

The Life and Death of the Council of Elders of the
Descendants of Jasper Park

by

Richard Ouellet

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Abstract

As Indigenous rights discourse continues to advance in Canada, overarching concepts of Métis, in particular those concerning recognition and rights, continue to evolve. The micro-level or management of the relationship between Canada and small-scale Métis societies provides an opportunity to highlight issues concerning Métis/state relations. As areas such as Jasper National Park are tasked with restoring a Métis presence, how has this relationship evolved? Attempts at creating a working relationship with Métis in Jasper are confounded by uncertainty concerning Métis rights and identity. In addition, Métis are expected to abandon prior practices in organization and governance in return for access to micro-level authorities. Longstanding grievances by Métis who contend that government malfeasance resulted in their ancestors being evicted from Jasper National Park upon its inception remains hidden, as local authorities continue to find ways to marginalize Métis who are averse to participating in colonial relationships designed and controlled by micro-level authorities. Alliances with other groups with territories in National Parks, such as the Haida Nation, may provide insight and solutions. As Métis/Indigenous awareness and rights advance an important area of concern will remain in the actions of micro-level bureaucrats.

Preface

This dissertation is an original intellectual product of the author, R. Ouellet. University of British Columbia ethics Certificate number H12-01940 covered the fieldwork reported throughout

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The work and time given to this project by external reviewers Brenda Macdougall and Heather Devine is very much appreciated. The insightful feedback was the fuel that motivated me when I needed it. Also, to Daniel Justice and Michael Marker for their time and excellent contribution to my defense.

The Council of Elders of the Descendants of Jasper Park will always hold a special place in my memory. This thesis would not exist with the dedication of, Lena Ouellet, Mike Moberly, Emile Moberly, Adelaide Moberly, Emcee Moberly, Helen Hallock, Gordon Delorme, Jim Findlay, Alfred Findlay, Daniel Findlay, Ida Pelletier, Madeline Findlay, Gloria Findley, and Shirley Angus.

Between January 2010 and December 2013, I worked at the First Nations House of Learning. This experience provided an opportunity to work with very dedicated people and connected me to many exceptional leaders, in particular, Larry Grant, Graeme Joseph, Tanya Bob, Amy Perreault, and Linc Kesler. Also, the very able and talented Indigenous student body at UBC provides me with limitless optimism for our future.

The Haida Nation has produced many Influential leaders and artists and I am fortunate to have had the opportunity to work with a few of them during this study. Guujaaw, Gwaai Edenshaw, Jaalen Edenshaw, and Miles Richardson have engaged me in informal conversations that have greatly impacted me, and the work that I do.

Dedication

To my maternal grandparents Felix and Caroline Plante, my father André, mom Lena, children Dylan, Aurora & Vincent, brother Robbie and wife Shireen, sister Jackie and husband Mike, nieces Jenna, Brandy, Tanis and grandniece Darcie, nephews, Riley, Chase, Joel, Logan, and grandnephews Austin and Jackson. A special mention goes to the wonderful souls who enlightened and entertained me along my way: Joe, Jimmy, Freddy, Mary, Ida, Marlee, along with their respective families.

Kinana'skomitina'wa'w

Chapter One

Introduction

The Upper Athabasca River Valley witnessed the genesis of a small-scale Métis society between 1790 and 1850. The two major cultural contributors to this society were Iroquois voyageurs and Métis freemen from the Lac Ste. Anne region. One branch of the society, comprised of four extended families, existed in the Upper Athabasca River Valley at the turn of the twentieth century. They controlled the trade in the area and developed kin relations with their trading partners. The creation of a forest reserve by the federal government in 1907 came with political conditions that forced their eviction in 1910-11. The eviction story has remained a source of contention among descendants to this day.

Indeed, the story of the 1910-11 evictions of interrelated Métis families from the newly formed Jasper National Park is a very personal one for me. Among the people evicted was my maternal grandmother, Caroline Plante, she is the daughter of John and Marie Moberly. I grew up very close to John's relocated home near Hinton, Alberta and visited his Jasper homestead often. Like many Indigenous people who grow up hearing about the history of their families, I became complacent with how that history is told in public discourse. Having spent much of my youth in and around Jasper National Park, I was familiar with the public perception of the park as an untamed wilderness, devoid of human history. It is this distance between public perceptions of history and academic history that often becomes important as Indigenous people undertake professional training in the study of Indigenous pasts. Like others who have taken up the cause of telling their people's story, I am compelled to challenge my previous complacency and attempt to expand knowledge

regarding the settlement of the Canadian west. The inclusion of my people's story will deepen discourse concerning Métis identity and government expansion westward.

Indigenous communities in Canada are diverse. In this dissertation, I will expand on concepts of "Métis" as a not-always-accepted term within my community. I use it because it is now a legal term associated with rights that are in the process of being defined. It is also a term that can describe a worldview or a system of organization for a small-scale society. Both of these definitions apply to the community I grew up in. Legal claims stem from evictions from the Jasper Forest Reserve by a colonial government that referred to us as Half-Breeds, and a Métis worldview was a central aspect of my upbringing. In my experience, the mixing of Euro-Canadian and indigenous ideas and beliefs, which diverge significantly at times, is a core aspect of my sense of identity. My experiences include an annual pilgrimage to Lac Ste. Anne and many days exploring in and around Jasper National Park. I was raised to believe that we were tied to the land there because it created us – we did not migrate there, we were born there. In addition to Métis, however, I also use the term "hybrid" to describe the extensive mixing of cultures that took place in the Upper Athabasca River Valley during the nineteenth century, as it better identifies the diversity of these groups; some of which became identified as Métis, while others did not. I chose to undertake this work within an interdisciplinary methodology as I felt the story became difficult to fully explore under a single discipline. I have thus incorporated history, anthropology, and law as fields of study.

The story of my family touches on topics of broader academic interest, such as the history of the Métis peoples in the Upper Athabasca River Valley and the history of the evictions of the Métis and other Aboriginal people from Jasper National Park. This case

study of a family history will contribute to constructions and understandings of Métis identity and history in relation to the history of the Métis in the Upper Athabasca region. The study of Métis families evicted from Jasper National Park will contribute to an understanding of Aboriginal rights in relation to traditional territories, and how Parks Canada manages those territories, especially as the analysis includes attempts to develop joint management of heritage sites with Parks Canada. Finally, this research provides a micro-level¹ analysis of local, lower-level bureaucracy and Aboriginal self-determination and governance in contemporary Canada within a rights-based framework. Analysis comes through a focus on the construction and governance of this small Métis community, which is comprised of the descendants of the Moberly, Findlay, and Joachim families evicted from Jasper National Park in 1910-11.

1.1 Métis Families Evicted From Jasper

In 1910 four extended families of Métis residents remained in the Upper Athabasca River Valley. They were Ewan and Madeline Moberly (née Findlay) and their ten children, John and Marie Moberly (née Joachim) and their seven children; Adam and Friesen Joachim (née Moberly) and their four children; and Isadore and Philomene Findlay (née Moberly) and their five children. All the children were direct descendants of Suzanne Moberly (née Kwaragkwante) who died in 1905 and was buried near the homestead of her son Ewan.²

Suzanne was born at Jasper House in 1824. She was raised Catholic and baptized at Jasper house in 1846 by Father de Smet, along with her father Louis Kwaragkwante and

¹ Micro-level refers to the frontline personal who work directly with Indigenous representatives.

² For a chart that situates the authors relationship with these interrelated families see Appendix A

thirty six members of her family.³ She married Henry John Moberly in 1861 at Lac Ste. Anne. At that time their son Ewan was two-years-old, and Suzanne was seven months pregnant with John. After the wedding, their paths diverged and they never saw each other again. John never met his father. Suzanne returned to the Upper Athabasca and raised her family as Cree-speaking Catholics.

Edward Moberly, born in 1901, recalled the lifeways of this small, interrelated Métis community in an interview with Peter Murphy from the University of Alberta on August 29, 1980:

"We always had a garden-field – we had wheat, barley, oats – oats for horses. Wheat – some of it we used for flour-barley for soup.... My father [John Moberly] used to cut this hay west from where we lived...the cattle had to be fed because we had milk cows pretty near all the way through."⁴

Edward Moberly also discussed the yearly burns that cleared the valley and allowed for easier hunting and travelling, after which dried firewood that was collected. The picture he paints is of a good life, filled with hard work and lots of interaction with extended family members. They harvested from the entire valley and travelled yearly to Lac Ste. Anne to trade and purchase supplies. The trip to Lac Ste. Anne also allowed these families to maintain ties to the wider Jasper/Grande Cache/Lac Ste. Anne community of hybrid Aboriginal groups, which have a history of extensive intermarriage.⁵

The eviction of the Moberly, Joachim, and Findlay families from Jasper National Park in 1910-11 resulted in their diaspora to three locations: a site near the present-day town of

³ Pierre- Jean De Smet, *Oregon Missions and Travels over the Rocky Mountains, in 1845-46* (New York: E. Dunigan, 1847), 195.

⁴ Peter Murphy, "Homesteading the Athabasca Valley to 1910," in *Culturing Wilderness in Jasper National Park: Studies in Two Centuries of Human History in the Upper Athabasca River Watershed*, ed. Ian MacLaren (Edmonton: University of Alberta Press, 2007). 132.

⁵ Ibid., 132-146.

Grande Cache, where Ewan Moberly and Adam Joachim moved; the town of Entrance, where John Moberly moved; and the town of Edson where Isadore Findlay moved. My grandmother Caroline, daughter of John Moberly, left the park when she was ten-years-old. During my upbringing, I was very aware of the connection to my second cousins and extensive links to the other families. However, I was largely unaware of the eviction story until the Oka Crisis in 1990. That summer, families with a historic connection to the park set up teepees along highway 16 close to the gates at the eastern entrance to Jasper National Park.

I joined the people handing out leaflets that indicated our support for the Mohawks at Oka and demanding recognition of our claim to the park. Calling ourselves the Rocky Mountain Cree, we demanded that Cree/Iroquois who inhabited the park before its creation receive the promises that had been given to us. The leaflet stated, "Today we are declaring to all people concerned and especially to those governments who have established themselves in our territory, that we will be taking control."⁶ Soon after the protest camp was established, transplanted Aboriginal activist Lester Howse became the spokesperson for the group. He learned the eviction story from talking to Elders, and introduced on his own – a threat to reoccupy the park with guns and aggression. These threats resulted in Elders and descendants abandoning the protest, which ended a few days after he arrived. These events reified an aspect of my culture for me – we did not like to do things in an aggressive way. If Elders feel that trouble or arguments are likely to take place, they avoid the situation. Once threats were made, no one wanted to be a part of the protest. This event resulted in my fascination with my family's history.

⁶ Rudy Haugenede, "Jasper Cree Ready to Blockade-Invade," *Wind Speaker*, 8 no. 14 (1990): 2

I began to ask my grandfather, Felix Plante, and granduncle, Edward Moberly, about the things that had been said at the protest. They confirmed that the story was true, and that documents did exist, at least for the Moberly, Joachim, and Findlay families. They were also convinced that all the evicted families had been told they could occupy land outside the park and continue their lifeways. The protest at the park gate relied on accounts of Elders, but the lack of documentation also existed within the park. At the time, Michel Audry of Parks Canada indicated that, “the parks service is doing an internal inquiry to locate documents about promises at the time the Park was established.”⁷ This event was the start of a renewed interest among descendants of those evicted to learn about our history.

One of the fascinating aspects of my conversations with my Elders during this time was the issue of identity. They were reluctant to accept an identity as either Indian or Métis; rather, they associated those identities with people who had made agreements with governments. My grandfather in particular did not identify with these labels. He would often remind me that our people had no agreement with the government and that our claim was outstanding. As a result, he felt no need to adopt categories that he felt recognized a relationship with the government.

Research on the Upper Athabasca Métis population remains underdeveloped with limited scholarly analysis. The notable exception is, “Grande Cache: The Historic Development of an Indigenous Alberta Métis Population” by Trudy Nicks and Kenneth Morgan (1985). Interestingly, however, this article makes no mention of the eviction of the Moberly, Joachim, and Findlay families in 1910-11. Conducting research in Grande Cache in

⁷ Ibid.

the 1970s, Nicks and Morgan documented a community of 238 Métis with a single eviction narrative. "With the creation of Jasper National Park in 1907 all native squatters were evicted from homes and trap lines inside its borders."⁸ The question of identity is also explored: "Elderly informants in the 1970s, though quite conscious of the racial diversity in their background, generally did not dwell on the question of their identity vis-à-vis the outside world."⁹ Nicks and Morgan's research provides a very useful place from which to expand on themes regarding the history and identity of the Jasper Métis population.

Nicks and Morgan's research provides context and perspective to the analysis of the contemporary community, especially the evolving nature of the patron-client system of relationships in the community of Grande Cache. Prior to 1960, when development and urbanization came to Grande Cache, the patrons who represented the community included "missionaries, outfitters, forestry officials, and store owners who were able to act on behalf of the native community."¹⁰ However, after an influx of development and the requisite need to deal directly with Euro-Canadian society, the Grande Cache community began "to rely heavily on new patrons. The first response to the stresses faced...was the establishment of co-operatives, with assistance of patrons with professional training in community development and anthropology, the Native Area Development Committee."¹¹ The Native Area Development Committee was initially successful in representing the community, however, it failed after a time and the vacuum it left was filled by the Métis Association of Alberta. Nicks and Morgan reveal how the Métis Association had been active in Grande

⁸ Trudy Nicks and Kenneth Morgan, "Grande Cache: The Historic Development of an Indigenous Alberta Métis Population," in *The New Peoples: Being and Becoming Métis in North America*, eds. Jacqueline Peterson and Jennifer S. H. Brown (Winnipeg: University of Manitoba Press, 1985), 170.

