently referred to by community memberse as "the book".

Many of the participants felt the book has helped to increase traditional knowledge within the community. A few participants said that since the TLUOS was conducted, people have begun talking about traditional knowledge more and are telling more stories about how things used to be. Others recognized the important role the book has played in recording and teaching traditional place names: *"Children should know the Indian names for places, not the English names, and with this book they can be tested in school."* Another participant explained that the book helps to maintain language, and that this is important because language and culture depend on each other. The book has been used in summer camps to educate youth about traditional uses of the land. A few participants said the book is very useful for this purpose: it serves as a good reference guide and increases safety in the camps by preparing youth before they go out onto the land.

Relationship to the land is an integral part of First Nation culture and spirituality: the land has influenced First Nation language, values, and beliefs. First Nations' thinking has been traditionally cyclical in nature, and rather than looking at things individually and independently, they have tended to view everything in terms of its relationship to the whole of life (Payne & Nepinak, 1996). Since the introduction of residential schools and efforts to eliminate indigenous languages, First Nation communities have been struggling to regain and maintain their culture. Without culture, people lack an important foundation for understanding and interacting with each other and the world. Traditional knowledge influences how First Nation people perceive themselves, how they present themselves to others, and how they choose to run their lives (Legat, 1991). The Dene Tha's experience shows that TLUOSs can be used to record and teach cultural information for the benefit of community members. When a TLUOS results in increased storytelling and discussions about culture and traditional knowledge among community members, it can also motivate the development of other events and activities aimed at strengthening culture within the community. Culture guides decisions and actions for the future. The effort to maintain culture does not only spring from a desire to preserve the past, but also from the need to move forward into the future in a way that is compatible with community beliefs and values (Smith, 1994).

As First Nation people become more involved in resource management and decision making, they will have an important role to play in the protection and maintenance of a healthy environment. "Aboriginal people are culturally set up to achieve the goals of sustainable

development" (Payne & Nepinak, 1996: 17). Their relationship with the land implies a need to secure the health of the environment for future generations. Along with traditional environmental knowledge, First Nations have long had their own management systems.

> Before the treaties, the land and resources belonged to the Aboriginal people. We did not simply roam around as nomads. We have definite conceptions in respect to territorial rights and boundaries, as well as systems of tenure and allocation…There were large seasonal gatherings…At these times there were also teaching lodges where learning took place. It was in these settings that people learned how to use the resource with an integrity that respected the renewal capacity of the environment in which they lived. (Nepinak & Stock, 1996: 158)

It is clear that First Nation people have much to contribute to land and forest management.

Payne and Nepinak (1996) explain that the current balance of power between corporations and governments with regard to resource management is to the detriment of the environment and rural populations. As courts recognize a role for First Nation people in resource management on traditional lands, First Nation cultural perspectives towards the environment can offer alternative insights into environmental and natural resource issues. However if their culture erodes, so does their ability to provide guidance and insight into sustainable management and resource development. The Dene Tha' TLUOS could be one way of reviving and maintaining elements of Dene Tha' culture that are important for the community's own well-being, as well as the well-being of the environment.

B. Enhancing Traditional Uses of the Land

Many participants expressed a general concern about decreased traditional use of the land by community members. As stated earlier, the Dene Tha' people lived a nomadic and subsistence lifestyle before they settled onto the reserve at Assumption. A few participants expressed concern that youth are not learning and practicing traditional uses of the land. One elder commented, *"In the past at this time of year, no one would sleep because of the anticipation of the hunt. The youth today have become too dependent on government assistance."* Another participant said, *"People have forgotten how to do things."* A few participants expressed concern about a lack of traditional celebrations on the land: *"We used to have a tea dance every season, now there hasn't been one in over a year."*

Many of the participants believed the TLUOS has a positive role to play in enhancing traditional land use. Some participants stated that people are out on the land more than they used

to be because of the TLUOS. *"Use of the land has increased, there is more moose meat and more wild meat."* A few participants felt that the book's use as a reference guide in summer camps for youth was resulting in an increased amount of traditional land use. One participant explained that the book can help people know how to use the land: *"It has good information in it from credible families…If you learn from the book you will know which animals to go for…There is no way you could get stuck if you use it as a guide."* Many believed that the book holds much potential for enhancing traditional land use, and that this potential will be realized in the future. Many felt the book would be particularly important for teaching about traditional land uses after the Elders have passed away.

Although almost all of the people who talked about the desire to enhance traditional land use felt that the TLUOS had a positive role to play in this regard, a few of the participants had mixed feelings. One participant stated that the TLUOS had indirectly decreased traditional use of the land in some instances: *"People are getting employment and training, but they are neglecting their trapping."* Another felt that some people no longer bother to trap because they receive money for their land through the Schedule of Fees, which is part of the Dene Tha' Consultation Process[7]. One participant said that although youth were learning from the book in school, they were not practically applying it by going out on the land. A few other participants believed traditional use had not changed since the TLUOS was conducted.

Participants felt enhancing traditional land use was important for a variety of reasons. Traditional uses enable community members to meet their basic needs. Enhancing traditional land use was seen by a few participants as a way of decreasing the community's dependence on outside jobs and government assistance. One participant felt the book could be used to revive the bush economy: *"The bush economy is like having different amounts of cheques in the woods."* Another participant stressed the importance of traditional land uses for a secure future: *"We don't know how long we'll be getting government assistance…the children will have the land to fall back on if the government cuts the strings."* Some participants expressed spiritual reasons for enhancing traditional land use. The Dene Tha's spirituality is intricately interwoven with their relationship to the land. One Elder explained that for the Dene Tha', everything is spiritual. *"Killing a moose is spiritual. There are certain things you need to do and certain ways to use the moose. By learning more about the land, and using the land, people learn more about*

[7] For information on the Dene Tha Consultation Process and Schedule of Fees, see section IV-C.

their spirituality. It helps us to gain what we have lost." Another participant stated, *"relationship to the land encourages spiritual leadership."* Finally, a few participants talked about the importance of enhancing traditional land use in order to show the Dene Tha's presence on the land. One participant said that the book served as *"a refresher that this is your traditional territory, you need to show presence, especially for the young people."* Another stated, *"Everyone should use all of the territory. All of this land is still ours."*

Enhancing traditional land uses is an important step in maintaining and strengthening First Nation culture. Traditional land uses connect First Nation people to their spirituality and their cultural beliefs and values. They also enable the acquisition of new traditional knowledge and the passing on of old traditional knowledge. Barsh explains that "what is 'traditional' about traditional knowledge is not its antiquity, but the way it is acquired and used"; it is gained and shared through personal experience (1996: 5). Traditional knowledge about the environment continues to grow as First Nation people interact with the land and each other. "Removing the people from the land, or preventing them from carrying out traditional subsistence practices, breaks the generation-to-generation cycle of individual experiences and empirical study" (Barsh, 1996: 7). If relationship to the land is lost, so is much of Native culture.

As indicated by participants' responses, enhancing traditional land uses is also important for enabling the Dene Tha' to meet their basic needs. The traditional bush economy of Aboriginal peoples has diminished due to changes such as large-scale developments, social assistance, and the promotion of the wage economy.

> …the government encouraged and promoted the wage economy – with a disastrous failure rate – and thereby largely through neglect allowed the extant economy to fall into disrepair and collapse. (Payne & Nepinak, 1996: 169)

Despite these pressures, First Nation people continue to participate in subsistence activities to varying degrees. Various studies show that bush harvest usually accounts for 35 to 40 per cent of a household income in First Nation communities, with amounts varying from 11 to 58 per cent of the total economy (Bush et al, 1999; Asch and Smith, 1993). As documented by the TLUOS, many Dene Tha' families still rely on moose and duck as staples, and much of the Dene Tha's diet is still taken directly from the bush.

> The majority of the elders in the community are active trappers and hunters. A large part of the Dene Tha' diet is taken directly from the bush economy – moose and duck are staples…Dry meat is still made by virtually every household. Moose products (moccasins, mukluks, gloves, hides) are made by a majority of Dene Tha' women. Beading, tufting and other traditional artwork are alive and well. (DFTN, 1997:19)

The bush economy has been perceived by some as a thing of the past, to be replaced with industrial economic development and formal employment. Asch and Smith, however, propose that the hunting and trapping economy is "an economic sector to be respected as an integral part of the 20th century" (1993: 155). It is important for First Nation communities to be able to offer their members the opportunity to participate in the bush economy and to supplement their incomes with traditional land use activities (Robinson, Garvin, & Hodgson, 1994). Responses from the participants in this study show that a TLUOS can be used as a tool to enhance traditional land uses by documenting land use in the past and encouraging traditional land use for the future.

C. Identification of Important Sites

As a result of the Dene Tha's historic nomadic lifestyle, there are traditional land use sites scattered all over the area that today is being used for resource extraction. These include fixed sites such as graves, tea dance locations, camping places, trails, settlement areas, spiritual and historical sites, as well as larger areas used for hunting, trapping and gathering (DTFN, 1997: 13). Most of the participants felt that the identification of these important sites was one of the main purposes of the TLUOS. Maps in the book illustrate where important sites are located. One participant explained that the TLUOS *"shows where we lived, traveled, hunted, fished, and gathered in the past."*

Participants expressed that identifying sites was important in order to educate community members about their locations and stories. One participant explained, *"I talk about places that are in the book with my children. Sometimes they don't believe my stories, but I can show them the place names in the book and then they do believe."* A few participants talked explicitly about why it is vital for community members to know about these important places. *"The old people say it is important to go back to where we used to live and find our roots. We will have visions if we return to the old sacred places."* A relationship exists between these sites and the community's spirituality, leadership, and well being. For this reason, knowing the stories behind

sites was as important for community members as knowing their locations. One participant stated, *"There are stories behind everything and we should find them out."* Another explained that it was important to record as much information as possible about each site so that the community would have more knowledge and greater understanding. Researchers originally recorded very little information about each site, such as place name, date, and time. However, this changed over time as the TLUOS was being conducted: *"After I did a couple of sites, I started putting a lot more stuff down - why it was named, when and by who, the story or event behind the name. With graves I recorded the person's name, what causes they died from, and how old they were."*

Although most of the participants felt that the TLUOS had done a good job of collecting information on important sites, many also stressed that more information needs to be collected. *"It is good to know where all the places are, and there are still other places, other graves, other sacred sites, and other hunting sites that are not in the book." "More interviews from Meander would have revealed more about the northern part of the traditional land."* A few participants indicated that some of the important hunting and gathering areas have changed over time. *"The TLUOS needs to be updated. There have been changes in the growth of berries and plants due to disturbances."* The TLUOS was perceived to be an ongoing process by some of the participants. They stressed the importance of updating the TLUOS in an ongoing manner in order to gather as much information as possible. They did not view the TLUOS as a finished product. As one participant explained, *"The TLUOS isn't going to end, it is a continuing process."*

The use of maps to educate community members about the location and stories of important sites is new for many First Nation communities. The sharing of traditional knowledge has historically been a social process. Individuals were prepared, morally and spiritually, to receive traditional knowledge and to use it in ways compatible with cultural beliefs and values (Barsh, 1996). For the Dene Tha', knowledge is gained through direct personal experience and interaction with others; it is not just what has been written down or learned through reading (Goulet, 1998). While First Nation elders have ascertained the importance of mapping for maintaining and sharing traditional knowledge such as the location and meanings of traditional places (Legat, 1991), the limitations of learning from the document alone must be recognized. People trying to learn from the TLUOS should be provided with opportunities to link the

information with experience and with those in the community who hold the knowledge. The TLUOS can serve as a compliment to traditional methods of sharing information within the community.

TLUOSs conducted in a participatory manner do more than collect and preserve information for future use: they create opportunities for community members to learn traditional knowledge through social interaction and experience with elders in the community. This fits well with traditional methods of sharing knowledge. During the Dene Tha' TLUOS, community researchers met with elders, listened to their stories, and visited traditional sites with them. The TLUOS thus facilitated the sharing of traditional knowledge in oral and experiential ways. This provides a great opportunity to re-establish and strengthen relationships between community members that facilitate the sharing of traditional knowledge. Traditional site location in the TLUOS, particularly through an ongoing participatory process, is an important step in pulling together information vital to maintaining culture in the Dene Tha' community.

IV. IMPACTS OF THE TLUOS ON COMMUNITY RELATIONS WITH OTHERS

In addition to preserving and documenting traditional knowledge for use within the Dene Tha' First Nation by its members, the TLUOS was intended to inform outsiders about Dene Tha' traditional land uses. Educating outsiders about Dene Tha' presence, culture, beliefs and traditions, through the eyes of the Dene Tha' was an expressed desire at the time of the TLUOS, and the document has been used by industry and government offices to gain an understanding of the Dene Tha' way of life.

Other goals at the time of the TLUOS regarding use outside the community included: showing Dene Tha' presence on the land to both industry and government; protecting traditional sites from development activities; and using the TLUOS as a tool in working together with industry and government towards resource management (DTFN, 1997). These goals were the focus of a number of questions asked participants.

A. Awareness and Recognition of the Dene Tha'

The first step in enhancing understanding and communication with those outside the Dene Tha' First Nation involves increasing the awareness of the Dene Tha' as a people, a culture and a nation.

In responding to questions, the participants in this study spoke of both the effects and impact the TLUOS *has* had, and the effects and impacts that the TLUOS *should* have or that they would like it to have. Far fewer respondents mentioned education of outsiders, compared to issues of presence, ownership and territory. Most of those who mentioned education of outsiders and recognition of presence on the land spoke of them as effects of the study, while those who mentioned ownership and territory spoke of them as intentions of the study that had not come to fruition. So, while issues of the ownership and territory seemed to be at the forefront of community members' minds, the TLUOS has not had the desired impact in terms of outside recognition of these issues.

Several interviewees thought that industry and government were using the book to learn more about the Dene Tha' as a people. *"Industry uses the book as a guide. For the majority of people it's in their own interests to know about our people – we are both land users."* A Dene Tha' Band Councilor commented: *"Before they (oil companies) thought it was just Crown Land …just get a permit – they had no knowledge about how we valued our land and what is out there and what it means to us as Natives – now with the book this is changing."* Another respondent stated: *"People from outside the community are learning more about how and where we live."* The book has been sent to various government departments and copies are sold from the Band Office on a regular basis to oil and forestry companies. A few respondents had made personal efforts to have the book known further outside the community by giving copies to extended family, co-workers in the oil industry, and donating a copy to Grande Prairie College.

The need to share different conceptions of land, native and non-Native, was pointed out: *"We did this study to show our land. Drilling on the water, that too is our land. To the people the water is part of the land and we need to show that – under the Land and Water Act it is not so."* The TLUOS can assist outsiders in better understanding the Dene Tha', and perhaps contribute to the exploration of the differences in conception of land.

Several respondents felt that the study had increased the recognition of the presence of the Dene Tha' and their relationship to the land. *"Others (oil companies) have recognized how we use the land, how we care for it, and how they impact it."* The fact that industry is consulting and communicating more than in the past (see next sections), indicates that they are recognizing and acknowledging the presence of the Dene Tha'. *"Forest and oil companies are more aware of protecting sites. They look at the book and ask us more questions." "Oil companies and forestry companies…have been buying the book, and it has been used by them to identify areas of*

concern." The respondents indicate that oil and forestry companies have more awareness of the Dene Tha' and recognition of their presence as a result of the TLUOS.

About half of the community members interviewed linked the TLUOS to issues regarding territory and ownership of land. There was a desire to show other parties – resource companies, provincial governments, other First Nations, and local non-Aboriginals – and have them recognize, that these lands are Dene Tha' territory and traditional lands. *"We need to tell the outside world that this is Dene Tha' territory; areas of hunting and gathering are passed on from generation to generation within the Dene Tha' community, and should be recognized as territory." "We also need to let other bands know our territory. Our territories overlap. That's okay – we let them hunt on our territory and vice versa."* A few participants specified that government recognition of territory had not yet happened. *"Government encourages consultation with industry and with the Traditional Land Use and Occupancy Study, and does not recognize traditional territory."*

Several of the respondents specifically mentioned the pursuit of land claims as a goal or intention of the TLUOS. *"The original vision (for the TLUOS) was long term…too many people focus on the money[8] and don't see the underlying focus of securing traditional lands in the hopes that a land claim process will come after this."*

There is a huge gap between the understanding of Aboriginal peoples and the understanding of Canadian government, industry and non-Aboriginal citizens regarding ownership and use of traditional lands. As demonstrated by the words of the Dene Tha', a necessary prerequisite to respectful, constructive and accurate relationship with the Dene Tha' by outsiders is the recognition of the Dene Tha' as a nation with a history of a presence on the land and recognition of their traditional territory.

As with many Aboriginal peoples, when the Dene Tha' signed an adhesion to Treaty 8 in 1900, it was not their understanding or belief that they were giving up their land, for this would have been contrary to their conception of land ownership. Aboriginal people perceive themselves as stewards of the land. For Aboriginal peoples, property rights are connected to use and occupancy and "the land and resources were thus communal…no one could either claim exclusive access or be excluded. The land and its resources could not be reduced to

[8] The respondent is referring to money from the Schedule of Fees associated with the Dene Tha' Consultation Process.

individual possession and could not be alienated" (Nepinak and Stock, 1998:159). The Dene Tha' regarded the Treaty as establishing a kinship-like alliance between themselves and the Canadian government. In the words of Chief James Ahnassay:

> The Dene Tha' leadership in the year 1900 A.D., agreed to enter into a Treaty of co-existence with Her Majesty the Queen in Right of the Dominion of Canada and her peoples to share the lands in peace. The true spirit and intent of the Treaty as understood and told by the Elders has yet to be implemented by Canada to this day. The Elders maintain that none of our traditional lands have ever been given up and will never be given up. (DTFN, 1997)

Because the government of Canada deemed Aboriginal peoples to have given up their rights to the land by signing the Treaty, the Dene Tha' have had little opportunity for representation or participation in decision-making processes for resource allocations, wildlife management, land use management, or municipal government on their traditional land. Neither do they share in resource revenues or receive employment guarantees. "Canada and Alberta take the position that any rights Dene Th'a may have had to lands outside their reserves were extinguished absolutely – according to the text of the document – by Treaty 8" (RCAP, 1996:433).