⁹ Ibid., 177.

¹⁰ Ibid., 177.

¹¹ Ibid., 177.

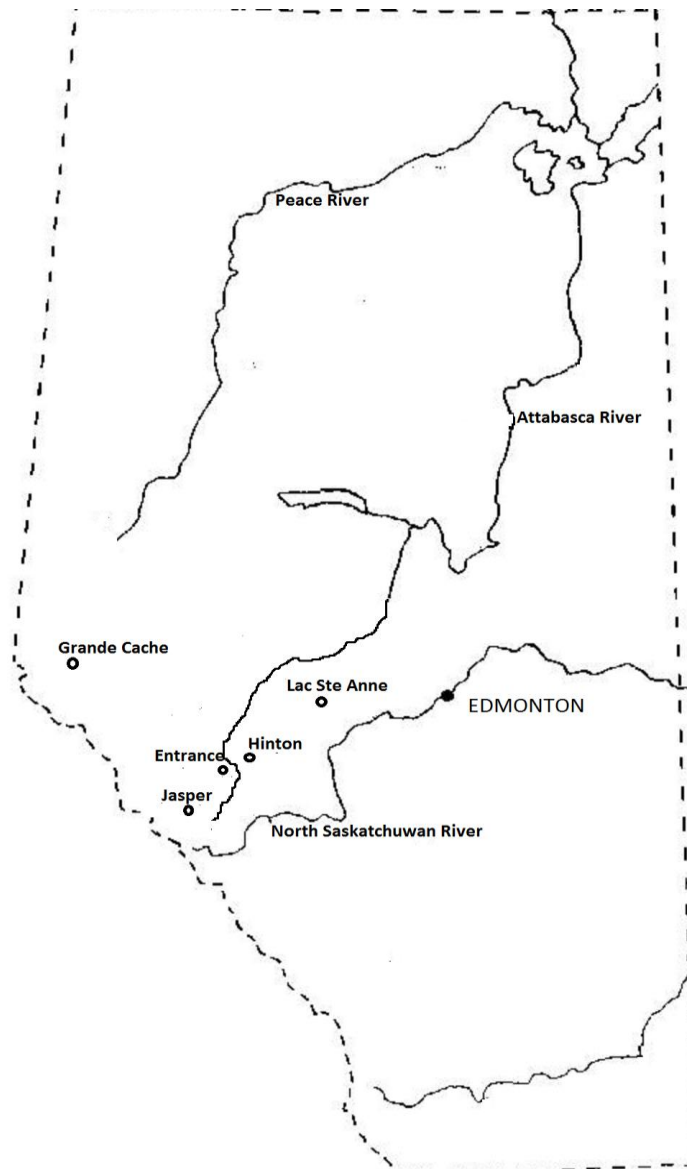
Cache for years yet, “it was generally not accepted by local people as long as their own committee functioned.”¹² With the loss of the local Native Area Development Committee, the community became receptive to the Métis Association as the new patron, even though doing so required adopting the identity it promoted. The acceptance of the Métis Association as the main patron beginning in the 1970s did not mean that the community now identified as Métis, however, even though this was the perspective of the Métis Association. Rather, the relationship allowed the community to maintain its cultural distinctiveness in Grande Cache.¹³

The Métis Nation of Alberta (NMA) continues to be a patron for the community in Grande Cache. However, in the 1990s the Asiniwache Winiwak Nation (AWN) was formed. The AWN represents the unrecognized Indigenous population in the Grande Cache region, including those removed from Jasper National Park in 1907. The AWN has in many ways taken up the mantle of a local patron in the same way that the Native Area Development Committee had in the 1970s. The acceptance of patrons, or advocates and entities that can represent leadership to outsiders, allows the community to maintain distance and freedom from authorities, yet problems with identity, or representation of the community in a way they desire, persist. My time advocating for Elders in their meetings with Jasper National Park between 2004 and 2011 included attempts to create the conditions that would allow them to speak for themselves, but this was often challenged by my reluctance to become a patron or to appreciate the cultural reluctance that remains to engage outsiders without a patron. This aspect of the Jasper Métis culture is very different from that found within

¹² Ibid., 178.

¹³ Ibid., 178.

contemporary Métis rights discourse. Rather than expressing a Métis nationalism or advocating pride in a Métis identity, this community prefers to avoid the identity question in its relations with outside groups in favour of remaining free of colonial interference. It is my contention that we have outstanding rights associated with Métis because of our history and worldview and the development of Métis rights discourse must include communities such as ours.



1.1 Communities associated with the Upper Athabasca Metis

1.2 Métis in Canada

The term “Métis” stems from the Latin verb *miscere*, “to mix,” and refers to a collection of cultures that resulted from unions between Aboriginal and European peoples in what is now Canada. The term initially described the children of these relationships, but over generations came to refer to the distinct culture that developed into unique communities. In recent years, partially due to the Métis rights case *R. v. Powley* (2003), the word “Métis” has come to represent contentious viewpoints concerning the origins of Métis peoples. While the term often refers to a single cultural identity produced by European-Aboriginal intermarriage – a people whose genesis occurred at Red River – some scholarship suggests it may apply to multiple identities that have arisen from diverse historical instances of Indigenous-European heritage.¹⁴ While I agree with the latter view, I also contend that this expanded definition of Métis can include intra-Indigenous groups, communities formed through extensive kin relations between multiple indigenous cultures, and which do not adopt the identities of their ancestors.

Métis peoples insist that they are part of a distinctive cultural group. However, Métis identity is frequently misinterpreted by non-Métis to refer simply to anyone with Aboriginal-European biological ancestry. Métis ethnogenesis is also a vexing aspect of the discourse concerning Métis peoples. Some trace Métis origins to policies employed by the French to encourage traders to seek marriage liaisons with Aboriginal peoples. Samuel de

¹⁴ Frits Pannekoek, “Métis Studies: The Development of a Field and New Directions,” in *From Rupert’s Land to Canada: Essays in Honour of John E. Foster*, Theodore Binnema Gerhard Ens, and R. C. Macleod, eds. (Edmonton: University of Alberta Press, 2001), 122-23.

Champlain famously said in 1634, "When that great house shall be built, our young men will marry your daughters, and we will be one people."¹⁵ This statement reflects the French policy of recognizing and making use of established Aboriginal trading practices, including establishing family connections through marriage, which enabled settlers to better adapt to life in a foreign land.¹⁶ Cornelius Jaenen, illustrates how this policy emerged;

"French claims, were asserted against European rivals and not against native peoples mainly because French settlement was geographically restricted to areas largely unoccupied by Native peoples...The recognition of the independence and rights of Native nations under the umbrella of French sovereignty posed no immediate problems for Quebec or Versailles. The French exercised their sovereign rights in the interior through the allied nations, so Native possessory rights and territorial rights did not conflict with French legal principles".¹⁷

Others suggest that the ethnogenesis of Métis peoples took place in different ways at different times and places. As evidence, they point to the many and various locations that witnessed the development of Métis communities, including those that were not only the result of European-Aboriginal unions, but also of unions between different First Nations, as was the case in the nineteenth century in the Upper Athabasca River Valley.¹⁸ Métis was a very open term at the onset of political organising in the 1960s and 1970s. The Métis Association of Alberta allowed "any person with mixed Indian and Non-Indian blood" to become a member before 1984, including non-status individuals.¹⁹ Some groups that identify as Métis prefer to be called Half-Breeds, because it is the term used for groups in

¹⁵ *The Jesuit Relations and Allied Documents: Travels and Explorations of the Jesuit Missionaries in New France 1610-1791*, Reuben Gold Thwaites, ed. (Cleveland: The Burrows Brothers Company, 1898): vol V, 209.

¹⁶ Heather Devine, *The People Who Own Themselves: Aboriginal Ethnogenesis in a Canadian Family, 1600-1900* (Calgary: University of Calgary Press, 2004). See also, Susan Sleeper-Smith, *Indian Women and French Men: Rethinking Cultural Encounter in the Western Great Lakes* (Amherst, MA: University of Massachusetts Press, 2001).

¹⁷ Cornelius Jaenen, *The French Relationship with Native Peoples of New France and Acadia* (Ottawa: Research Branch, Indian and Northern Affairs Canada, 1984), 183.

¹⁸ Joe Sawchuck, "The Métis, Non-Status Indians, and the New Aboriginality: Government Influence on Native Political Alliances and Identity," *Canadian Ethnic Studies* 17, no. 2 (1986): 133-146.

¹⁹ Joe Sawchuck, "Negotiating an Identity: Métis Political Organizations, the Canadian Government, and Competing Concepts of Aboriginality," *American Indian Quarterly* 25 no. 1 (2001), 73-92.

western Canada.²⁰ Others prefer the term *Otipemisiwak*, a Cree term meaning “the people who rule themselves.”²¹

Many people think of Red River as the centre of Métis ethnogenesis. Some experts, such as historian J. R. Miller, have termed this “Red River myopia,” pointing to the focus on Métis communities in the Red River region by academics.²² This fascination with ethnogenesis at Red River is captured in the mid-twentieth century analysis of the Métis victory in the Battle of Seven Oaks, which took place on June 19, 1816. Tensions had built in the area due to the Hudson Bay Company (HBC) granting 116,000 acres to the Earl of Selkirk for the purpose of establishing a settlement.²³ The rival North West Company (NWC) was concerned that a settlement at Red River would cut off their trading routes. Company representatives have been credited with challenging the HBC move by enlisting the Métis and convincing them to claim the area as a “birthright from their Indian mothers, and to think of themselves as a ‘new nation.’”²⁴ Historian George Stanley credits the NWC with “rousing the racial consciousness of the métis.”²⁵

Subsequent scholarship began to question this depiction of Métis ethnogenesis and the role that the NWC played, in particular the work of Jennifer Brown, Jacqueline Peterson, John Foster and Harriet Gorham. Their research questioned the role of the NWC, and in

²⁰ Library and Archives Canada. “Métis Scrip,” accessed April 10, 2015, <https://www.collectionscanada.gc.ca/Métis-scrip/005005-4000-e.html>.

²¹ Lena Ouellet 2015. Interview with author, March 15.

²² J. R. Miller, “‘I can only tell what I know’: Shifting Notions of Historical Understanding in the 1990s,” in *Reflections on Native-Newcomer Relations* (Toronto: University of Toronto Press 2004), 54.

²³ Arthur S. Morton, *A History of the Canadian West to 1870-1871* (Toronto: University of Toronto Press, 1973 [1939]), 534.

²⁴ *Ibid.*, 806.

²⁵ George E.G. Stanley, *The Birth of Western Canada: A history of the Riel Rebellions* (Toronto: University of Toronto Press, 1961) 11.

particular, the influence of the Battle of Seven Oaks in the formulation of a Métis identity.²⁶

This development of inquiry into the ethnogenesis of Métis people shifted away from examination of exogenous factors to a greater focus on the endogenous role in Métis Identity formation.²⁷

The emergent research has grappled with different groups at Red River and beyond, namely the Métis, Half Breeds and Great Lakes mixed bloods. Further analysis has focused on the connection or lack thereof between Métis and Half Breed communities and the influence that class and occupation have in the creation of a Métis identity. Gerhard Ens proposed that “Metis identity was not defined by biology, blood, or religion, but rather by the economic and social niche they carved out for themselves in the Fur Trade.”²⁸ Irene Spry pointed out the differences between “the professional farmer and the hunter and the plains trader “at Red River.²⁹ James Miller concluded that “We must, in short, study class as a factor among the Métis.”³⁰

Religion is also a major area of inquiry in identifying the construction of a Métis identity at Red River, with Protestant Scottish Half-Breeds and French Catholic Métis

²⁶ Jennifer Brown, *Strangers in Blood: Fur Trade Families in Indian Country* (Vancouver: University of British Columbia Press, 1980);

Jacqueline Peterson, “Prelude to Red River: A Social Portrait of the Great Lakes Métis,” *Ethnohistory* 25 (1978): 46;

Jacqueline Peterson, “Many Roads to Red River: Metis Genesis in the Great Lakes Region, 1680-1815,” in *The New People: Being and Becoming Métis in North America*, eds. Jacqueline Peterson and Jennifer S.H. Brown (Winnipeg: University of Manitoba Press, 1985), 38;

John E. Foster, “Some Questions and Perspectives on the Problem of métis roots,” in Peterson and Brown, *The New Peoples*, 81.

Harriet Gorham, “Families of Mixed Descent in the Western Great Lakes Region,” in *Native people, Native Lands: Canadian Indians, Inuit and Metis*, ed. Bruce Alden Cox (Ottawa: Carlton University Press, 1987), 37.

Daren O’Toole, “From Entity to Identity: The Ethnogenesis of the Wiisakodewiniwag (Bois-Brûlé) Reconsidered,” in *History, Identity, Law and Politics*, eds. Christopher Adams, Gregg Dahl, and Ian Peach (Edmonton: University of Alberta Press, 2013), 146.

²⁸ Gerhard Ens, *Homeland to Hinterland: The Changing World of the Red River Métis in the Nineteenth Century* (Toronto: University of Toronto Press, 1996), 4.