An important impetus for the Dene Tha' TLUOS was to show to outsiders that the Dene Tha' have lived in their traditional territory for thousands of years – to educate people about how they lived, where they lived, and how the Treaty process has not honoured the intent of the Dene Tha' in entering into Treaty. While a few members of industry recognize the need to clarify jurisdiction over traditional lands and resources, the provincial government continues to avoid recognizing traditional territory (MacKinnon et al, in press). The TLUOS has contributed to an increase in awareness by government and industry of the Dene Tha' culture, history and use of the land. However, recognition of traditional lands and territory has larger political and resource-sharing implications, and seems to be a sticking point with most governments, including the Alberta government (see Government of Alberta, 2000). The next step is recognition of the traditional lands of the Dene Tha'. The TLUOS could provide the basis for establishing this recognition. Such recognition could play an important role in enabling this First Nation to participate meaningfully in resource development planning and management.

B. Protecting Traditional Sites and Traditional Uses

Protecting traditional sites and land uses was mentioned frequently and consistently in the interviews. This protection requires not only attention to specific sites, but to the land as a whole. Almost one third of participants commented on the negative impacts development activities have had on Dene Tha' land. Most of those who made note of these negative impacts were elders who have been trapping for decades and continue to do so. One elder commented, *"There is no more big bush for the animals to live in. Before there were lots of wildlife – chickens, birds, rabbits – now there's not very much left. There's nothing left to live off the bush – the bears are starving."* One participant commented that increased awareness of the impacts of development on traditional land was an important purpose of the TLUOS: *"The study was done to let logging people know they are destroying the land, logging on the land is no good – there are no moose where they log. Fur-bearing animals like martens, they live in the trees, they are losing their habitat – also woodland caribou, many used to migrate along the Steen River, now there are very few – loss of habitat is really evident."* It was clear that participants were concerned about the cumulative effects resource development has had on their traditional lands. One participant stated, *"We cared for the land in the past. We looked after all the trees. Now people come and take the forest we have protected."* A few participants talked about the insignificance of money they receive for development activities occurring on their traplines in relation to the effects of development on the land: *"it's like they are paying us back our own money, and they themselves haven't lost anything. They're making little rivers and taking things out from under us. The pipeline is always flowing. The oil companies are paying us now, but they still destroy the land. They build roads that act like giant beaver dams. It disrupts the natural drainage flow on the land."*

Some participants talked about how development activities negatively impact their ability to carry out traditional land uses. Activity on the land disturbs normal wildlife patterns. One participant stated, *"There is too much disturbance on the land, especially in winter, and so I don't get many furs."* Others talked about the effects of development on the health of wildlife and the environment. *"People are worried about eating some of the meat because of all the birds dying." "We are afraid of eating some wildlife and of drinking the water."* A statement given by one participant illustrates how this has changed the community's relationship to the land: *"Now we have been put in a hard place…they have even made us afraid of our own land."*

In addition to the negative impacts of resource development on traditional land uses, participants also talked about its negative impacts on traditional sites. These included both fixed sites such as graves and historical sites, as well as larger areas used for hunting, trapping, and gathering. About two-thirds of the participants identified the protection of important sites as a major goal of the TLUOS.

There was a general feeling among participants that important sites would receive greater respect from outsiders after being documented on paper. One participant said, *"Now government can recognize these sites because they are written down. Government can understand now."* Some participants stated that the TLUOS has been beneficial in protecting important sites from resource development. *"It (the TLUOS) is increasingly used with developers to protect water sources, herbal medicine sites, and berry areas." "Sites are being protected with service industries, oil companies and forestry."* There was a concern among participants that more sites need to be located using current technology if they are to be protected from development and other activities. If sites are not accurately identified, their location may be forgotten when the Elders pass away. *"It is hard to protect sites if they're not GPSed."* A few participants expressed urgency in completing this task: *"When these elders are gone, how will the sites be GPSed? They're the only ones who know the places - it has to be done right now."*

Some participants raised concerns about making the location of important sites publicly known. One participant explained that the exact location of important sites must be protected, as people may misuse or take advantage of traditional sites either through bad intent or simple lack of knowledge. *"People may know where medicinal plants grow, but they may not know how to properly harvest them to ensure they grow back. They may not know the side effects, or what the plants can and cannot be mixed with."* The scale of the maps in the book was considered to be an important element in helping to protect the sites. One participant related, *"I was holding up on circulating the book because I thought the information might be too confidential - then I realized that the scale of maps in the book would make it hard for them to use."* Generally, there was a feeling among the participants that the identification and protection of important sites and traditional land uses was one of the most important purposes of the TLUOS.

The cumulative effects of development activities on traditional lands have been well documented in this and other literature. Large-scale development negatively impacts the land base and the water, animals, and plants on which First Nation people rely for food, spiritual, and

medicinal purposes. It also disrupts historical and spiritual sites. By degrading the environment, resource development limits the ability of Aboriginal people to carry out traditional land uses and thus violates their treaty rights. Although the federal government legally affirms the rights of First Nations to hunt, trap, and fish on unoccupied lands, the provincial government is responsible for natural resource allocation, management, and development on provincial Crown land. This jurisdictional problem makes it difficult to integrate resource development activities with concern for negative impacts on First Nation lifestyles. The interpretation of the term 'occupied lands' creates another barrier to the practice of traditional land use activities for the Dene Tha'. Rights to most of the land surrounding the Dene Tha' have been granted to various development interests. Therefore, in the eyes of the government, these lands are 'occupied' and are no longer accessible to the Dene Tha' for traditional use. In the eyes of First Nations, these lands were always occupied by them; in fact they were "known, named, used and managed" by Aboriginal peoples for generations, and therefore were never 'unoccupied' (Nepinak and Stock, 1996). Differing perspectives on land and ownership continue to have negative impacts on First Nations' ability to carry out traditional activities.

First Nation communities are increasingly making use of Geographic Information Systems to store, organize, and share geographic and cultural information about their traditional lands in hopes of having greater involvement in the resource development occurring on their traditional lands. By inputting specific sites and creating detailed, descriptive, computerized maps, GIS enables First Nations to develop visual representations of important aspects of their traditional land. However, it must be recognized that protecting traditional land uses involves more that just protecting important sites. The Dene Tha' TLUOS identifies important fixed sites as well as larger areas important for hunting, gathering, and trapping. It is clear that protecting traditional land uses requires the protection of both specific sites and larger areas, as well as the land as a whole. The use of maps to portray this to outsiders, such as government and industry, is a difficult task.

As stated earlier, Aboriginal relationships to land and views of land are different from Western relationships and views. Isolating traditional sites as specific points on a map separates them from their cultural and ecological context and detracts from their meaning. This can lead outsiders to misinterpret First Nation relationships to the land and thus their concerns about protection of traditional lands: "government and industry planners have often denied Aboriginal ties to the land beyond the existence of these documented sites; sites which from the developer's

perspective might be grudgingly accepted as small pinpoints in an otherwise empty landscape" (Lane & Chase, 1996 in Hickey & Natcher, 1999: 179).

Participants' statements indicate that the TLUOS has been beneficial in protecting important sites from resource development activities. However, it is unclear whether the TLUOS has been useful in protecting larger areas used for hunting, trapping, or gathering. Indeed, many talked about the continuing negative impacts resource development inflicts on the environment. While the TLUOS has contributed to the protection of some sites, it is limited in its ability to protect traditional land uses. Therefore, it should not be perceived as a stand-alone document.

The traditional knowledge portrayed in the maps of the TLUOS must be accompanied with the traditional knowledge held by community members. “You cannot take the knowledge and ignore the people. In the absence of the people expressing, living and doing, the knowledge loses much of its meaning and its context” (Brubacher and MacGregor, 1999:3). It is important for communities to consider this when they undertake mapping efforts. Tobias explains, "An advantage of collecting your data at 1:50,000 (and not at the operational planning scale of 1:20,000) is that it encourages government and industry to consult with your community. Outsiders are more likely to acknowledge that real live First Nation people are an ongoing and necessary compliment to the imperfect and always incomplete set of reference maps" (Tobias, 2000: 52). The knowledge, experience, and perspective of community members is necessary to assist in the application of the TLUOS for protecting both traditional sites and traditional land uses.

C. Communication and Consultation with Industry and Government: Co-management?

During the TLUOS, a number of concerns held by Dene Tha' elders, hunters and trappers regarding industrial development in their traditional territory came to the surface. In September 1996, a First Nations Hunters and Trappers Summit was held in Fort Nelson, British Columbia, to discuss such issues. Almost one hundred trappers from Dene Tha' First Nation, Fort Nelson Indian Band, Fort Liard First Nations (NWT) and Kaska Dene Council (Yukon) were in attendance. In addition to concerns regarding increased development and corresponding negative impacts on the land and wildlife, two paramount issues that arose were the lack of First Nations'

input into land use decisions within traditional territories and the notification process employed by industry. At that time, companies sent trappers a registered letter regarding impending development and were usually conducting the work within five days. Dissatisfaction with this notification procedure led to the formation of the Dene Trappers Committee and the Dene Tha' Consultation Process (DTFN, 1997). Although not original goals of the TLUOS, it is clear that both the Dene Trappers' Committee and the Dene Tha' Consultation Process were born out of concerns and issues identified during the TLUOS process.

The Dene Tha' Consultation Process included the sharing of development plans, a referral process, and a schedule of fees. Through the process, The Dene Tha' First Nation required all oil and gas companies operating on Dene Tha' traditional lands to: 1) forward a development plan of activities anticipated before winter operations begin; 2) meet with various Dene Tha' department managers at the beginning of the season to discuss concerns, identify Dene Tha' members who will be affected by plans, and discuss employment and training opportunities; 3) provide written notice to both the affected registered trapper and the DTFN Trapper Committee Liaison prior to immediate commencement of development; 4) meet with various Dene Tha' department managers prior to immediate commencement of development activity to discuss concerns, affected community members, and employment and training; and 5) comply with the schedule of fees for development activity. In the event that concerns were identified in the meetings, follow-up would include additional community meetings, clarification of concerns and issues, and mitigation wherever possible. In 1999-2000, twenty-three of thirty-two companies operating in the traditional territory followed this procedure, and seven hundred referrals were received by the Dene Tha' First Nation.

The development of the Consultation Process represented a great change in the Dene Tha's relationship with industry. However as government was still uninvolved, it did not impact their relationship with government. During the process of conducting interviews for this research project, the Dene Tha' Consultation Process significant developments occurred. In December 2000, the Alberta Energy and Utilities Board (EUB), the regulating body for oil and gas development in Alberta, endorsed a Pilot Project aimed at formalizing the Consultation Process and providing funding for the TLUOS to continue in the Dene Tha' community. This new development brought government into the process.

The changes that have occurred in the Dene Tha's relationship with industry and government over the past six years are significant. As stated in the TLUOS, "In the past, there

was no developed process for the community to rely upon to communicate to industries that, yes indeed, their activities were negatively disrupting traditional areas" (DTFN, 1997: 17). Throughout the interviews, community members commented on the impacts of the Consultation Process and the Schedule of Fees, and later, on the development of the new Dene Tha' Consultation Pilot Project. The following sections examine the impacts of these developments, as they relate to the TLUOS, on the community.

i. The Meaning of Consultation

Most of the participants in this study made comments about changes in their community's relationship with industry regarding communication or consultation. Almost one third of the community members interviewed indicated that communication with industry had improved. While communication can mean any combination of meetings, letters, faxes, telephone conversations and so on, consultation has a specific legal meaning in connection with constitutionally protected Aboriginal and Treaty rights. Consultation is a tricky word; it is often interpreted by the public in a variety of ways. From the interview responses it appeared that some of the participants perceived consultation as meetings between the oil companies and the Band, while others perceived it as money that oil companies pay to operate within a specific trapping license. Still others seemed to consider consultation as the passing on of information from industry to Band members. While over half of the respondents indicated that since the TLUOS there had been better consultation with industry, the following statements of respondents are indicative of their various perceptions of consultation. *"They are consulting with us now. Now the companies show the people what is going to be put on the land. People know more about the plans. The oil companies acted like they just discovered the people here after the book was made."* This statement indicates consultation as a form of one-way communication, with industry providing information to the community. Another participant indicated that the purpose of industry consultation was to receive feedback on development plans. *"Oil and gas bring specific sites to the meetings. We say 'these ones have to move' and then they use different techniques so they won't disturb the sites."* A third participant had yet a stronger definition of consultation. *"Consultation is becoming a must; we will not allow anyone on lands without consultation. They consult so they can finish their planning. We meet together and then we do separate planning."*

Most of the comments regarding improved consultation with industry were directed towards the oil industry. There were mixed perceptions regarding the level of forestry industry consultation. The forest industry was singled out by four community members as specifically not consulting. *"Oil companies consult well. They tell us if they will drill or put a pipeline in. Forestry does not consult well. They clear our land without telling us where they will do it."* However, three respondents included forestry when speaking of improved consultation and communication with industry. *"Logging is the same process – Band staff go in at the beginning of the year and share concerns with the forestry companies."* Some of the participants were more actively involved in the interactions between resource companies and the Band; this may explain the differing perceptions. Two Band Councilors that were interviewed indicated that the Council intends to pursue increased communication and consultation with the forestry industry.

Some community members directly attributed the improvements in communication and consultation to the TLUOS. One participant indicated that the book helps to initiate interest and communication between the community and industry. *"Improved consultation has happened and will continue to happen…the book opens up dialogue between industry and First Nations. There is good information exchange with industry. Industry uses the book as a guide – for the majority of people it's in their own interests to know about our people."* A Band Councilor stated that the TLUOS has been a driving force in convincing industry to participate in the Consultation Process. *"The book definitely improved consultation. Before that we had a hard time getting oil companies to the table to start an agreement for a consultation process (only 6 of 30 came) – they didn't know why consultation was necessary. After the book was finished we gave copies to all the oil companies. We had several meetings with all the companies in Calgary and explained why we were doing this and about the Fee for Service and everyone just started signing on."* It was clear from the statements of many participants that the community viewed the TLUOS as an important factor in improving communication and consultation with industry.

Land-based and resource-based rights, such as the right to hunt, trap and fish, are often protected under the terms of the treaties. Existing Aboriginal and treaty rights were recognized and affirmed by the Canadian constitution in 1982. In the last ten years, interpretations of section 35(1) of the *Constitution Act, 1982,* by the Supreme Court of Canada have imposed on government an obligation to ensure that Aboriginal and treaty rights are not unjustifiably infringed upon by certain kinds of actions and decisions. In assessing whether governments are

fulfilling their obligation, the courts will consider whether there has been adequate consultation with the affected Aboriginal people. Because of its potential impact on Aboriginal land rights, natural resource development is one of the arenas of decision-making where there is a duty to consult. While the courts do not provide prescriptions for proper consultation, some guidelines can be gleaned from case law. Consultation can be viewed as a scale and may require anything from discussion to full consent, depending on the right and on the possible infringement. For consultation to be considered adequate, both the government and the First Nation are required to have sufficient information to determine whether or not a proposed activity or decision will infringe upon treaty rights. Government must seek information regarding the land and resource use of the Aboriginal group who may be affected; Aboriginal groups must have sufficient information regarding both the extent of their own resource use and practices and government's proposed resource use decisions. Without sufficient data, the duty to consult cannot be met (Sharvit et al, 1999).

Traditional land use studies can provide an excellent basis for meeting some of the information requirements of consultation (Sharvit et al, 1999; Brubacher and MacGregor, 1999). They can enable both First Nations and government to gain a clear picture of a community's land and resource use. In fact, it can be argued that the consultation requirements are next to impossible to meet without the collection and documentation of traditional knowledge in some format. However, TLUOSs in and of themselves are not sufficient in meeting all the consultation requirements. Meaningful consultation requires both adequate information and an effective process.

The need for First Nation communities to have sufficient knowledge of government land-use decisions requires a two-way communication process that does not occur when government and industry simply use the TLUOS as a reference for their planning activities. The TLUOS must be recognized as an information tool for assisting First Nations, industry, and government in participating in a process that facilitates First Nation involvement in resource development decision-making. Participatory management, cooperative management, or co-management could serve to create such a process. As stated earlier, the TLUOS must not be viewed as a stand-alone document.

There has definitely been an increase in communication between industry and the Dene Tha' regarding resource management and planning since the completion of the TLUOS. Some participants in this study seemed to indicate improved one-way information sharing between

their community and industry; others indicated the development of a two-way communication process that is more indicative of meaningful consultation. The improved communication between the Dene Tha' and industry is a beneficial achievement. However, participant statements seem to indicate that industry's communication with the Dene Tha' comes late in the process of resource development decision making and seems to revolve around mitigating impacts and considering the concerns of the Dene Tha'. This does not meet the requirement of meaningful consultation. The TLUOS has been useful in providing a backbone of information regarding Dene Tha' land and resource use and it has fostered improved communication between the community and industry. Until recently government has not been involved in the process. Whether the new Dene Tha' Pilot Consultation Project, endorsed by the EUB, will create a process that enables meaningful consultation, and facilitates greater involvement of the Dene Tha' in resource development decision-making, remains to be seen.

ii. Schedule of Fees

As identified earlier, the Schedule of Fees was one component of the Dene Tha' Consultation Project. It has been placed in a separate section because a significant number of respondents identified it as a specific benefit resulting from the TLUOS. The Schedule of Fees required industry to pay specific amounts of money, depending on the type of development activity, to trappers affected by resource development within their trapline. According to a DTFN document, the Schedule of Fees is not trapper's compensation, but rather payment for consultation and information sharing regarding the impact of resource development activities on Dene Tha' First Nation traditional lands.