²⁹ Irene M. Spry, “The Métis and Mixed-Bloods of Rupert’s Land before 1870,” in Peterson and Brown, *The New Peoples*, 112-13.

³⁰ James R. Miller. “From Riel to the Métis,” *Canadian Historical Review* 69.no.1 (1988): 14.

making up the two dominant communities. Heather Devine found that the “presence of these missions, both Roman Catholic and Protestant, was instrumental in the development of distinct and separate corporate entities for the biracial people of Red River.”³¹ At Île à la Crosse, Brenda Macdougall points out, “in order for non-Catholic outsider males to become socially acceptable as spouses and join the local community through marriage, they were required to undergo the lengthy conversion process.”³²

Analysis of the influence of class, occupation and religion on Métis ethnogenesis does not, however, extend to Métis nationalism, which has remained largely confined to the coming together of bi-racial groups in defence of their mutual interests at Red River in 1816. Darren O’Toole challenges this assumption by pointing out that the Red River Métis and Great Lakes mixed-bloods, “not only shared the common heritage of the NWC fur trade tradition, they were also-*inawendiwag*-related to each other-through a common, cultural, linguistic and religious heritage on both sides of their mixed ancestry.”³³ From this perspective, Chris Anderson’s proposal that the forks of the Red and Assiniboine are the center of Métis nationalism and the Great Lakes region a periphery, is problematic.³⁴ The trajectory of Métis genesis as it exists in academic discourse, especially in the Red River and Great Lakes region, has downplayed the influence of Indigenous institutions and culture. One of the goals of this dissertation is to highlight the significant Indigenous contribution to the construction of Identity among the Métis of the Jasper region.

³¹ Heather Devine, *The People Who Own Themselves: Aboriginal Ethnogenesis in a Canadian Family, 1660-1900* (Calgary: University of Calgary Press, 2004), 7.

³² Brenda Macdougall, *One of the Family: Métis in Nineteenth-Century Northwestern Saskatchewan* (Vancouver: University of British Columbia Press, 2010), 144.

³³ Darren O’Toole, “From Entity to Identity: The Ethnogenesis of the Wiisakodewiniwag (Bois-Brûlé) Reconsidered.” in *Métis in Canada, 178-79*.

³⁴ Chris Andersen, “Moya :Tipimsook’ (‘The people Who Aren’t Their Own Bosses’): Racialization and the Misrecognition of “Métis” in the Upper Great Lakes.” *Ethnohistory* 58. No. 1(2011): 53.

The history of Métis rights discourse in Canada began four years after confederation in the Red River region of what is now Manitoba. In 1869, Canada purchased Rupert's Land from the Hudson's Bay Company without consulting the inhabitants of the area. The Métis of Red River, fearing that their title and rights were being ignored, set up a National Committee of Métis to stop the land transfer until their rights and title had been recognized. This action and the ensuing events would become known as the Red River Resistance. Under the leadership of Louis Riel, the Métis set up a provisional government at Red River with the goal of negotiating terms for entering into Confederation with Canada. They drafted a Métis Bill of Rights, which was then sent to Ottawa. The Bill demanded, among other things, the right to elect their own legislature at Red River, to elect federal Members of Parliament, to have both French and English recognized as official languages, and to maintain Métis culture and customs.³⁵

When a Canadian labourer, Thomas Scott, working on the survey team in Red River was tried and executed for treason by Riel's government, Prime Minister John A. Macdonald sent troops to assert Canada's control over the region. Canadians who did not support Riel saw his acts as treasonable and wanted him executed. Riel fled to the United States. Although Riel would run for, and win, a seat in the Canadian Parliament in 1874, he was never allowed to take his seat and was expelled from the House of Commons.³⁶ Despite

³⁵ Gerhard J. Ens and Joe Sawchuk, *From New Peoples to New Nations: Aspects of Métis History and Identity from the Eighteenth to Twenty-First Centuries* (Toronto: University of Toronto Press, 2016), 93-102.; D.N. Sprague, *Canada and the Métis 1869-1885* (Waterloo: Wilfrid Laurier Press, 1988) 55-66. For analysis of the class, economic, familial and generational aspect of Red River during the negotiations concerning Métis governance see, Gerhard J. Ens, *Homeland to Hinterland: The changing Worlds of the Red River Métis I the Nineteenth Century* (Toronto: University of Toronto Press, 1996), Chap 6. For influence of the clergy see, Philippe Mailhot, "Ritchot's Resistance: Abbé Noël Joseph Ritchot and the Creation and Transformation of Manitoba." PhD dissertation, University of Manitoba (1986), 31-39. Alexander Begg, *The Creation of Manitoba* (Toronto, 1871), 225.

³⁶ George F.G. Stanley, *Louis Riel*. (Toronto: Ryerson Press, 1963). 203

these setbacks, the Métis provisional government managed to achieve federal approval of the Manitoba Act, which took effect in 1870 and led to the creation of the province of Manitoba. The Manitoba Act recognized Métis title to the land within the province, and Section 31 set out 1.4 million acres to be allotted to Métis children. However, acceptance of this land explicitly extinguished their broader title.³⁷

The allocation of land was done through the development of a scrip system, through which scrip documents could be redeemed for land or money. There were three phases of scrip implementation, each of which contained the objective of extinguishing Métis Aboriginal title. The first, Manitoba Scrip, was implemented as a condition of the Manitoba Act in the 1870s. The second, North-West Scrip, was used in the region that was to become Saskatchewan and Alberta between 1885 and 1889. And the third, Treaty Scrip, was negotiated along with Treaties 8 and 10.³⁸ Many people found the scrip system problematic and susceptible to fraud, in part because scrip had to be redeemed at Lands Title offices that were hundreds of kilometers apart, necessitating several days of travel by each grantee. Some people sent others to redeem scrip on their behalf and others did not redeem their scrip at all. Frank Tough and Erin McGregor's examination of Métis scrip in Northwest Saskatchewan uncovered that, "of 742 land scrip issued in the Claim Region, 725 were assigned to third parties, and only three coupons were converted by the grantee to a Letter Patent."³⁹ The Métis felt the policy of scrip infringed upon their rights and title,

³⁷ Library and Archives Canada. "Manitoba Act." Accessed April 10, 2015, <https://www.collectionscanada.gc.ca/confederation/023001-7118-e.html>.

³⁸ Augustus Camie, "Métis Scrip," in *kā-kī-pē-isi-nakatamākawiyahk, Our Legacy: Essays*, Cheryl Avery and Darlene Fichter, eds. (Saskatoon: University of Saskatchewan, 2008), 93-112.

³⁹ Frank Tough and Erin McGregor, "'The Rights to the Land May Be Transferred': Archival Records as Colonial Text—A Narrative of Métis Scrip," in *Natives & Settlers, Now & Then: Historical Issues and Current Perspectives on Treaties and Land Claims in Canada*, Paul W. DePasquale, ed. (Edmonton: University of Alberta Press, 2007), 33-64.

particularly as they waited for scrip while watching non-Métis settle on what they viewed as their land.⁴⁰ This study of Métis Scrip in Northwest Saskatchewan illustrates the lack of engagement by the federal government to address the concerns of Métis families.

In addition to problems associated with scrip allocation and process management, Treaty Six was negotiated with “no provision for extinguishing Métis land title in the form of giving scrip....”⁴¹ Unlike many areas in Treaties One through Five, the Metis living in the Parkland and Boreal region of the prairies subject to Treaty Six were not easily distinguished from Woodland and Plains Cree signatories. Métis living further east along the Red, Assiniboine, and Saskatchewan Rivers had transitioned to an agricultural economy, and existed as communities separate from the plains tribes and therefore easily identified as Métis whose land title required extinguishment through scrip. Those more closely aligned with the lifestyles of the plains tribes, however, were “permitted to “take Treaty” if they wished to do so.”⁴² A large number of Métis signed on to Treaty Six as the only option available. It is interesting to consider the identity of Métis offered treaty as a condition of their lifestyle.

The negotiation of treaties were aided by the long association between Métis and Indians. Treaty Three was made possible through the intervention of Red River Métis⁴³ and considerations for the rights of Métis were a common feature in treaty negotiations.⁴⁴ However, the fluid nature of Métis/Indian identity in some regions covered by treaties 1-8,

⁴⁰ Ibid.

⁴¹ Heather Devine, *The People Who Own Themselves: Aboriginal Ethnogenesis in a Canadian Family, 1660-1900*. (Calgary, University of Calgary Press, 2004), 206.

⁴² Ibid., 206.

⁴³ Arthur J. Ray, Jim Miller, and Frank Tough, *Bounty and Benevolence: A History of Saskatchewan Treaties* (Montreal: McGill-Queen's University Press, 2000), 69

⁴⁴ Heather Devine, *The People Who Own Themselves: Aboriginal Ethnogenesis in a Canadian Family, 1660-1900*. (Calgary, University of Calgary Press, 2004), 142

allowed numerous people to take treaty and a few years later, leave treaty, to take scrip. While some did so for personal benefit, others were encouraged to do so by government officials who did not want Métis influence within reserves.⁴⁵

The history of Métis in Canada during the nineteenth century created uncertainty around the existence of Métis rights in the twentieth century. The inclusion of Métis in Section 35 of the Constitution Act in 1982 recognized Métis as one of the Aboriginal peoples of Canada, however, it was not until the *R. v. Powley* (2003) decision that a clear recognition of Métis rights was given. The *Powley* case was a watershed moment in Métis history because it ended the ambiguity concerning the existence of Métis rights in Canada. Thus, the term “Métis” has come to hold legal and political significance. In fact, Métis rights discourse has been at the cutting edge of Aboriginal rights discourse in Canada ever since the *Powley* decision. Well-known Métis lawyer Jean Teillet describes Métis legal standing in Canada on her website:

The Métis are appropriately considered aboriginal for two main reasons. First, because they grew into a distinct culture and became a people in the Northwest prior to that territory becoming part of Canada. In that sense they pre-date Canada, not just as individuals who happened to be in that territory first, but as a collective living in, using and occupying the Northwest. Second, they were not the culture-bearers of European civilization in the Northwest. Their culture was a unique response to the land. While they engaged in some farming, they were highly mobile and were not primarily ‘settlers.’ There was a creative mixing of Amer-Indian and Euro-Canadian customs, languages and traditions. Métis culture in the Northwest had many long years to evolve before the settlers arrived.⁴⁶

The issue of Métis identity will continue to be the topic of much debate and discussion, since Métis rights depend on identifying the people who are entitled to such rights, and then specifying what those rights are. The navigation of legal rights and terms of identity

⁴⁵ ⁴⁵ Gerhard J. Ens and Joe Sawchuk. *From New Peoples to New Nations: Aspects of Métis History and Identity from the Eighteenth to Twenty-First Centuries* (Toronto: University of Toronto Press, 2016), 190-238.

⁴⁶ Jean Teillet, “Metis Law in Canada,” Accessed March 13, 2016. <http://www.pstlaw.ca/resources/Metis-Law-in-Canada-2013.pdf>

for recognized or unrecognized Métis peoples has been and will continue to be a major area of academic, legal, and political inquiry in Canada.

The *Powley* case in 2003 set the legal definition of “Métis” as people who have continued ties to a historical Métis community, and are accepted as such by contemporary members of that community, provided they identify as Métis. This definition creates further dimensions of Métis, in particular, the new concept of a rights-bearing Métis community. This is similar to the construction of Status and Non-Status among First Nations peoples, in that it is a legal categorization. In the *Powley* decision, the Supreme Court ruled that the appropriate way to define Métis rights in s. 35 is to modify the test used to define the Aboriginal rights of First Nations (i.e. the Van der Peet test). This modified Métis test came to be known as the *Powley* test. The test is set out in ten parts: 1. Characterization of the right; 2. Identification of the historic rights bearing community; 3. Identification of the contemporary rights bearing community; 4. Verification of membership in the contemporary Métis community; 5. Identification of the relevant time; 6. Was the practice integral to the claimant’s distinctive culture; 7. Continuity between the historic practice and the contemporary right; 8. Extinguishment; 9. Infringement; and 10. Justification. The most interesting aspects of the *Powley* test for Métis from the Upper Athabasca are parts three (identification of a contemporary rights bearing community), and four (verification of membership). These parts of the *Powley* test pose important questions regarding the particular circumstance of the Métis associated with the Upper Athabasca River Valley. Issues of self-identity and verification of membership become challenging to this community, because rejection of just these terms meant freedom from colonial authorities for previous generations.

This emphasis has rendered invisible the histories of Métis communities elsewhere in Canada. Partially due to the *R. v. Powley* case, which focused on the Métis of Sault Ste. Marie in Ontario, academic and legal research on other historic Métis communities has increased. Brenda Macdougall challenges the limits that come with using Red River as a benchmark for Métis studies. She suggests family, land, and identity are the foundations for understanding Métis communities.⁴⁷ *Powley* has shown that Métis rights are defined by the local histories of Métis communities, not by the history of Red River.

The question of who should be entitled to Métis harvesting rights and who has the ability to seek additional rights, can create tensions between different Métis communities. Yet, because the *Powley* case forces us to re-examine these issues, it has brought a resurgence of academic and legal inquiry into Métis identity and Métis rights. In the same way the 1990 *Sparrow* case laid the groundwork for First Nations rights to grow beyond harvesting of fish into a wider discourse concerning the recognition of First Nations rights and title in Canada, *Powley* has the potential to advance the discourse concerning Métis rights.

Scholars have not always been open to accepting that there is diversity in concepts of Métis identity. In *Métis: Race, Recognition, and the Struggle of Indigenous Peoplehood*, Chris Andersen contends that Red River is the birthplace of Métis peoplehood and nationalism. As a consequence Andersen believes that groups seeking Métis status and rights must illustrate this connection.⁴⁸ Andersen rejects the idea of a Red River myopia, and contends that only Indigenous groups with a connection to the historical core of the

⁴⁷ Brenda Macdougall, *One of the Family: Métis in Nineteenth-Century Northwestern Saskatchewan* (Vancouver: University of British Columbia Press, 2010), 2.

⁴⁸ Chris Andersen, *Métis: Race, Recognition, and the Struggle of Indigenous Peoplehood* (Vancouver: University of British Columbia Press, 2013).

Red River region can claim Métis identity.⁴⁹ His contention assumes that Métis identity markers are based on the nationalism that originated in Red River. He does acknowledge that Métis born west of Red River exist as Métis as long as they are connected to the nationalist core at Red River.⁵⁰ To exist as a Métis citizen today, Andersen believes that there must be a connection to the historical political processes that led to the rise of Métis nationalism in the nineteenth century. Andersen's perspective lacks an analysis of the Indigenous influence in the construction of Métis identity. As O'Toole has pointed out, the similarities between Red River and Great Lakes Métis extends to a common Indigenous heritage.⁵¹ As the Métis community developed in Jasper, none of the Indigenous groups contributing to the genesis had a connection to Red River. Incorporation of Indigenous influence in the analysis of Métis identity may show that Métis who developed independently from Red River are "typical rather than exceptional".⁵²

Others, such as Brenda Macdougall, define Métis in relation to land, culture, and identity. Macdougall's, *One of the family: Métis Culture in Nineteenth-Century Northwestern Saskatchewan* (2010), examines how the construction of Métis Families aided the ability to achieve independence from the Hudson's Bay Company and the Roman Catholic Church. She rejects Red River as the genesis of all Métis, and finds important components of Métis culture and autonomy through the analysis of family groups.⁵³

⁴⁹ Ibid., 6.

⁵⁰ Ibid., 18.

⁵¹ Darren O'Toole, "From Entity to Identity: The Ethnogenesis of the Wiisakodewiniwag (Bois-Brûlé) Reconsidered." in *Métis in Canada*, 178-79.

⁵² Trudy Nicks and Kenneth Morgan, "Grande Cache: The Historic Development of an Indigenous Alberta Métis Population," in *The New Peoples*, 173.

⁵³ Brenda Macdougall, *One of the Family: Métis in Nineteenth-Century Northwestern Saskatchewan* (Vancouver: University of British Columbia Press, 2010).

Jean Barman addresses the question of Métis identity rooted in the province of British Columbia. As BC was devoid of scrip recipients due to lack of treaties and scrip commissioners operating in the province, fur trade marriage alliances were not recorded in the same as in the prairies. Subsequently, the Métis Nation of BC has adopted cultural elements associated with the prairies, such as the Cree language, jigging, and acceptance of Métis homelands only encroaching on a small portion of BC.⁵⁴

In *French Canadians, Furs, and Indigenous Women in the Making of the Pacific Northwest*, Barman examines the role that French fur traders and their Indigenous wives took in the fur trade and post fur trade society in the Pacific Northwest. In effect, these families, “eased relations with Indigenous peoples both within and beyond the fur trade economy.”⁵⁵ This role was a natural one for French men who had a long history of close relations and comfort with Indigenous people. As a result, Barman contends, “their descendants, rather than opting for a third way as the Métis did, have enacted both their formative inheritances in the sometimes role as intermediaries between peoples.”⁵⁶

This recent academic research concerning Métis identity and worldview helps to situate my work within a larger discourse. The community that developed in the Upper Athabasca region challenges Andersen’s argument that a connection to Métis nationalism, originating at Red River in the nineteenth century, must be present in order to legitimately claim Métis identity. The Upper Athabasca region witnessed extensive mixing and hybridization among the societies that lived in and used the area in the nineteenth century,

⁵⁴ Jean Barman and Mike Evans, “Reflections on Being, and Becoming, Métis in British Columbia,” *BC Studies* 161 (2009): 59–91.

⁵⁵ Jean Barman, *French Canadians, Furs, and Indigenous Women in the Making of the Pacific Northwest* (Vancouver: University of British Columbia Press, 2014), 7

⁵⁶ *Ibid.*, 7.

including Lac Ste. Anne Métis and Iroquois families. However, they did not align with the nationalism that Andersen correlates with Métis peoplehood. His approach oversimplifies the situation in my view. While the Métis that emerged in the Jasper/Grande Cache region do not meet the prerequisites for Métis peoplehood as outlined by Andersen, my analysis of their history will illuminate why a connection to Red River and Métis nationalism does not fully define Métis peoplehood. The Métis in the Upper Athabasca included a significant Iroquois influence as well as intermarriage with Simpcw (Shushwap) and Stoney peoples, not normally associated with Métis genesis. The identity that emerged was not a European style nationalism that is often associated with the Red River, but rather an identity that drew upon expensive alliances and fluidity among Indigenous kin.

Many Métis groups, such as those whose ancestors were evicted from Jasper National Park, have adopted terms of identity that separate their community from other Métis communities. An abundance of independent, small-scale Métis societies are, perhaps problematically, represented by provincial and national organizations that seek to expand and develop further recognition of Métis rights in a collective sense.⁵⁷ This relationship is not always mutually agreed upon, or even desired, by some communities. This study expands the current discourse concerning Métis identity and rights.⁵⁸ I examine the structure of the governance of my Métis society, as well as the role of Elders and the ways that respect is understood and maintained. This approach is also incorporated into this dissertation. The families that have attempted to create working relationships with Parks Canada utilize systems of respect and decision-making to establish the same kind of

⁵⁷ Fort Chipewyan Métis Local 125. Accessed April 11, 2015. <http://fortchipewyanMétis.net/>.
Métis Nation of Alberta Region 1. Accessed April 10, 2015, <http://region1Métis.ca/>.

⁵⁸ Indigenousfoundations.arts.ubc.ca, "Powley Case." Accessed April 10, 2015.
<http://Indigenousfoundations.arts.ubc.ca/home/land-rights/powley-case.html>.

autonomy that Macdougall identifies. I document how the breakdown of these ways of doing things removed autonomy and agency from the families engaged in working with Parks Canada.

The question of rights as they are established through the *Powley* test will be an ancillary aspect of the case study presented here. Parts three and four of the test in particular raise important questions for this community. In part three, identification of a contemporary, rights-bearing Métis community requires that the community must self-identify as Métis. This raises an interesting question. Does Métis self-identity have to exist prior to *Powley*, or can it come as a result of the decision? Another important question emerges with part four of the *Powley* test, the verification of contemporary membership. Can contemporary Métis groups who are politically organized and have secured government funding and recognition, block relatives who are averse to organizing in this way from obtaining designation as rights bearing Métis?

1.3 Methods

The lines of inquiry in this dissertation include examination of academic literature that provides context and theoretical grounding. However, the main body of evidence comes in the form of historical records and personal communications. The historical records include letters and documents sent between government officials during the first decades of the twentieth century, in particular between local authorities and Ottawa. In some cases, letters between those evicted and government officials also constitute evidence. Most of the letters were obtained through research and are held in the collection of Library and Archives Canada, and a few were loaned to me. I also include a 1994

interview with my maternal grandfather, Felix Plante, when he was 100-years-old by Vicky Wallace of the Jasper Historical Society, and personal communications from members of my extended family. The study is organized chronologically, beginning with the genesis of the community and continuing to the contemporary period where I examine events that took place after 2004. I use the email correspondence and minutes of the Council of Elders of the Descendants of Jasper Park, which I represented in talks with Parks bureaucrats from this period.

My emails to local and mid-level Parks Canada officials number in the hundreds, and include discussions of many issues and events as required in my role as spokesperson for the Council of Elders of the Descendants of Jasper Park. I have attempted to lay out my perspective in an unbiased way, however, I recognize that my choice to use specific sections of this communication is inherently skewed to make my point. My argument, however, relies on an analysis of the dynamics of this relationship, particularly the power of local authorities to selectively engage with a subset of the groups claiming a connection to the area. I highlight how engagement is a way to manipulate and interfere with public activities, and ultimately prevent reconciliation between Parks and the evicted families. I also reveal the dynamics between the families and Parks Canada, and individual relationships with the parks service. This micro-level analysis is necessary as the larger rights discourse is generally not available to groups struggling for recognition. I illustrate how Elders collaborate to deal with events as they emerge. I also demonstrate how decision-making occurs among Elders, because it reveals the way in which our society governs itself. This is important because the involvement of Elders at meetings with Parks

Canada ended, and effectively removed, any tangible contribution from the Elders, and in effect, our community.

I am fortunate in being able to recall my own upbringing in commenting on and analyzing the role of Elders, and the ways that equality is maintained among Elders even as they represent leadership in their community. I was four years old when I moved with my mom, dad, and younger siblings onto my grandfather's homestead, which backed onto his trap line. Even though he was seventy-six, he still trapped, had twenty head of horses, and was a well-known maker of packsaddles and other equipment necessary for people intent on making a living on the land. I witnessed many conversations concerning my extended family, and saw firsthand how Elders were the guiding force in a society without overt leadership. I learned that our society was lightly governed through moral suasion, as displayed through the discourse that occurred with and between Elders, and that respect for Elders and the opinions of Elders is very important to my extended family. This upbringing provided me with the insights I needed to gather together family Elders in 2004 and ask if they would be interested in requesting meetings with Parks Canada to improve relations and have our history accurately depicted at Jasper.

At that time, I regarded "Métis" as a legal term. I did not associate with Métis political movements or identify with Métis organizations. Rather, I was aware of the emergence of Métis rights as a result of the *Powley* case. I was interested in how Métis rights could be claimed by families like my own. I came to regard teachings from Elders as Métis teaching, and considered how my upbringing, heavily influenced as it was by my grandparents, gave me the grounding in Métis epistemology that I continue to utilize in my life and work.

This upbringing also provides an anthropological perspective that is often absent from Métis rights discourse. I learned a way of being and doing that is cultural and distinctive to the small-scale society I was raised in. My methodology, therefore, is emic and anthropological. I am able to document the loss of cultural principles because I was raised with them. That is not to say that everyone in my society would accept my analysis of the loss of cultural principles, although my views are widely agreed upon. Without relying on explicit examples, I reveal how the removal of consensus decision-making by Parks Canada personnel prevented Elders from contributing to meetings in a way that represents our society and culture. This limitation is significant given that these meetings were held to discuss how our society and culture would be represented in Jasper National Park. I cannot prove that Parks Canada excludes people intentionally, but I do examine the trajectory of the relationship between Parks Canada and my community as approaches to decision-making changed. The abandonment of cultural governance is, in my view, a part of the heavy cost of being recognized by contemporary colonial authorities⁵⁹ and is often used to create friction between and within groups so that fallout from infighting becomes the result, rather than acknowledgement of a nuanced and fascinating history.

1.4 Theoretical Approach

The anthropological aspect of the study focuses specifically on a few related areas, namely, recognition vs. non-recognition, power relations between Indigenous groups and the state, imposed ethnocide, and the importance of protocol and respect. The problems

⁵⁹ Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014).

that come with any attempt by Indigenous peoples to assert their identity and establish recognition are a global phenomenon. The particular circumstance that exists in Canada is a well-established system that denies recognition unless resources with already recognized groups are shared. Bruce Miller's *Invisible Indigenes* (2003) explores the dynamics of political and legal barriers Indigenous groups face in seeking recognition. He reveals how the policies and processes of colonization that were established when access to legal protection of rights were denied to Indigenous groups, are maintained even as rights become recognized.⁶⁰ While the government method of recognizing Indigenous identity is still in a state of flux in regard to Métis societies, Canadian bureaucrats resist Métis who seek further inclusion of their history and place in Canadian society. Of note are the political ramifications of identity. As my small-scale society began relations through regular meetings with government officials, the issue of identity became increasingly important.

I contend that a direct manipulation of, and move to impose, rules of identity have resulted in ethnocide by bureaucracy. The Parks Canada practice of allowing designated patrons to speak on behalf of the community was challenged when Elders organized to advocate for their own history at Jasper. However, the manipulation of Elders, their agency, and processes of respect and decision-making continued as a Haida totem pole was planned for Jasper. This plan represents both a loss of agency in our process of reformulation undertaken to re-establish a presence with the Canadian state and also a benefit, in that our community draws upon the politics of recognition from outsiders, in this case, of our society by a Haida delegation. The Haida provided recognition through a

⁶⁰ Bruce Granville Miller, *Invisible Indigenes: The Politics of Nonrecognition* (Lincoln: University of Nebraska Press, 2003).

private ceremonial exchange of gifts. However, the issue of a Métis presence in Jasper is as contentious today as it was when families were evicted in 1910-11.