Almost half of the community members interviewed mentioned the Schedule of Fees as a benefit that came out of the TLUOS. They associated the book with industry recognition, and part of that recognition being the Schedule of Fees. One participant felt that the book influenced oil companies by showing how the Dene Tha' have cared for the land, historically and currently. *"The TLUOS is probably why companies started paying for use of the land through the Schedule of Fees. ...Others (oil companies) have recognized how we use the land, how we care for it, and how they impact it… now they have begun paying us for the land."* Another community member identified the change in industry response to the community as being based in recognition of their traditional land. *"With the Schedule of Fees, the book is helpful because it shows traplines.*

They (companies) know it is our land and now they are paying us." Some participants said that the money received through Schedule of Fees is helpful for trappers. One participant said that the success of the Schedule of Fees has helped the community gain respect from outsiders. *"The book reinforced the Schedule of Fees for the Trappers' Committee…It increased the government's respect for the community and what they (we) could do. For example, the community was able to address companies that didn't comply to the Schedule of Fees through existing EUB channels – these channels had been there all the time."*

Although most of the participants who spoke about the Schedule of Fees viewed it as a benefit to the community, some had concerns with it. Two participants linked the Schedule of Fees to decreases in traditional land use. *"A lot of people went back to the land. But some people didn't go back because now they are given money for their land from the Schedule of Fees."* Others expressed concern that the entire community is not able to benefit from the Schedule of Fees. They felt the money from the Schedule of Fees should be distributed more equitably or invested in infrastructure for the community. *"The public (band members) are not benefiting from consultation – shouldn't be just trappers who benefit, everyone should benefit."* One participant felt that the Schedule of Fees had focused attention on money considerations and had detracted from the larger goals of the TLUOS. *"The purpose of the Trappers' Committee and the Schedule of Fees was to secure the land, follow it for spills and damages, and to get respect and recognition for our land. But many people in the community only see the monetary side of it."*

The opportunity for income in a community affected by poverty is always a welcome benefit. Participants clearly indicated that money received through the Schedule of Fees had been helpful in creating additional income for Trappers affected by resource development. In addition to the monetary benefits, industry compliance with the Schedule of Fees also represented progress in the pursuit of some other community goals: industry recognition of the Dene Tha's presence on the land, and the community's strengthened ability to work effectively with industry. With the introduction of the Dene Tha' First Nation Consultation Pilot Project, endorsed by the EUB, Canadian Association of Petroleum Producers (CAPP), and the DTFN, there have been changes regarding the Schedule of Fees. However, the recognition of the Dene Tha' presence on the land and the strengthened working relationship with industry are reflected by this initiative.

iii Dene Tha' Consultation Pilot Project

Until late fall of 2000, the DTFN Consultation Process had been entirely initiated by the Dene Tha' and adhered to by approximately two-thirds of oil and gas industry proponents in the area: there was no government involvement in the Process. This changed in November 2000, when the Dene Tha' Consultation Pilot Project was established, with participants listed as the DTFN, the Canadian Association of Petroleum Producers (CAPP) and the Government of Alberta. The project was recognized and endorsed by the Alberta Energy and Utilities Board (EUB) in December 2000, when it issued an Information Letter (IL 200-5) requesting all companies proposing to explore and develop oil and gas resources in northwest Alberta to consult with the Dene Tha' and its trappers. The Pilot Project is scheduled until September 2001, at which time a new agreement will be negotiated.

The Pilot Project consists of both a consultation component and a capacity building component. A Steering Committee will oversee the Project and make recommendations for a long-term consultation and capacity building arrangement.[9] The Pilot Project essentially follows the same consultation process as that developed by the community; however it introduces three important changes from the original Dene Tha' Consultation Process: (1) an Alberta government representative will join the Dene Tha' and industry in meetings to review Development Plans; (2) a Dene Tha' capacity building process has been added, which involves a continuation of the TLUOS; and (3) the Schedule of Fees has been replaced by funding for the Pilot Project. [10]

The capacity building component of the Pilot Project seeks to address the fact that "in order for consultation to be meaningful and effective, the DTFN must have the necessary capacity to properly assess the impact of oil and gas development activity" *(*CAPP website*).* This capacity will be developed through the continuation of Dene Tha' "Traditional Use Studies", including data collection (GPS field surveys), system development, and mapping. The new "Consultation Office" will include six full-time staff, six contract interviewers, training and equipment, and consultation fees.

Two of the Band Councilor's who have been most involved in the Consultation Process and the Consultation Pilot Project see the TLUOS as instrumental in the current developments.

---

[9] This Steering Committee will be composed of two government representatives, two industry representatives and four DTFN representatives.

[10] One Council member explained "The Schedule of Fees is not the same (money per structure). Now it is information based…an amount given to us to build a database…payment is to find the information. It became a new animal after the Alberta government got involved…an evolution of the process".

One Councilor noted the following change: *"Because of the TLUOS, there is starting to be a really good working relationship with the oil companies and the province."* Another Councilor saw the current situation as a progression. *"The TLUOS was a trigger for the Pilot Project. The EUB project is just a step in the evolution of what started with the TLUOS …it is all part of the same thing. It* [the Pilot Project] *will go and it will evolve again after September."* Both the TLUOS and the Pilot Project are seen as essential to being able to actively and effectively carry out roles in consultation and planning: *"Groundbreaking has been done with the TLUOS – now we just need to get the database done so we are not always reactive."* The current Pilot Project is updating the collection of data using GPS only in certain areas of the Dene Tha' traditional lands. The Band Council hopes to see a new negotiation in September 2001, which will extend the Traditional Use Studies for several years and expand the data collection to include the entirety of the traditional lands.

The involvement of the Alberta Government, the EUB, and CAPP in the Dene Tha' Consultation Pilot Project is a great step forward for the Dene Tha'. It shows that the DTFN have been able to significantly increase recognition of their concerns regarding traditional lands and their need to be involved in resource development decision-making. In addition, the Pilot Project has recognized the TLUOS as an important tool for both fulfilling the information requirements of meaningful consultation and building capacity within the community. While it is still too early to say whether the Pilot Project will lead towards meaningful long-term consultation and capacity building, this achievement points to significant community empowerment for the Dene Tha' First Nation, both internally and in external relations with industry and government.

iii. Training and Employment

Because the Dene Tha' TLUOS was conducted in a participatory manner, the process itself resulted in some opportunities for training and employment. Community researchers were trained and employed in interviewing and research techniques; the mapping process created employment opportunities and resulted in training for the use of GPS and GIS technology. As mentioned earlier, the TLUOS led to the development of the Dene Trappers' Committee and the creation of a paid position for a Trapper Liaison. Community members gained valuable experience through the TLUOS process. *"For the community researchers, that experience*

enhanced their understanding of their culture and how they present and interpret things to outside people." This experience also led to new employment opportunities for some community members: *"Working on this book helped prepare me for Dene Language and Culture teaching at the school."*

Over half of the community members interviewed indicated that the TLUOS also resulted in increased training and employment by improving the community's consultation process with industry. *"Companies who are doing projects on traditional land consult with us, so we know what is happening on our land. Then the community can ask for people to be employed through the projects. Younger people are trained (safety tickets etc.) so that they can be ready to go out and work. The economic development officer trains people so that they can work on upcoming projects."* Interviewees indicated that there has been training for seismic, forestry and log building, and that training and employment have increased for seismic work and pipeline work. *"New training has resulted from consultation; employment and training is now on the table." "Opportunities are more open – the Band has ongoing initiatives with major corporations in the area. A lot more of our people are working out there every year, more studying and trying to complete education and training."* In addition to training and employment, several interviewees mentioned sub-contracting by Band-member owned companies had increased: *"Band-member owned companies are involved in a lot of activity – learning how to deal with the big companies and secure contracts."* One Band Council member stated: *"When oil companies come on the land now they have to give us the right of first refusal for employment and contracts."*

One interviewee discussed a program that he felt had developed as a result of changes brought about by the TLUOS, such as increased communication with oil companies, increased respect, and a concerted effort on the part of the Band to create employment and request the use of the Dene Tha' workforce. *"Dr. Fred Carnu spearheaded a program called 'Mbeddhii' (which means 'leader' or 'boss' in Dene) – the program was for training a number of community members with the help of NAIT, SAIT and oil companies for work in the petroleum chemical industry or business administration, etc. – and to develop leadership potential and capacity for the Band so the Band would be in a position to self-determine and have a prosperous and successful First Nation – this program is still continuing."*

While most of the participants talked about positive outcomes regarding training and employment, a few participants expressed that available opportunities are still not sufficient. *"Young people are waiting for their cards. There's not enough employment. There are too many*

people wanting work: Dene, Cree, Metis, non-native. There are too many conditions tied to jobs (even fire-fighting is hard) and it makes it difficult for young people to get work." A few participants in this study felt that industry efforts towards employment for First Nation people had not gone far enough. *"Opportunities for First Nations are low – usually oil companies bring in their own people…" "Maybe oil companies decided to give a few jobs to a few people…at times they come up with a few seasonal jobs on pipelines but not oil rigs."*