The goal of obtaining recognition from the state is shared by other groups. For example, Bonita Lawrence documents Algonquin attempts to restore recognition of their territory and full population. There is, however, a reluctance among Algonquin Elders to seek recognition. Their history includes many instances of rejecting recognition in favour of independence from government authorities.⁶¹ This finding is insightful and resonates with my research. Freedom from authorities is an important aspect of the culture identified by Nicks and Morgan at Grande Cache.⁶² It is also a consistent feature of my work with Elders, who often weighed the cost of recognition against the limitations of freedom. Many in the community ask an important question concerning rights and recognition: why seek the right to do something if it becomes more cumbersome than continuing to do it without recognition? This aspect of the society that was evicted from Jasper National Park is explored in Audra Simpson's, *Mohawk Interruptus* (2014). The rejection of recognition by Mohawks of Kahnawa:ke by Canadian or American governments is built upon a long history of independence from colonial authorities. The continued struggle to remain independent, "In the face of a force that is imperial, legislative, ideological, and territorial... has made them more than men who walk on beams."⁶³

The forces that require Indigenous groups to work against their own history and, in some cases, their own community members, constitute another important theoretical

⁶¹ Bonita Lawrence, *Fractured Homeland: Federal Recognition and Algonquin Identity in Ontario* (Vancouver: University of British Columbia Press, 2013), 2

⁶² Nicks and Morgan, *Grande Cache*, 170

⁶³ Audra Simpson, *Mohawk Interruptus: Political Life across the Borders of Settler States* (Durham, NC: Duke University Press, 2014), 3.

branch of this dissertation.⁶⁴ Re-emerging Indigenes forms a central concept of this theory. Gerald Sider's *Living Indian Histories: Lumbee and Tuscarora People in North Carolina* outlines the ways authorities have undermined attempts by the Lumbee to claim access to resources when they are considered vanished. This situation creates important questions. How is the re-emergence of a society negotiated? What are the parameters of such a relationship? The participation of members of this Métis society in meetings with Parks Canada may be seen as a small victory until further analysis reveals the underlying entrenchment of colonial control and the ways in which the new relationship is designed to stall, rather than facilitate greater access to rights-based discourse.

A third theoretical theme that applies to this dissertation is the concept of power as it exists in the production and maintenance of culture.⁶⁵ Power in this context can be described in two ways, agentive and non-agentive. Agentive power refers to the production, circulation, and consumption of identifiable aspects of culture that can be controlled by particular individuals at certain times. Non-agentive power refers to elements that are beyond human agency and thus not easily transformed or controlled.⁶⁶ Highlighting both aspects of power as they exist in the relationship between Parks Canada and Métis families is a central aspect of this research.

Instances of non-agentive power formed a common aspect of the discourse that occurred among Elders when they discussed the relationship with Parks Canada in Cree. Systems of respect and adherence to cultural protocols as they exist in Cree provide a

⁶⁴ Gerald Sider, *Living Indian Histories: Lumbee and Tuscarora People in North Carolina* (Chapel Hill: University of North Carolina Press, 2003).

⁶⁵ Jean Comaroff and John L. Comaroff, *Of Revelation and Revolution* (Chicago: University of Chicago Press, 1991), 2.

⁶⁶ *Ibid.*, 22.

source of authority that illustrates ways to do things. It is not possible for non-Cree speakers to access the detailed discourse, because it is never translated in full, although the method for achieving consensus can be shared with English speakers. It is imperative to appreciate the way these fluent speakers of Cree make decisions. The use of respect and protocols that accompany consensus is very important. While a culturally appropriate incorporation of consensus decision-making can and should be an aspect of discussions in English, it was generally abandoned with the shift to meetings conducted in English. The change did include translation into Cree to inform Elders of what was being said in the English discussion, but an important cultural feature had been obfuscated. The loss of this feature of the meetings, where Elders considered agenda items in Cree and made decisions in a way that was representative of their worldview, marked a dramatic shift that eliminated an aspect of the relationship that Parks Canada could not control.

A fourth theoretical element considers an Indigenous worldview that occurs in two forms. The first comprises the oral accounts of Haida citizens Guujaaw, Miles Richardson, Gwaai Edenshaw, and Jaalen Edenshaw, who provided access to their worldview through numerous conversations about their understanding of colonialism. The cultural exchanges that resulted provided me with insights into working with micro-level authorities. Thus, I was able to formulate and undertake a response to the entrenchment of colonial ideas surrounding recognition and identity. The second includes Indigenous academic theory, in particular Glen Coulthard's *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*. Coulthard highlights the importance of maintaining cultural ties to the natural world as a basis for developing protocols that stress respect and reciprocity in relations

with the outside.⁶⁷ These theories are incorporated into chapters Five and Six where I examine attempts to create joint management of historic sites and the issue of reconciling past events, and how the process of reconciliation prevents historic mistreatment from becoming part of contemporary relationships between Aboriginal groups and the crown.

It is important to acknowledge the work of Paul Nadasdy in *Hunters and Bureaucrats*, and of Mark David Spence in *Dispossessing the Wilderness: Indian Removal and the Making of National Parks*, because they document the way that Parks authorities have marginalized Aboriginal groups. Nadasdy shows how the land claim and co-management of Kluane traditional territory caused hunters to have to contend with bureaucrats in creating land use agreements. Nadasdy reveals how Parks officials marginalized Kluane knowledge of their hunting grounds.⁶⁸ The imposition of colonial ways of doing things is an element that applies to my research. While the level of government involvement is vastly different in areas of legal redress and land claims, I am concerned here with the micro-level of bureaucracy, the personal relationships, the power relationships, and discourse over identity, recognition, respect, and small agency. As the Kluane attempt to develop co-management agreements, they experience a reduction of their power in micro-level negotiations with Parks authorities, and their experience resonates strongly with my own working with Jasper National Park.⁶⁹

Meanwhile, Spence documents the creation of Yellowstone, Glacier, and Yosemite National Parks in the United States. Initially, each of these parks allowed and sometimes encouraged the presence of Indigenous residents as long as they dressed and acted in a

⁶⁷ Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 48

⁶⁸ Paul Nadasdy, *Hunters and Bureaucrats* (Vancouver: University of British Columbia Press, 2004).

⁶⁹ Ibid.

way that was consistent with common stereotypes that existed among non-Indigenous park visitors.⁷⁰ This practice of allowing an Indigenous presence that provides cultural performance for the benefit of tourists has been adopted by the contemporary managers of Jasper National Park. While cultural displays, and wearing of regalia are often embraced, discourse concerning further inclusion of Aboriginal presence is neglected.

In the field of history, *Authentic Indians: Episodes of Encounter from the Late-Nineteenth-Century Northwest Coast* by Paige Raibmon provides another lens through which to examine this relationship. Concepts of Indigenous authenticity, especially in the development of a tourism industry that highlights Indigenous culture, rely on the authenticity of the culture being marketed. Raibmon's research on authenticity as a structure of power in relationships between Indigenous people and governing authorities in the nineteenth century resonates with my examination of Elders meetings with Parks officials. It is my perspective that contemporary Métis communities experience similar power dynamics in their relations with micro-level government bureaucracy.

1.5 Chapter Summaries

The history and genesis of the Métis in the Upper Athabasca, up to and including their eviction from Jasper National Park in 1910-11, is the focus of Chapters Two and Three. I conclude that the Métis story in the Upper Athabasca is built on a genesis that occurred as a fur trade era union between Iroquois and Métis Freeman from Lac Ste. Anne. In Chapter Two, I retell the history of the Iroquois in the Upper Athabasca River Valley. I narrow the focus to include differing points of view concerning the life of my great-great-

⁷⁰ Mark David Spence. *Dispossessing the Wilderness: Indian Removal and the Making of National Parks* (Oxford University Press 1999)

Grandmother, Suzanne Karakonti Moberly. As she is the common ancestor of a small-scale society of 400 descendants, her life is all-important to our collective sense of identity. Her identity is also important to groups seeking to incorporate the eviction story into their claims. I have included a transcribed interview with my Grandfather, Felix Plante, from 1994. He was 100-years-old at the time. This interview introduces many of the topics I will focus on. His perspective is used to transition to the next chapter, which deals with the eviction from Jasper National Park in 1910-11.

Chapter three address the eviction of the Métis families and their outstanding claims. The story of the eviction is not well known, at least as it exists in the documentation in my possession. I make a case for legal redress for the events that led to, and stemmed from, this eviction, concluding that hidden accounts of the eviction reveal difference in treatment for a non-Indigenous resident, Louis Swift, at Jasper. The actions by authorities during and following the eviction from Jasper are examined as instances of malfeasance by the crown and by extension as evidence of unrecognized Métis rights.

Chapter Four focuses on the post-eviction life of Ewan Moberly, who was the head of one of the families that moved to Grande Cache after leaving Jasper. Ewan was also determined to rectify the broken promise to take up land outside the park. Progress toward a reasonable settlement with the government seemed to be underway, but ended when Moberly died of Spanish Flu in 1918. I conclude that this event ended any willingness by government officials to revisit outstanding issues related to the eviction. As Ewan was regarded as the leader of the families that had been evicted, and had secured supporters for his claim, his death provided the opportunity for officials to ignore Métis claims. This analysis provides insight into concepts of identity and self-determination among this Métis

society in the post eviction period, as well as documents how local authorities were tasked with eliminating the freedoms that were promised to the Métis families upon eviction.

Chapter Five documents the resurrection of community activism towards Jasper National Park following the *Powely* (2004) decision through the formation of The Council of Elders of the Descendants of Jasper Park. The move to formally organize the Elders, stemmed from the heavy handed approach that was adopted by the Métis Nation of Alberta, in representing the families to Parks Canada during talks beginning in 1998. I document our inclusion in Parks relations with Indigenous peoples and highlight how the system of decision-making, for a time, became a point of pride for local Parks authorities. I also point out how this relationship broke down when the multinational corporation Kinder Morgan became involved after receiving approval to twin an existing pipeline through Jasper National Park. I identify how a power imbalance is maintained when third party interests are accommodated.

Chapter Six documents the demise of the Council of Elders of the Descendants of Jasper Park. The attempt to jointly manage Métis heritage sites was rejected through a process that changed the way Elders work with Parks Canada and re-established a colonial model. This occurred as Minister of the Environment Jim Prentice and Council of the Haida Nation President Guujaaw agreed to replace a decaying Haida Pole that stood in Jasper in 2011. The old pole had been purchased by the CNR as a way to attract tourists to Jasper during the early days of the town. As a new Haida totem pole is planned for the park, the Elders group has fractured through changes that altered the way it worked with Parks Canada. This reorganization abandoned the initial principles of the Elders group. At the same time, some of the descendants of John Moberly, brother of Ewan, whose homestead is

across the river from Ewan's, reached out to the Haida and conducted their own ceremony, much as their ancestors had when they began trading relationships and friendships with visiting dignitaries during the eighteenth and nineteenth centuries in the Upper Athabasca.

Throughout this story, I focus on the inability of this small-scale community to work in a productive way on substantive issues with lower-level government bureaucrats, as well as address questions concerning Métis rights and identity. I demonstrate how the society evolved and was reified by these events. My intent is to show adaptability of identity as an important aspect of a culture that is fluid and ever-changing, and how it insures independence for this Métis society, while also challenging the current strategy among local authorities claiming to reconcile with Indigenous peoples. The wider discourse concerning Aboriginal self-determination and governance in contemporary Canada within a rights-based framework will benefit from this micro-level analysis.

While Parks Canada works with many Indigenous groups, it has avoided any move to vet or organize claims, but rather has used access and micro-level recognition to control relationships. In doing so, it also maintains an ignorance of indigenous identities and history. While I am claiming malfeasance by the Crown in its dealings with descendants of the evicted Métis, my claim centres on the micro-level of the Jasper National Park field unit administration. This focus is significant because the park's relationship with this small-scale Métis society has evolved into an awkwardly negotiated arrangement that serves the interests of park administrators. Reports to senior level personnel in the ministry claim accommodation, while micro-level meetings funnel family discontent into an increased workload that suggests progress is being made when in fact the dysfunction of the relationship is being maintained. The goal of creating joint management of historic Métis

sites in Jasper will not occur until recognition of the history and outstanding Métis rights in the park occur.

Chapter Two

The Métis and Iroquois in the Upper Athabasca

The story of the Iroquois in the Upper Athabasca River Valley, an area now encompassed by Jasper National Park, is well documented. Renowned surveyor David Thompson was tasked with finding a new route through the Rocky Mountains and became the first European to use the Athabasca Pass. During Thompson's trip across the Athabasca Pass in 1810 he was led by a guide known as "Thomas the Iroquois," and it was clear to Thompson that the trail had been well established years before, as "our guide Thomas told us."⁷¹ Thompson wrote of this trip as part of his regular correspondence with fur trader Alexander Henry "the younger."⁷² He mentions that Thomas took him to a hunter's cabin that was inhabited by "Freemen" years before.⁷³ Iroquois traders were often recorded as a stand-alone group due to their employment for transport and as guides. These records now provide evidence that enables tracking the Iroquois who stayed out west. The Métis of that time were likewise documented as Freeman, and tied geographically to Lac Ste. Anne, and like the Iroquois, they often sold furs on their own behalf.⁷⁴

⁷¹ David Thompson, *Narrative of his Explorations in Western America, 1784-1812* (Volume 11), Richard Glover ed. (Toronto: Champlain Society, 2013).

⁷² Alexander the Younger is so named to distinguish him from his Uncle Alexander Henry the Elder, also a fur trader.

⁷³ Alexander Henry, *New Light on the History of the Greater Northwest: The Manuscript Journals of Alexander Henry and David Thompson, 1799-1814*, vol. 2 (New York: Francis P. Harper, 1897), 652.