Other participants in this study talked about barriers that exist which prevent community members from accessing available employment opportunities. Some of the barriers identified were cultural. Employment opportunities are not always compatible with the lifestyles of community members who seek to participate in the wage economy as well as continue traditional land uses. *"Forestry looks for more long-term jobs. Projects are longer…Traditional users of the land don't see the potential in the long-term employment. They're used to short-term, labour work."* Another participant pointed out organizational and personal capacity barriers to employment. The complex history of a self-sufficient people made dependent on government cheques, and the effect this has on the fabric of society and families, as well as individual pride and initiative, creates barriers to accessing available employment. *"Employment and training are there. The problem is commitment by Band members due to lack of previous schooling or personal competence…There are economic benefits but who regulates and controls them? For example, in regards to the OSB (Oriented Strand Board) plant…the people needed to know they would need Math and Science…now very few of our Band members are employed there because they weren't prepared."* Educational barriers to employment were also pointed out by participants. *"It would be easier if both parties (industry and the community) spoke the same language – with lack of education on the reserve it is hard for Band members to learn the new technology that is a criteria for the technical institutes."* One elder's statement captured the challenges that exist in the transition from a subsistence economy to at least partial involvement in the industrial economy: *"Native people depend on trapping. Everything is new to trappers, and we don't understand what is going on. Everything is harder. It's more difficult for people to get employment because people need to have certificates to get a job, even for fire-fighting and chainsaw."*

A few participants expressed that the community needed to pursue goals larger than the creation of training and employment opportunities. One participant explained that the rapid depletion of natural resources on traditional land would leave the community without an

economic base if the Band did not start undertaking its own oil and forestry activities. *" The Band needs self-sufficiency."* A few elders stated that the TLUOS should be used to identify opportunities to benefit from the land for the future rather than just recording land uses from the past. *"(The TLUOS) should look at current uses of the land and how people can benefit from the land today. For example, new uses and new ways to benefit."* These elders expressed that traditional land uses are not just old land uses; they stretch into the present and the future, change over time, and can provide insight into economic activities that may benefit the community.

As discussed earlier, poverty is an overwhelming issue on most Canadian reserves. Faced with the responsibility of creating economic and social well-being in their communities, most Band Council members are naturally seeking training and employment opportunities for their members. While participants' statements indicate that training and employment opportunities for Dene Tha' community members have increased as a result of the TLUOS, these opportunities have not always considered barriers faced by community members or compatibility with First Nation lifestyles. It must be recognized that First Nation communities often have their own goals regarding employment.

> Aboriginal communities, even when offered full employment, "will not necessarily give up their way of life for wages. Rather, wage earners typically combine rather casual employment and resource harvesting, by deciding how best to use and manage lands, time and cash. The result is the mixed economy". (Elias and Weinstein, quoted in Bush et. al, 1999:1-3)

While income and employment are undeniably necessary, flexibility for cultural, family, and community activities, as well as traditional land uses, is of utmost importance. The need for employment opportunities and economic development to be compatible with cultural values calls for a goal larger than industry-led job creation for First Nation people.

Self-sufficiency through the development of an economic base and community-led economic development has become a goal of many first Nation communities. As indicated by participants' responses, Dene Tha' community members hope to find new economic opportunities that are compatible with, if not based upon, traditional land uses. Economic development is rarely successful if it conflicts with community values or ignores cultural goals. Indeed, many economic development endeavors have failed because they were imposed from the outside with inadequate understanding of culture, existing community resources, constraints, and

environment. In an interview with the Forestry Chronicle, Peggy Smith of the National Aboriginal Forestry Association states:

> What happens most often is that Aboriginal people are forced into participating in economic development that has been determined by someone else. This usually means that Aboriginal people become hewers of wood for large forest companies. While there is nothing inherently wrong with being a logger, these type of large-scale, high-volume extraction industries have often depleted the resources in a short time, then moved on. Smaller scale, employment intensive, culturally appropriate, higher value-added operations would provide long-term sustainable industries. (Hagerman, 1998: 368)

While jobs and training are important to the Dene Tha' in addressing immediate economic need, it is unlikely they will contribute to long-term solutions unless they are compatible with values and culture and are part of a larger program of community-controlled economic development. In promoting jobs and training as benefits to the community, industry and government should be aware of this. By enhancing consultation processes with industry, documenting both current land-uses and past land-uses, and by exploring opportunities for economic development, the TLUOS can play an important role in the short-term goal of creating training and employment opportunities, as well as the long-term goal of achieving sustainable community economic development.

V. COMMUNITY EMPOWERMENT

The Dene Tha' did not identify community empowerment as a specific goal when they undertook the TLUOS in 1995. However, during the interviews many participants made statements about how the TLUOS had brought about empowering changes both within the community and in the community's relations with others. As explained earlier, the Dene Tha' used a participatory process to conduct their TLUOS. It became evident through the interviews that this process was a very important component of the TLUOS project. A few participants indicated that being involved in the TLUOS had brought about positive changes for individuals. For some, the participatory process created an opportunity to contribute their skills in a meaningful way: *"I was fortunate to be available to help in something I really believed in."* For others, it created an opportunity to learn new skills, new information, and to play new roles in their community. Generally, those interviewed who had been involved in the study described it

as a rewarding experience. One participant related, *"It was sad for me that this project had to end."* Other participants indicated that the TLUOS process had brought about broader changes within the community. A few participants said the process helped to strengthen and improve relationships within the community. Others said it fostered a sense of confidence in the community's ability to realize its goals: *"It created pride in leadership that something could actually happen. The book is a tangible result. People pulled together to get it done. If we work on one project and succeed, it shows that there can be spin-off projects, and if they are pursued we can succeed at them too."* The participatory process also created a sense of community ownership over the project. One participant explained, "*Not very many projects arise like this where the whole community is involved. When people talk about the TLUOS, no one ever says 'they did it', they always say 'we did it'".*

The traditional knowledge collected and documented through the TLUOS also brought about positive changes within the community. It resulted in recognition of the knowledge held by community members. One participant stated that as a result of the TLUOS, *"the community thinks they have something to offer."* Some participants said they were surprised at all the knowledge held within their community and felt proud of their culture: *"I was surprised there was stuff I didn't know."* Because the TLUOS was conducted in a participatory manner, the community had control over the design and content of the TLUOS book. As a result, it contained many photographs and stories that may not have been included if an outside consultant had been solely responsible. This had a strong impact within the community. One participant explained, *"There was an increase in community pride - a lot of people were surprised when we came out with the book."* Other participants said that children in the community feel very proud to see photographs of their relatives in the book.

Some of the participants talked about how the TLUOS would be useful in helping the community to heal and move into the future in ways compatible with their cultural beliefs and values. One participant talked about how the book is used in youth camps and said, *"youth are being refocused because of this."* Another saw the book as a useful tool for giving the Dene Tha' some influence over their children's education: *"Since school was established on the Reserve there has always been an English version of education and English perspective. We should have a Native perspective."* By helping people to regain cultural beliefs and knowledge, one participant felt the book could help foster health and wellness in the community. *"The book is important for health and wellness. It is important for us to go back to our roots. If we are not*

connected to our spirituality we will not be healthy." A few of the participants felt that by helping to strengthen Dene Tha' culture, the book could assist the community in making decisions that affect the future in ways supportive of their beliefs and values. One participant said that beliefs act as a guide. A few others explained, *"The book is not just to capture the past, but also to prepare for the future. The book is just a start." "It is about more than just using the land."* In general, it was felt that collecting and sharing traditional knowledge within the community would help the community to grow stronger. As one Elder stated, *"If we pick good stories we won't have to suffer. The things we have been collecting for ourselves are causing suffering for us. We are hurting ourselves. We need to collect good stories and learn from the past. If we listen to the stories and learn from them it will pull us through."*

Other comments made by participants indicated that the TLUOS had helped to empower the community in its relations with others. One participant indicated that the process of conducting the TLUOS helped community members to develop communication skills and forge relationships with industry that proved useful later on. *"We had to write letters to industry to get funding for the TLUOS. This experience was very helpful for our future relations with industry."* A few participants stated that the community gained increased confidence in dealing with industry as a result of the TLUOS. *"The Band is more confident now. In the past the Band usually just signed off agreements without going into studies. Now we are more aware of requirements."* Community leaders also gained necessary knowledge through the TLUOS and its resulting increase in community and industry communication. *"The Band is more aware of how industry works with government and First Nations… the regulations, land uses, formats being used by different companies to access land, surface rights, exploration, and drilling programs."*

Community empowerment has been defined as a process in which people gain control over their lives, democratically participate in the life of their community, and gain a critical understanding of their environment (Perkins & Zimmerman, 1995). It is a process that helps a community build the "characteristics, skills, and energy to take on the challenges it will need to face in order to move to greater levels of well-being and prosperity" (Bopp et.al, 2000: 1). As First Nations strive towards self-government, greater participation in resource management and development, and improving their social and economic conditions, activities that lead to

community empowerment will prove beneficial in helping community members to work together effectively in pursuit of common goals.

Community empowerment provides communities with the capacity to better address the needs of their members. Bopp et. al describe community capacity as being composed of seven factors: shared vision; sense of community; communication; participation; leadership; resources, knowledge, and skills; and ongoing learning. Responses given from participants in the study illustrate that when communities implement TLUOSs in a participatory way, they hold the potential of building community capacity. A participatory TLUOS involves community members and can build communication and leadership skills. In gathering and sharing traditional knowledge, it helps to strengthen cultural beliefs and values and thus can strengthen the sense of community. A report on the TLUOS conducted by Whitefish Lake First Nation found that "by bridging both young and old together to communicate about the land a renewed sense of pride and territorial identity has arisen" (Hickey, 1999: 23). This strengthened sense of community can translate into shared vision and commitment to work together towards common goals.

Participatory TLUOSs also assist in developing resources, knowledge, and skills within communities and can foster a process of ongoing learning. During the Dene Tha' TLUOS, GPS equipment was purchased that is now available for further use by the community. GPS equipment and skills can enable communities to participate with industry and government in land management and resource development planning (Hickey, 1999). As community researchers are trained and carry out their work, they gain valuable research, interviewing, and analyzing skills. This is an asset for communities as they undertake future research activities. Barsh explains that "the most effective means of preventing the unjust exploitation of indigenous peoples' traditional knowledge is to ensure that the people themselves have the information, training, and institutional structures of their own to evaluate external research proposals, negotiate collaborative agreements" (1996. p10). Having community members actively involved in the TLUOS process builds community commitment to the project and can help to ensure the TLUOS is used to its potential by the community (Hickey, 1999). If the Dene Tha' TLUOS continues to be an ongoing process, as envisioned by some participants in this study, it will foster ongoing learning within the community.

Empowerment both within the community and in the community's relations with others has important implications in the community's pursuit of larger socio-economic goals. By

strengthening and maintaining Dene Tha' culture, traditional knowledge, and traditional land uses, and by increasing the community's capacity to participate in resource development decision-making, the TLUOS can assist the Dene Tha' in pursuing sustainable economic development activities. As discussed earlier, First Nations have their own goals regarding economic development. Job creation may be more important than profit levels; what a venture contributes to the community may be more important than the bottom line. The ability to identify these goals, and to work together as a community as well as in relation with others, is necessary if First Nations are to be leaders of their own economic development. Smith explains that both control over resources and a strong cultural foundation are necessary for sustainable economic development.

> Only when the individual tribe both controls its own resources and sustains its identity as a distinct civilization does economic development make sense; otherwise, the tribe must choose between cultural integrity and economic development.(Smith 1994:177)

Statements from participants in this study indicate that the TLUOS can play a role in empowering the community to achieve these goals. If TLUOSs are conducted in a participatory manner, the process can assist First Nation communities in gaining the confidence, vision, and leadership necessary to identify their goals and pursue them both within their community and in relation with others.

CONCLUSION

The purpose of this study was to evaluate the impacts of the Dene Tha' TLUOS within the community and in the community's relations with others. The Dene Tha' TLUOS has been used to document and teach cultural information for the benefit of community members. The TLUOS has fostered discussion and awareness of the need to maintain culture and traditional uses of the land. The book and the knowledge within it have created pride within the community members and increased their own recognition of the amount and value of the knowledge that is held within the community.

The Dene Tha' TLUOS had a definite impact on the community's relations with others. The book increased awareness and recognition of both the Band and traditional uses of the land. It was a catalyst for increased communication and consultation, particularly with industry. With

increased communication and consultation, the TLUOS had a secondary effect of increasing employment and training opportunities for the Dene Tha'. The TLUOS was an important element in the initiation of the Dene Tha' Consultation Process. Perhaps most importantly, the participatory nature of the Dene Tha' TLUOS has been empowering for the community, both internally in developing its sense of skill and accomplishment (capacity-building), and externally in creating the confidence and knowledge base to be proactive in dealing with industry and government.

Traditional Land Use and Occupancy Studies present the opportunity to learn about and document past and present Aboriginal culture and relationship to the land; this knowledge and understanding, according to the elders, is necessary to make wise and appropriate decisions in planning for the future. The imposition of Western culture and systems on Aboriginal communities has had devastating effects on these communities. TLUOS can contribute to a number of things First Nations require to create a positive future of long-term socioeconomic health and well-being in their communities and to facilitate increased self-sufficiency and autonomy.

TLUOS can contribute to maintaining culture and developing a stable, culturally appropriate economic base. The continued development of a mixed economy of traditional uses and contemporary economic activity that is in keeping with their culture, can allow First Nations to pick a middle path, rather than being forced to choose between tradition and culture, or full assimilation into the Western industrial/post-industrial economy. Participatory TLUOSs can contribute to maintaining culture by recording stories and knowledge of the elders, encouraging traditional use of the land, and identifying and protecting traditional sites. They can contribute towards increased economic opportunities for First Nations by raising awareness and recognition of the extent of past and current presence on the land. Subsequently, industries (and sometimes governments) tend to increase communication and consultation, and First Nations are able to put opportunities for training, employment and Aboriginal contractors on the table. While this is by no means a satisfactory long-term culturally-centred economic base, it is usually very important in Aboriginal communities that are often characterized by devastating poverty.

In order to maintain traditional uses and develop a culturally appropriate economic base, the land with which First Nations are physically and spiritually entwined must retain some level of ecosystem health, bio-diversity and intactness. TLUOSs can contribute to decreasing fragmentation of land due to industrial development if protection of sites is viewed as protecting

both fixed sites and larger hunting and trapping areas, as well as monitoring cumulative effects of development on the entirety of the traditional land. Many elders emphasized that without the land, the people lose their culture, identity, food source, spirituality and meaning.

Maintaining an intact land base and achieving some economic benefit from resource activity within traditional lands also requires meaningful participation of First Nations in resource planning and management. A move towards a system of joint planning, cooperative planning or co-management is a viable option for creating meaningful participation. Data from TLUOSs cannot be separated from the people, and simply utilized in current land and resource management systems, without misinterpretation and loss of community control. Further, in order for Aboriginal peoples to make their potentially valuable contribution to the sustainable development of lands and resources, they must participate actively in resource planning. Participatory TLUOSs can both provide the informational base and contribute towards the capacity-building needed for First Nations participation in cooperative management of land and resources.

Traditional Land Use and Occupancy Studies illustrate a clear long-term presence and relationship with traditional lands of Aboriginal peoples. Dispossession of lands and culture has contributed enormously to the socioeconomic poverty of all First Nations across Canada and within Alberta. Dene Tha' traditional lands have undergone vast change in the last forty years, with the pace and scale of resource development constantly increasing. While Canadian industries, government and citizens are reaping significant economic benefits from resource extraction on traditional lands, First Nation communities remain impoverished, living in conditions far below the Canadian average. The Canadian paradigm of natural resource management has been a limiting factor in the ability of First Nations to create viable economies and communities. This paradigm of natural resource management must be transformed into one that recognizes the need for cooperative management. Only with this transformation will the future socioeconomic health and viability of Aboriginal peoples be ensured. Traditional Land Use and Occupancy Studies can contribute to needed change by assisting both in maintaining culture and land, and promoting First Nations meaningful involvement in land and resource planning and management. This kind of change can be a first step in the restoration of self-sufficiency for the Dene Tha' First Nation.

Appendix 1: RECOMMENDATIONS

In order for First Nations to maximize the positive impacts of Traditional Land Use and Occupancy Studies, and use them as a tool to move forward in achieving desired change, a number of conditions must be in place. The first and second recommendations are directed to all parties involved in Traditional Land Use and Occupancy Studies. The third recommendation applies to all parties involved in the application of TLUOSs to resource planning and management.

A. Recommendation One: TLUOS as an Ongoing Process

TLUOS must be recognized and implemented as ongoing processes. Traditional Land Use and Occupancy Studies are ongoing processes in two senses. First, in addition to historic uses, TLUOSs need to map current uses if they are to achieve their potential. As culture changes, uses of the land changes. These new changes and their effect on the land need to be documented. While the treaty protects hunting trapping and fishing rights, it must be recognized that treaty rights are not frozen in time. First Nations should not be restricted to benefiting from the land in the ways they benefited from it in the past, because culture and use of the land are evolving, not static. First Nations need to map current uses so that they understand how they are using the land and to identify possibilities of involvement and benefit from contemporary uses of the land.

Second, TLUOSs should not be considered one-time projects. It is never possible to collect all the relevant information in one attempt; there are always more people to be interviewed, more sites to be GPSed, and more information to be added as elders think and talk more about traditional use and knowledge. Also, current uses will need to be added on a consistent basis. Many of the community members identified the TLUOS as a continuing project that will need to be updated regularly. Therefore, TLUOSs should be viewed as ongoing projects. In order to be useful and effective, TLUOSs need ongoing funding, personnel, equipment and office space, located in the First Nation community.

B. Recommendation Two: Participatory TLUOS

Traditional Land Use and Occupancy Studies should be conducted in a manner that maximizes community involvement and control. Many of the impacts that community members identified as beneficial would not have been present in a TLUOS directed and conducted by

outsiders to the community. As mentioned in the text, the participatory approach facilitated building of capacity and skills, teaching in the oral tradition, strengthening communication, relations and sense of community, and strengthening of pride, identity, culture and community empowerment. There is a marked difference between people outside a community coming in and studying the community and its members, and a community collecting its own history and knowledge. In the Dene Tha' TLUOS, the Community Advisory Committee was able to guide the project so that it was carried out to meet the purposes of the Dene Tha', rather than some outside interest. Community direction effects the kind of knowledge collected and presented in the TLUOS report and increases awareness of the project within the community. When First Nations control their own TLUOS, they can set the research agenda to meet the needs of their community. Therefore we recommend that Traditional Land Use and Occupancy Studies, as well as related ongoing and follow-up activities, be conducted in a participatory, community directed manner.