⁷⁴ Brenda Gainer, *The Human History of Jasper National Park* (Ottawa: Parks Canada, 1981), 14-16. Gerhard Ens and Barry Potyondi, *A History of the Upper Athabasca Valley* (Parks Canada unpublished, 1986), 4-6.

When George Simpson travelled west in 1824, he learned how the influence of the Iroquois and Lac Ste. Anne Freeman/Métis⁷⁵ had spread from Lac La Biche to the Upper Athabasca.⁷⁶ The 1827-28 HBC fur returns for Jasper House show that Iroquois and Métis Freeman were trading together, linking them in the ledgers.⁷⁷ It was a very successful partnership that provided the trading post with more than three quarters of its Beaver pelts, seventy percent of its Martin pelts, and a keg of castoreum, a secretion from the scent gland found between the pelvis and base of the tail of the North American Beaver.

I learned about the benefits of castoreum for trappers from my Grandfather when he taught me to build Lynx traps while relaying this history to me. Castoreum is a kind of catnip for Lynx and is very helpful in attracting them. It is clear to me that the Iroquois and Métis Freeman also knew this fact, because the next year, over the winter of 1828-29, this alliance harvested 129 of the 135 Lynx pelts traded at Jasper House.⁷⁸ These brief accounts, however, gloss over an important coming together through trade and intermarriage among members of these groups that is revealed through examination of the available 1828-31 Jasper House post journals kept by Michael Klyne.

In 1828, Michael Klyne, head trader, arrived at Jasper House to find, “Freemen an Iroquois at the place waiting.”⁷⁹ Klyne describes the dependence that Jasper House had

⁷⁵ I use the term Lac Ste Anne Métis to describe the group that is often referred to as the Cree half-breeds from Lac Ste. Anne. The reason is twofold: first, my term better reflects current understanding of Métis identity, and second, I want to reflect that this group is readily known throughout the region by other Indigenous groups and had names that were not used by visitors. For example, in Cree, Otipemisiwak (the people who rule themselves) is another commonplace term.

⁷⁶ George Simpson, *Fur Trade and Empire: George Simpson's Journal Entitled Remarks Connected with the Fur Trade in the Course of a Voyage from York Factory to Fort George and back to York Factory 1824-25, with Related Documents*. Frederick Merk ed. (Cambridge: Harvard University Press, 1969), 21.

⁷⁷ Ibid.

⁷⁸ Ens and Potyondi, *A History*, Appendix A, 131.

⁷⁹ Hudson's Bay Company Archives. “Jasper House Journals 1828-1830.” HBCA, B.94/a/1-3

on the Iroquois: "If they Iroquois live [leave] the place the returns will be very little, and I hope they make another hunt [sic]."⁸⁰ They did make another hunt and following spring, and Klyne, "received they Iroquois and Freeman furs, 360 martin a few wolverine... and a few Beaver Skins."⁸¹ Klyne continued to document the close relationship between the Iroquois and Jasper House in late June of 1829. "I exchange four mares for four horses for the winter with Louis the Iroquois."⁸² However, he provided the most compelling evidence of an emerging Métis society in the fall of 1830. "In the afternoon Ignace the Iroquois and Francis Berland [Lac Ste. Anne freeman] arrived from the Smoky River they brought a part of their furs say 200 Beavers smale and large and left a part at ther lodge for they others to bring as sune as they will be back – they brought me letter from peace river to let me know that some Freeman of this place went ther but Mr. Campbell will not trad with them before he will see a note from me about their Debt [sic]."⁸³

These firsthand accounts show the society that was to occupy the Athabasca Valley at the turn of the twentieth century undergoing its genesis during the first decades of the nineteenth century. While the fur trade does provide evidence that the Iroquois and Métis Freeman were becoming one group, and that intermarriage between them was common, it also demonstrates their agency. Their use of more than one fur trade post and withholding of furs provide an early record of a culture that did not conform to the authority of the fur trade.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid.

⁸³ Ibid.

It is also important to acknowledge that Métis were not confined to Lac Ste. Anne. Other families, such as that of head trader Michel Klyne, were also Métis. In this respect the Lac Ste. Anne Métis were part of a regional fur trade that included Jasper House, Lesser Slave Lake, and other smaller regional posts. Métis families had established a small settlement at Lac. Ste. Anne by 1830.⁸⁴ In 1842, Jean Baptist Thibault visited the area, and two years later established a mission there. Father Albert Lacombe, the first Oblate at the mission, arrived in 1852. By 1853 he had taken charge of the mission, which had become a centre for a vast area that included Lesser Slave Lake, Lac la Biche, Fort Jasper, and the Rocky Mountains.⁸⁵

The Upper Athabasca region was inhabited seasonally by many different Indigenous cultures and does not appear to have been under the control of any one group. Jack Elliot examines the abundance of groups occupying the area in *Snare, Snake and Iroquois: An Upper Athabasca Ethnohistory*. Elliot identifies the groups who are recorded as using the Upper Athabasca in the early post-contact historic period as the “Snare, Snake, Shuswap, Sekani, Stoney/Assiniboine, Cree, Nipissing, Iroquois, “Canadians,” fur traders, and their mixed-blood descendants, the Métis.”⁸⁶ The Snare are related to the Secwepemc/Shuswap and the Snake are related to the Beaver/Sekanie.⁸⁷ The influence of the Iroquois, especially their bringing of firearms to the Upper Athabasca, was significant both in displacing groups such as the Snake and Snare, but

⁸⁴ Parks Canada. “Lac Ste. Anne Pilgrimage National Historic Site of Canada.” Accessed February 12, 2016. http://www.pc.gc.ca/APPS/CP-NR/release_e.asp?bgid=922&andor1=bg

⁸⁵ Oblates in the west. “Lac Ste. Anne / St. Albert.” Accessed February 16, 2016, <http://oblatesinthewest.library.ualberta.ca/eng/order/lacstanne.html>

⁸⁶ Jack Elliot, “Snare, Snake and Iroquois: An Upper Athabasca Ethnohistory.” (Ottawa: Parks Canada 2009), 3.

⁸⁷ Ibid., 86.

also in intermarrying with them.⁸⁸ The most common intermarriages, however, took place between the Lac Ste. Anne Métis and the Iroquois. These unions suited similar lifestyles in that both groups travelled far into the Rocky Mountains and used a vast territory.⁸⁹ HBC trade records reveals that four of these groups did most of the trading at Jasper house. The Snare (also known as Shuswap) and Stony (also known to as Assiniboine) peoples appear in the fur trade returns, as do the Iroquois and Métis/Freemen.⁹⁰ These early accounts provide a window into this time and place, and into the abundant mixing of Indigenous families that is such a feature of this genesis story that all groups are represented in most family trees linked to this region.

Another window onto the coming together of Iroquois and Métis in the Upper Athabasca comes a generation later with records produced by the Palliser expedition of 1857-60. The Palliser expedition surveyed the prairies and wilderness of western Canada in order to explore possible railway routes and identify new plant species.⁹¹ An encounter in 1859 between the descendants of the Iroquois Freeman and expedition surveyor James Hector provides further insights into the evolution of this hybrid culture in the upper Athabasca. Hector's account of Iroquois immigrants in the region details how they spoke both Iroquois and Cree and had extensive marriage unions with the Métis from Lac Ste. Anne. According to his account, the men he met were originally from Caughnawaga (present day Kahnawake).

⁸⁸ Ibid., 90.

⁸⁹ Michael Payne, "The Fur Trade on the Upper Athabasca River, 1810-1910," in *Culturing Wilderness in Jasper National Park : Studies in Two Centuries of Human History in the Upper Athabasca River Watershed*. Edited by Ian MacLaren (Edmonton: University of Alberta Press, 2007), 7.

⁹⁰ Ens and Potyondi, *A History*, Appendix A, 131.

⁹¹ Irene M. Spry, *The Papers of the Palliser Expedition: 1857-1860* (Toronto: The Champlain Society, 1968).

These Iroquois were originally trappers in the service of the NW Company and on the Junction of that company with the Hudson Bay Company, they turned “freemen,” as those are termed in the country who are not in the service of the Company and have since tented about like Indians, Trading the skins and furs they procure at Jasper House. There are on 30 tents of them, and they all talk the Cree language besides their own, and have latterly intermarried a good deal with the Cree Half-Breeds of Lac St. Anne.⁹²

In the following decades, Cree, the mother tongue of the Métis who intermarried with the Iroquois who stayed in the area, became the primary language – a reflection of the expansive nature of the Cree language during the fur trade. It may seem unusual that Iroquois traders migrated west and intermarried with Cree-speaking Métis until we consider how furs were harvested at the time. Jan Grabowski and Nicole St-Onge document the extensive influence of Canadian Iroquois *engagés* in the western fur trade. Factors pushing Iroquois from the Laurentian valley coincided with changes in the fur trade industry – “demographic pressure exerted by the burgeoning French Canadian population and the depletion of their traditional resource base.” They continue, “Simultaneously, the fur trading concerns out of Montreal developed new strategies requiring a new breed of voyageurs specialized in hunting.”⁹³ From an economic perspective the alliance was logical. In “Mary Anne’s Dilemma: The Ethno-History of an Ambivalent Identity,” historian Trudy Nicks describes the new culture this way:

The families resulting from these unions constituted a new population distinguished not so much by degree of biological admixture, as by economic specialization as fur trappers. Linguistically and culturally these groups were akin to Indian cultures, but economically they were tied much more completely to the fur trade.⁹⁴

⁹² Ibid., 367.

⁹³ Jan Grabowski and Nicole St-Onge, “Montreal Iroquois *engagés* in the Western Fur Trade, 1800-1821,” in *From Rupert’s Land to Canada*, Theodore Binnema et al., eds. Edmonton: University of Alberta Press, 2001), 24.

⁹⁴ Trudy Nicks, “Mary Anne’s Dilemma: The Ethno-History of an Ambivalent Identity,” *Canadian Ethnic Studies* XII, no. 2 (1985): 104.

For both these groups, marriage alliances broadened trade opportunities and territorial use. My own heritage and emic perspective draws on family lines that highlight Iroquois and Lac Ste. Anne Freeman, and influence this interpretation. I do not expect that other societies with ties to the region would have the same perspective. This dissertation concerns the alliance between two significant societies among my ancestors. One branch among the many descendants of this alliance remained in the Upper Athabasca at the turn of the twentieth century, and my focus is on their story. Other alliances and expressions of this cultural mixing were also abundant in the Upper Athabasca during the nineteenth century.⁹⁵ The prevalence of mixed Indigenous bloodlines is an important feature of this area, whose story after the Iroquois arrival is largely one of peaceful relations and alliance making for mutual benefit. This intermixing occurred among widely differing cultures, and thus forms the basis for an interesting line of inquiry that examines shifting cultural expressions in advance of a developing fur trade infrastructure.⁹⁶ It is also a feature of contemporary groups that previously used/occupied the area of Jasper National Park.

The region also benefited from the influence of the Blackfoot, who were known to be hostile to travellers entering the foothills. In a move to control trade and defend hunting territory, the Blackfoot waged war with Kootenay and Shuswap, keeping them on the west side of the Rocky Mountains and making the plains unsafe for travel into the Upper Athabasca.⁹⁷ The buffer provided by the Blackfoot was an important factor in the relative peace that existed in the upper Athabasca during the nineteenth century.

⁹⁵ Ens and Potyondi, *A History*, 34-37.

⁹⁶ *Ibid.*

⁹⁷ Heather Devine, *The People Who Own Themselves: Aboriginal Ethnogenesis in a Canadian Family, 1660-1900*. (Calgary: University of Calgary Press, 2004), 103.

2.1 Blending of Religious Practice

A significant line of inquiry in this study is religion. When Pierre-Jean de Smet, a Jesuit missionary, travelled through the area in the 1840s he encountered a family of thirty-six Iroquois, “on the banks of the Jasper” led by Louis Kwaragkwante, who had arrived in the west forty years earlier as a Catholic.⁹⁸ Kwaragkwante was very happy to meet a priest and warmly welcomes de Smet, who documented Kwaragkwante’s reaction upon meeting him: “How glad I am to have you come here, for I have not seen a priest for many years. Today I behold a priest, as I did in my own country – my heart rejoices – wherever you go I will follow you with my children – all will hear the word of prayer – all will have the happiness to receive baptism”.⁹⁹ De Smet travelled with them to “Fort Jasper” where he stayed for fifteen days providing religious instruction, renewing seven marriages, and baptising 44 people.¹⁰⁰

The Catholic faith was also prevalent for the Lac Ste. Anne Métis/Half-breeds, who had welcomed the establishment of a mission in 1844. The establishment of a mission at Lac Ste. Anne was advantageous for “the people from Jasper House were already making it an important resting place along their trade route.”¹⁰¹ It also explains why intermarriage was prevalent between Iroquois and Métis in the region, because it is an important distinction that marks an unusual aspect of this line of cultural genesis

Eugene Arima, *Blackfeet and Palefaces: The Pikani and Rocky Mountain House*. (Ottawa: Golden Dog Press, 1995), 96-98, 138-40.

⁹⁸ Pierre-Jean de Smet, *Oregon Missions and Travels over the Rocky Mountains in 1845-46* (New York: E. Dunigan, 1847), 194

⁹⁹ Ibid., 194-95

¹⁰⁰ Ibid., 195

¹⁰¹ Jessica Anne Buresi, “Rendezvous” for Renewal at “Lake of the Great Spirit”: The French Pilgrimage and Indigenous Journey to Lac Ste. Anne, Alberta, 1870-1896” (Master of Arts, University of Calgary, 2012), 65-66.

in the Upper Athabasca River Valley. In this case, Christian beliefs did not displace prior religious and spiritual practice in the society that emerged, but neither were Indigenous practices abandoned. Rather, the blending of bloodlines also included the blending of religious and spiritual practices, which included Catholicism. The mission at Lac Ste. Anne benefited from Métis/Iroquois involvement in the early days:

These people, who had nonetheless maintained many of their “nomadic” hunter-trapper traditions and communicated almost exclusively in Cree, had already been practicing Catholics for at least one hundred years, and had yearly travelled through, stopped and camped at Lac Ste Anne on their way to trade at Fort Edmonton. The Oblates relied on these people in order for their pilgrimage to succeed and to gain popular support: in order to establish the truth and legitimacy of Saint Anne’s healing power among local indigenous bands, the Oblates depended on the long standing knowledge these Iroquois and Anishinaabe Métis had, not only of local indigenous beliefs and ties to the land, but also of Catholic practices and beliefs, which were already part of their identity. It is likely thanks to these “people of the Mountains” from Entrance, Jasper and Grande Cache, that local Aboriginal bands, including members of the neighboring Nakoda Stoney who had intermarried to some degree with them, became Catholics, and/or at least started to attend the Catholic pilgrimage.¹⁰²

This blending of Catholic and Indigenous spiritual traditions continues among descendants,¹⁰³ who commonly practice Catholic rites of baptism, marriage, and death alongside belief systems that incorporate Indigenous depictions of supernatural forces not recognized in Catholic traditions. The practice of using “Indian medicine”¹⁰⁴ for healing or spiritual purposes is very common among descendants who regard themselves as Catholic, although it is hidden from outsiders.

My upbringing included many examples of such syncretism, and as a result I never thought there was a distance between these traditions. When I asked my mother

¹⁰² Ibid., 198.

¹⁰³ Trudy Nicks and Kenneth Morgan, “Grande Cache: The Historic Development of an Indigenous Alberta Métis population,” in *The New Peoples: Being and Becoming Métis in North America* (Winnipeg: University of Manitoba Press, 1985), 163-184.

¹⁰⁴ This term is common among Elders of the Métis evicted from Jasper and it generally refers to the use of cures that are non-western and can include ingestion or application of prepared plants or animals, drinking water from sacred locations, or using spiritual helpers to remove or send curses.

about these practices, she told me a story about my grandmother, Caroline Plante, who became frustrated with a visiting priest when he provided mass for the family. My grandmother, who was a fluent Cree speaker and only had a limited grasp of English, would make the bread that served as the Communion or Eucharist in her wood oven. She was devoutly Catholic but believed that Jesus was just like us. On this occasion, through translation by other family members, the priest denied this view, and reiterated the biblical account of Jesus, which refers to him living in Galilee and Nazareth and not North America. Finally, in English and in a clear loud voice (something that shocks me to think about as my grandmother never spoke this way in my presence), she said, “How do you know Jesus was not an Indian?” Family lore says the priest apologized and the topic never came up again. A key component of this story is the backing-down of the priest, even as he represented a spiritual line to God. The culture assumes itself to hold wisdom that evades non-Indigenous believers.

On another occasion, I was introducing my future wife to my grandfather (by this time my grandmother had died) for the first time. We were expecting our first child, and he warmly welcomed her. The discussion eventually led to a minor medical concern she had. My grandfather rummaged through a collection of dried plants and roots he had in paper bags. He gave her some medicine and told her how to use it. Then he looked at her very seriously and said, “it’s important that you never tell a white person about this,” before pausing to see her reaction. He then added, “especially not a priest or police.” This was a very interesting moment for a couple of reasons. First, as she identifies as Caucasian, he was informing her that our culture would be open to her, but certain information was not to be shared with authorities. Second, he was concerned

that a priest or the police might find out about this treatment, which relied on an Indigenous spiritual belief system. Protocols concerning the use of plants are also evident in this moment in my family history. Our Indigenous belief systems concerning healing require protocols to insure that proper actions are taken when using plant-based medicines. These protocols are a central element in the healing process and without them the medicines will not work. In this case, the private nature of the treatment was a concern for the effectiveness of the medicine, as well as a concern about interference from authority. Taken together, these examples provide insight into the fluid nature of blended beliefs systems that are often regarded as exclusionary.

The origin of this religious syncretism in our family extends to Louis Kwarakwante,¹⁰⁵ the father of Suzanne. She was born at Jasper House in 1824, and is the ancestral matriarch and honoured ancestor of the descendants who were removed from Jasper National Park in 1910-11. Louis Kwarakwante had a close relationship with the Catholic Church, but was married to both Marie Katis Le Sakaise (Suzanne's mother) and Marie Patenaude at the same time. This was not uncommon. Frenchmen with wives in the colonies often took second wives *à la façon du pays* (according to the custom of the country), with only the first marriage sanctioned by the church. It was less common, however, for Indigenous men to have both a sanctioned marriage and a "country marriage," and all the children from both baptized.¹⁰⁶ While this is clearly a breach of Christian restrictions on marriage and childrearing, it does indicate something about the unique religious perspectives in the Upper Athabasca. It was important to Louis

¹⁰⁵ There are many variations on the spelling of Kwarakwante, including Karakonti, which appears here in some quotations.

¹⁰⁶ Red River Ancestry. : Louis Callihoo." Accessed April 19, 2015.
<http://www.redriverancestry.ca/CALLIHOO-LOUIS-1782.php>.

Kwarakwante that his family was a part of the church, but he did so on his terms, made possible because the church depended on his influence in spreading its message in the region.¹⁰⁷ Thus began a blending of Christianity with Indigenous lifeways that continues today. The extreme case of polygamy, which was accepted but not widely practiced, illustrates the importance of Indigenous influence on church norms. This story is important to Kwaragkwante's descendants, and we continue to regard Catholicism as a belief system that is strengthened by including traditions developed in North America.

2.2 Competing Claims

The debate over Indigenous identity is one of the themes that resonates among descendants of Suzanne Moberly (nee Kwaragkwante), who was born, lived, and died in the Upper Athabasca. Her gravesite is under a spirit house, which is a structure similar to a pitched roof placed over graves so that nothing can disturb them. The grave is located near her eldest son Ewan's house. The contemporary culture of her descendants provides an interesting lens through which to consider the dimensions of Indigenous identity in Canada. While her marriage certificate indicates she had an Iroquois father, and likely a Sakanie or Dene mother, this was not always believed to be the case. Her connection to the Iroquois is important, because it ties her completely to the emerging fur trade in the Upper Athabasca.

The importance of the Iroquois in the area as a major economic partner to Jasper House is clearly revealed in the percentage of fur they provided to this trading

¹⁰⁷ Elisabeth Macpherson, *The Sun Traveller: The Story of the Callihoos in Alberta* (St. Albert: Musée Heritage Museum, 1998).

post. Jasper House existed as one of the outposts of the HBC, and visitors to the area provide a window onto the Iroquois/Métis society that emerged there during the first half of the nineteenth century. By 1855, Henry John Moberly, a young employee of the HBC from Penetanguishene, Ontario, was greatly affected by the Upper Athabasca. He engaged in a successful hunting trip with Iroquois guides in the area that resulted in his re-establishing trading in 1858 when he took charge of the Jasper House post.¹⁰⁸

In addition to trapping and facilitating trade alliances, the Iroquois were responsible for providing foodstuffs to the posts. James Hector of the Palliser Expedition provided a detailed account of this relationship when he visited Jasper House in 1859. He reports that the Iroquois were “experimenting” with agriculture in the Upper Athabasca, and that “turnips, potatoes, and barley” were grown in an area that had mild winters.¹⁰⁹ This agricultural practice continued and is documented in the holdings of Louis Kwaragkwante’s grandsons, Ewan and John, fifty years later. In 1907, their property included cattle, horses, dugout canoes, goods for sale, cleared fields for grazing, and fields of barley.¹¹⁰ Their father’s marriage to Suzanne Kwaragkwante, daughter of Louis Kwaragkwante, was significant because it provided him with a relationship that extended to her family of hunters and trappers. Their age difference (he was 24 and she was 37) further indicates a political union that allowed Moberly to access established trading networks. Sylvia Van Kirk’s *Many Tender Ties: Women in Fur-*

¹⁰⁸ Henry John Moberly, *When Fur Was King* (Toronto: J. M. Dent and Sons Ltd., 1929), 51.

¹⁰⁹ Irene M. Spry, *The Papers of the Palliser Expedition, 1857-1860* (Toronto: The Champlain Society, 1968), 372.

¹¹⁰ The canoes were used to ferry people and goods across the Athabasca River. The Moberly homestead was an important stop for travellers. Those coming into the valley from the east would encounter Ewan, while those coming from the west would encounter John.

trade Society, 1670-1870 reveals the importance to fur traders of forming relationships with Indigenous women.

After the union of the two companies, marriages continued to play an important role in promoting good relations between the traders and the tribes in outlying districts...in the early 1820s, Governor Simpson recommended that the officers should form connections with the principle families immediately upon their arrival.¹¹¹

The marriage of Suzanne Kwarakwante and Henry John Moberly took place in Lac Ste. Anne on October 9, 1861. The discovery of their marriage certificate in the 1990s ended some speculation among local historians, including those employed by Jasper National Park, that Suzanne was from the Cardinal family and the niece of Andre Cardinal, a well-known Métis leader. This speculation stems from the work of Joachim Fromhold, who does not make clear where he got his information but is likely responsible for errors in representations of Suzanne's identity.¹¹² In fact, throughout much of the twentieth century, her gravesite was identified as that of Suzanne Cardinal.¹¹³ This narrative changed her entire identity, and differed from the one that was told to her grandchildren by her son, John Moberly.¹¹⁴ Edward Moberly confirmed the name of his grandmother to Jack Elliot. "It is obvious she was also a Sekani, and acknowledged as such. Louis and Marie Katis were Edward Moberly's great-grandparents and Edward was a direct descendant from the freemen."¹¹⁵

The issue of her identity is significant as her grave is still present in Jasper and represents significant evidence for groups who wish to make claims. One such group is

¹¹¹ Sylvia Van Kirk, *Many Tender Ties: Women in Fur-trade Society, 1670-1870* (Norman: University of Oklahoma Press, 1980), 31.

¹¹² Joachim Fromhold, *The Western Cree (Pakisimotan Wi Iniwak) – Jacques Cardinal: Voyageur and Mountain Man* (Lulu.com, 2012).

¹¹³ Lena Ouellet. 2006. Personal Communication with author, July.

¹¹⁴ Ibid.

¹¹⁵ Elliott, *Snare, Snake and Iroquois*, 91.

the Asiniwache Winiwak Nation (AWN). Formed in 1994, the AWN represents many Indigenous people who settled in Grande Cache, but whose ancestors had occupied the Jasper region before the creation of a forest reserve in 1907. At that time, numerous residents were forced out of Jasper, leaving only those who built homesteads. They remained until 1910-11.¹¹⁶ Those remaining families were recorded through the male heads of household: Ewan Moberly, John Moberly, Isadore Findley, and Adam Joachim. Ewan's two sons, William and Adolphus, also had houses. Another resident named Louis Swift, a non-Indigenous homesteader who married local Métis Suzette Chalifoux, was not evicted from the park.¹¹⁷

The creation of Jasper Park in 1910, as well as provincial parks in the 1950s, shrunk the territory used by the groups that were to be represented by the AWN. They regard themselves as having tribal affiliation, and as an unrecognized First Nation that is among the last to be settled by Canadian authorities.¹¹⁸ They remained free of effective government control until the town of Grande Cache was built in 1960. In many ways the AWN is a contemporary incarnation of the Native Area Development Committee, a grassroots organisation that acted as a patron for the community in the 1960s. It reprises the role of representing the community to outsiders and as a local organization, and is much more palatable to many than the provincially organized Métis Nation of Alberta (MNA). Many people in the area regard themselves as belonging to the AWN, however, others do not, and as a result membership is constantly in flux. The

¹¹⁶ Donald Macdonald also built a cabin at Jasper, but he left the park with the others in 1907.

¹¹⁷ Mountain Métis website. "Louis Swift." Accessed April 19, 2015.

http://www.mountainMétis.com/pages/Lewis_Swift.html.

¹¹⁸ "The Aseniwuche Winewak Nation of Canada." Accessed April 10, 2015.

<http://www.aseniwuche.com/>.

AWN is an important feature of this study, and Parks authorities also recognize it as having a legitimate connection to the park.

A real difference between the broader AWN and the descendant homesteading families from an historical perspective is indicated by the way the homesteaders were evicted. The Moberly, Joachim, and Findlay families received payment for the infrastructure they had built and were evicted through an order of the Privy Council. A promise to take up land elsewhere seems to be ubiquitous in oral accounts. There is also a difference in concepts of identity. The AWN regards itself as an unrecognized First Nation while most homesteaders regard themselves as Métis, although not members of the Métis Nation of Alberta. The issue of identity plays out in histories that seek to verify claims and justify relations with governments. Another major difference comes in the way the groups engage with governments. Until 2004, descendant families choose to avoid relations with governments, while the AWN seeks to establish relations and resources.