C. Recommendation Three: TLUOSs are not Stand-alone Documents

Traditional Land Use and Occupancy Studies should not be used as stand-alone documents; the data cannot be separated from the people. In order to ensure maximum impact of the TLUOS, we have the following recommendations regarding consultation. Consultation should be expanded to involve the Alberta government, the Dene Tha', the oil and gas industry, the forestry industry, and any other industries with impact on the land. It is the responsibility of the Alberta government to initiate a comprehensive consultation process, and to ensure that this process meets the requirements of the duty to consult Aboriginal peoples. Finally, differing perceptions of the purpose of Traditional Land Use and Occupancy Studies have contributed to the misapplication of TLUOSs as stand-alone documents. This is likely to happen when TLUOSs are viewed as a tool for industry to use in planning. With regard to resource planning and management, TLUOSs should be viewed as a tool for First Nations to use in consultation, so that they can fully assess the potential impact of proposed resource developments on their traditional lands. In the event of a move towards joint planning or cooperative management, accurate and updated TLUOSs would be an essential resource for First Nations to bring to such an endeavor.

REFERENCES

Alberta Forest Products Association Website. www.abforestprod.org/toc.html

Alberta Economic Development Website. www.alberta-canada.com/indinfo/oandg.cfm

Alberta Environmental Protection (1998). *The Boreal Forest Natural Region of Alberta*. Edmonton: Alberta Environmental Protection.

Alberta Resource Development Website. www.resdev.gov.ab.ca/forestry/minister/Cardinal.htm

Asch, Michael & Smith, Shirleen (1993). Some Facts and Myths About the Future of the Hunting and Trapping Economy in Alberta's North *in* McCormack, Patricia A. & Ironside, R. Geoffrey (Eds.) *The Uncovered Past: Roots of Northern Alberta Societies*. Edmonton: Canadian Circumpolar Institute, University of Alberta.

Barsh, Russel (1996). *Forests, Indigenous Peoples and Biodiversity*. A Contribution to the Four Directions Council: 15 January 1996.

Bopp, M., GermAnn K., Bopp, J., Littlejohns, L.B., Smith, N., Coe, M., George, M., Newman, E., Reichel, C., & Stauffer, J. (2000). *Assessing Community Capacity for Change.* Cochrane, Alberta: David Thompson Health Region and Four Worlds Centre for Development Learning.

Brubacher, D. and McGregor, D. (1998). *Aboriginal Forest-Related Traditional Ecological Knowledge in Canada*. Paper presented at the nineteenth session of the North American Forest Commission in Villahermosa, Mexico. November 1998.

Bush, D., Rowell, R. & Cheecham, M. (1999). Surmont Commercial Oil Sands Project Environmental Impact Assessment: Traditional Land Use Study. Calgary: AXYS Environmental Consulting.

CAPP Website. *Dene Tha' Consultation Pilot Project.* www.capp.ca/

Dene Tha' First Nation (1997). *Dene Tha' Traditional Land-Use and Occupancy Study*. Calgary: The Arctic Institute of North America.

Goulet, Jean-Guy A. (1998). *Ways of Knowing: Experience, Knowledge, and Power Among the Dene Tha.* Vancouver: UBC Press.

Government of Alberta (2000). *Strengthening Relationships: The Government of Alberta's Aboriginal Policy Framework.* Edmonton, Alberta: Government of Alberta, Aboriginal Affairs and Northern Development. www.aand.gov.ab.ca/aand/pages/resources/publications.html

Grand Council of Crees Website. *A Response to the Government of Canada's Third Periodic Report on the Implementation of the International Covenant on Economic, Social, and Cultural Rights, November 1998.* www.gcc.ca/Political-Issues/international/reciting_the_symptoms.htm

Hagerman, Ellen (1998). The National Aboriginal Forestry Association: An Interview with Harry Bombay and Peggy Smith. *Forestry Chronicle* 74(3): 367-369.

Hickey, Clifford (1999). *Whitefish Lake First Nation Land Use and Occupancy Study: Project Report.* Edmonton: Sustainable Forest Management Network.

Hickey, C. and Natcher, D. (1999). Recognizing the Cultural Landscape in Land Use Research *in* Veeman, T.S, Smith, D.W., Purdy, B.G., Salkie, F.S. and Larkin, G.A. (Eds.) *Proceedings of the 1999 Sustainable Forest Management Network Conference.* Edmonton: Sustainable Forest Management Network. 177-181.

Institute on Governance (1998). *Exploring the Relationship Between Aboriginal Peoples and the Canadian Forest Industry: Some Industry Perspectives.* Ottawa: Canadian Forest Service.

Johnson, Benjamin D. (1997). *The Use of Geographic Information Systems (GIS) by First Nations.* Vancouver: University of British Columbia, School of Community and Regional Planning. http://www.nativemaps.org/StoriesNewsReviews/Reviews/abstracts/Ben.htm.

Kassam, Karim-Aly & Maher, Sean (2000). *Indigenous Cartesian and Cartographic: Visual Metaphors of Knowledge in Arctic (Tundra) and Sub-Arctic (Taiga) Communities.* Edmonton, Alberta: Paper presentation for the Association for the Unity and Integration of Knowledge 2000 Congress of the Social Sciences and Humanities.

Legat, Allice (Ed.) (1991). *Report of the Traditional Knowledge Working Group*. Yellowknife: Government of the Northwest Territories, Department of Culture & Communications.

MacKinnon, Laura, Apentik, Ceasar & Michael Robinson (2001). Revisiting Traditional Land Use and Occupancy Studies: Relevance and implications for resource management in Alberta. *Forestry Chronicle* 77(3).

Nepinak, Harvey & Stock, Karen (1996). Waterhen Sacred Sites and Land Use Management *in* Oakes, Jill, Riewe, Rick & Kinew, Kathi (Eds.) *Sacred Lands: Aboriginal World Views, Claims and Conflicts.* Edmonton: Canadian Circumpolar Institute. 157-162.

Payne, Harvey & Nepinak, Chief Harvey (1996). The Significance of First Nations' Access to Natural Resources and Economic Development *in* Oakes, Jill & Riewe, Rick (Eds.) *Issues in the North* 1:167-173. Edmonton: Canadian Circumpolar Institute.

Perkins, Douglas D. & Zimmerman, Marc A. (1995). Empowerment Theory, Research, and Application. *American Journal of Community Psychology* 23(5).

Pratt, Larry & Urquhart, Ian (1994). *The Last Great Forest: Japanese Multinationals and Alberta's Northern Forests.* Edmonton: Net West Press.

Royal Commission on Aboriginal Peoples. (1996). *Restructuring the Relationship.* (Volume 2, Part 2). Ottawa: Canadian Communication Book Publishing.

Robinson, M., Garvin, T. & Hodgson, G. (1994). *Mapping How We Use Our Land.* Calgary, Alberta: Arctic Institute of North America.

Robinson, M.P. and M.M. Ross (1997)**.** Traditional land use and occupancy studies and their impact on forest planning and management in Alberta. *The Forestry Chronicle* 73(5): 596-605.

Robson, C. (1993). *Real World Research.* Oxford: Blackwell Publishers.

Sharvit, C., Robinson, M. & Ross, M.M. (1999). *Resource Development on Traditional Lands: The Duty to Consult.* Calgary: Canadian Institute on Resources Law.

Smith, Howard Dean (1994). The Issue of Compatibility Between Cultural Integrity and Economic Development among Native American Tribes*. American Indian Culture and Research Journal*. 18(2): 177-205.

Smith, Wynet, et al. (2000). *Canada's Forests at a Crossroads: An Assessment in the Year 2000.* Washington, DC: World Resources Institute.

Stelfox, J.B. & Wynes, B. (1999). *A Physical, Biological, and Land-Use Synopsis of the Boreal Forest's Natural Regions of Northwest Alberta.* Peace River, Alberta: Daishowa-Marubeni International Ltd.

Stevenson, Mark G. (1999).What Are We Managing? Traditional Systems of Management and Knowledge in Cooperative and Joint Management *in* Veeman, T.S, Smith, D.W., Purdy, B.G., Salkie, F.S. and Larkin, G.A. (Eds.) *Proceedings of the 1999 Sustainable Forest Management Network Conference.* Edmonton: Sustainable Forest Management Network. 161-169.

Tobias, Terry N. (2000). *Chief Kerry's Moose: A Guidebook to Land Use and Occupancy Mapping, Research Design, and Data Collection*. Vancouver: The Union of BC Indian Chiefs and Ecotrust Canada.

Treseder, L. & Krogman, N. First Nations and Forest Management: An Overview of Social Institutions *in* Veeman, T.S, Smith, D.W., Purdy, B.G., Salkie, F.S. and Larkin, G.A. (Eds.) *Proceedings of the 1999 Sustainable Forest Management Network Conference.* Edmonton: Sustainable Forest Management Network. 184-191.