While the name on the marriage certificate of Suzanne Kwarakwante and Henry John Moberly, married at Lac Ste. Anne in 1861, may confirm to some that her father was indeed the Iroquois Louis Kwarakwante, the Asiniwache Winiwak Nation does not agree. They present her identity this way:

According to the Macpherson database, Suzanne Karakonti/Cardinal was born about 1835. She was the daughter of a Louis Karakonti dit Dekara, (the son of the original Louis Kwarakwante) and Marguerite Cardinal (who was a sister of Jacques and descended from the original Joseph Cardinal). They were married in 1853, but probably lived together as husband and wife until a priest happened to be available to perform the ceremony. Since Jacques and Marguerite were brother and sister, she and Andre were cousins. The fact that she used the surname Cardinal has fuelled speculation that Dekara was not her biological father, but rather her adopted father. At some point, she married Joseph Gaucher (Gauthier b. 1828), with whom she had a child named Isabelle. Suzanne has a Grande Cache connection because she married Henry John Moberly, the patriarch of the Grande Cache Moberly's. We know that

Suzanne was part Assiniboine or Stoney and that her Aboriginal name was "Pigeon Hawk"¹¹⁹.

While the records for the marriage to Gaucher are unavailable at this point (although like the Moberly marriage certificate, this may be found someday as well), it is more likely that this information is erroneous and presented without sources because they do not exist. In any case, the extant marriage certificate indicates that her maiden name is Kwaragkwante and she married John Moberly. Until further evidence is found, Moberly will likely remain the name on her grave, although the issue of her family history will remain key to competing claims in Jasper. While the AWN regards its members as unrecognized citizens of a First Nation, other groups compete over Métis claims.

The name Cardinal is associated with the Métis Nation of Alberta (MNA). Before the creation of the AWN in 1994 and the Council of Elders of the Descendants of Jasper Park in 2004, the MNA was one of the groups that Parks Canada worked with. This relationship between the MNA and Parks caused some tension as the MNA spoke for the evicted families in meetings with Parks and regarded the evicted families as belonging to the collection of communities associated with MNA. Their relationship with Parks continues, but in a much reduced role, as descendants now speak on behalf of their own families.¹²⁰

Shortly after the Council of Elders of the Descendants of Jasper Park was formed in 2004, I attended a meeting in Grande Cache with MNA president Audrey

¹¹⁹ The Aseniwuche Winewak Nation of Canada, "Family names." Accessed April 3, 2015. http://www.aseniwuche.com/our_story/familynames_cnt.html.

¹²⁰ Lena Ouellet. 2006. Personal Communication with author, July.

Poitras, local president Alvin Findlay (also a descendant of the Isadore Findley family), a translator, and two members of the Elders Council, Emile Moberly and Helen Hallock (descendant of Adam Joachim). The purpose of the meeting was to inform the MNA that they no longer represented the families in discussions with Parks. The discovery of the marriage certificate proved that Suzanne's father was Louis Kwaragkwante and not Andre Cardinal, a well-known Métis figure who is strongly linked to the MNA, thus eliminating their claim to represent the descendants. The fact that Elders were present representing the Moberly and Joachim families strengthened this move, which was effective.

This was the last time the Elders met with the MNA, because in the following years the local Grande Cache Métis association transformed from what was a regional branch of the MNA to the Mountain Métis. They now hold the same claims as the Council of Elders, although through their ancestral connection to Jaco Findlay, who was also among those documented to be in the area at the turn of the nineteenth century. The Mountain Métis also accept that Suzanne was the daughter of Louis, however, their history is presented on their website as extending from Jaco Findlay, who has a long connection to historically documented Métis.¹²¹

These groups are the most organized of the unrecognized groups claiming Jasper National Park as an historical homeland, although the Métis Nation of British Columbia (MNBC) is also among the groups that work with park officials, even though they are not seen as legitimate by descendants who note that the park is only in Alberta.

¹²¹ Mountain Métis. "Jaco Findlay." Accessed January 12, 2015. http://www.mountainMétis.com/pages/jacco_findlay.html.

What is fascinating is the way extended families have been divided over identity and rights claims, with the AWN seeking recognition as a First Nation and the Mountain Métis seeking to advance the claim of Métis rights in the area. Equally fascinating is the way descendants join or leave these groups depending on circumstance and/or benefits. Some, such as my Auntie Mary, my mom's oldest sister, are recognized as important Elders to all three groups. During her lifetime, Auntie Mary attended events put on by all three groups as a respected Elder.

The issue of Identity is longstanding, as even those who knew the community well during the early decades of the twentieth century had trouble locating their Indigenous identity. Shand Harvey was an early guide in Jasper Park who worked with many descendants of Suzanne Moberly. He spoke about Suzanne's Cree (cultural, not linguistic) connection in a 1967 interview: "Ewan Moberly's mother was an Iroquois woman – that Cardinal. Well, she was Iroquois Stoney; they never seemed to know themselves, what everybody was. But she was either Iroquois or Stoney. I don't think there was much Cree up there."¹²²

Hence, the name Cardinal takes on another identity marker here. Adding complexity to the search for identity among Iroquois descendants is the practice of church officials, notably Father Lacombe, of grouping descendants of Iroquois into regional names. In order to keep better tabs on the growing number of descendants from the Kwarakwante line, they created new variations on these names.

Contemporary names such as Callihoo, Kalliou, Kwarakwante, Karakonti, and Cardinal,

¹²² James Shand Harvey. 1967. Transcripts of Tape Recording of Interview. (Jasper: Yellowhead Museum and Archives, 84.42.57, March 8.).

among other variations, are well represented among current family names in this region.¹²³ However, the rediscovery of Suzanne Kwarakwante's marriage certificate makes it clear that she did not have a Métis or Stoney father, although her mother's identity remains unclear, even as many direct descendants believe Suzanne's mother was Marie le Sakanaise.¹²⁴

Edward Moberly confirmed that John Moberly (his dad) told him that his grandmother was Marie Katis Le Sakanaise, who is sometimes recorded as being from the Dene Nation. However, the name Le Sakanaise may be understood as 'the Sekanie,' much like L'Iroquois can be understood as 'the Iroquois', as in Thomas the Iroquois, guide to David Thompson. This name may indicate that she was a member of the Sekanie population that occupied the western boundary of the Rocky Mountains. Furthering the ambiguity, however, is the fact that names were imposed on individuals who may have also used other names in other situations. A case study focused on the descendants of Suzanne Moberly/Kwarakwante is therefore hard-pressed to adequately describe the dynamics in play in the generation preceding hers. It is evident though, that she was a product of the cultural forces coalescing in the Upper Athabasca in the early decades of the nineteenth century. As was common in the fur trade, her parents were not from the area she grew up in, yet they were significant players in the development and growth of trade and travel throughout the region. Her children were born into the Indigenous community that lived in close proximity to Jasper House for generations. Her decision to stay in the Upper Athabasca and raise them there reflects a

¹²³ Macpherson, *The Sun Traveller*.

¹²⁴ I am suggesting here that Suzanne Karakonti's mother was Marie Katis, as this seems to be the consensus based on Jasper House records. Suzanne's grandchildren were also told their Grandmother was Le Sakanaise. Interview with Lena Ouellet, March 15, 2015.

sense of home and territory. It is no wonder that her two sons from Henry John Moberly continued the trading relations that had existed at Jasper House. It was their birthright. Suzanne's descendants' number perhaps four hundred living individuals divided along the descent lines of her children. This study pays particular attention to her sons Ewan and John, who had established businesses in the Upper Athabasca and took differing paths following their removal from what was to become Jasper National Park.¹²⁵

In some ways this difference has continued as some of Ewan's descendants identify to outsiders differently from John's descendants, although, these political differences are largely absent among relations when outside organizations such as the AWN or Mountain Métis are not present. Elders, especially those who are directly related, represent authority within this society. Identifying with one of the outside groups does not indicate loyalty and changing groups is common. Often the leadership struggles to gain a consensus or even feedback (I am including my own stint as spokesperson in this account). This is not to say, however, that protocols around death, marriage, respect, and proper conduct are not strongly established. But any attempt to impose authority within the society, in particular to do so across direct descent lines (such as cousins or second cousins), is met with resistance and a fierce rejection of that authority. In effect, members of similar generations are regarded as equals and any perceived hierarchy or authority among them is rejected. This cultural dynamic plays

¹²⁵ Suzanne also had a son, Alex, with a man named McCauley, who replaced Henry John as head trader. Alex was murdered by his trapping partner, which resulted in the first murder trial in British Columbia. His wife Adelaide and their two children attempted to return home after the man she had witnessed kill her husband was acquitted. They were never seen again. The trial reveals much about the social position of Aboriginal women in settler society. This story is fully explored in Margaret McKirdy's *The Colour of Gold*, (Prince George, BC: Caitlin Press, 1997).

out often in recurring instances of recognition and non-recognition, especially with groups that act as patrons in representing the community. Membership in the Mountain Métis or Awn requires accepting that one's identity is consistent with the organization's definition, which provides a buffer from authorities as these organisations act as patrons speaking on behalf of the community. As a result, these organizations can also exclude people for political reasons. Identity thus becomes a separate and fluid concept that can change over time. Among descendants whose family lines are well known, however, identity is less contested and adheres to established respect and consensus protocols.

Lack of recognition and influence have played a role in cultural continuity during the twentieth century, as an examination of the years following removal from the Upper Athabasca reveals, and continue to do so today. One of the important questions pursued here concerns micro-level government agency over Indigenous identity in cases of non-recognition. The Métis identity of Ewan and John Moberly need to be recognized along with the cultural traditions that reify this identity. This is not to say that the families evicted in 1910-11 hold a privileged position among those seeking justice. Rather, they provide a good case study for determining the nature of Métis rights in the Upper Athabasca.

2.3 Felix Plante

While Ewan and John Moberly represent an important case study, it is imperative to consider the following generation as well, especially as their descendants continue to attempt to reconcile with colonial authorities. The 1924 marriage of my

maternal grandparents, Caroline Moberly and Felix Plante, demonstrates the scope of territory that historic trading and intermarriage extended across. Caroline was the daughter of John and Marie Moberly and Felix was the son Abraham and Euphrasine Plante a well-known Lac Ste. Anne Métis/Iroquois family. Vicky Wallace, a prominent member of the Jasper Historical Society, interviewed Felix when he was 100-years-old, and the transcript reveals much about the hybrid societies that intermingled in Jasper and Lac Ste. Anne well into the twentieth century. The interview took place in Plante's home in 1994, and remains in the archives of the Jasper Historical Society.

Wallace: Where were your parents from?

Plante: You know Alberta beach?¹²⁶ That's my dad's place. That's where he was farming and ranching. In 1914 a railroad, CNR, come through the place, right in the center of the place. My dad tries to stop them, but he can't do it, they went through anyway. So dad said, "we can't farming and ranching anymore because the railroad cut the place and we'll have lots of trouble. We got to sell out and move out of here. So in 1914, August the 14th my dad sold out. He sold the whole thing he got, except 50 head of horses. And my mother she was born in this country, Jasper, Grande Cache, she was born here raised here...mother said we better move west, where I know the country so I can tell you this and that. Dad said all right we'll move up there. So we started get ready, I was 20 years old myself at that time...when we get here, we took it what we need, dad didn't sell that. 24th of August we start from Alberta Beach, 50 head of horses, 35 packs, three brothers and three sisters, and myself, mother, dad. From Alberta Beach to get here at Entrance it took us a whole month.

That winter, 1914, we went north to Burland River to trap. Dad knows a little about trapping, but mother knows, she know all about how to trap, how to do it, this and that. But myself I don't know anything about trap, setting traps...nothing, because I was raised in a farm. But I try anyway, so we move north to big Burland, we make a cabin up there and we started in October. Looks kind of funny when I trapping without no experience, but I set traps anyway. That winter I didn't do so good, but mother and dad they do well. They got 360 Lynx that winter. I only got 5 myself.

Wallace: How Much money would you get for a Lynx?

Plante: Five dollars a Lynx. 1915, spring of 1915 we come back here at Entrance; so I thought to myself I couldn't lay here all summer doing nothing. I'm going west to Jasper Looking for a job. So I catch a train at Entrance to Jasper. When I got there I got off, there's a guy standing there. He said what's your name, he asked me what's my name was, so I told him Felix Plante from Entrance. I think he said, I'm pretty sure he said, "you're just the guy I am looking for". That's Fred Brewster. He said you have a little experience packing horses? Ah, I said I know a little bit, I know how a

¹²⁶ Alberta Beach is a village on the shore of Lac Ste. Anne.

horse is, I said. So he give me a job. I started work there May 1915. I worked there all summer.

Wallace: What were you doing for Fred Brewster?

Plante: Taking parties out into the bush, tourists, rich man, I took on a trip, maybe 10 days, maybe 15, as long as 30 days on a trip. We go on horses, so that's my work all summer. In the fall, in October, the job is over, no more tourists, the works all over. So I come back, I got a little money now, so I got a good start, so I bought a little traps, this and that for trapping till I went north again with my mother and dad. So we trapped the same place, so that winter I done pretty good, pretty fair, I started to have a little experience you see. But I wouldn't ask anybody to ask him what's done, even I didn't ask my mother. I shame myself to ask anybody, so I learned myself.¹²⁷

The impact the railway had on Plante's family, in particular the turn to trapping from farming and subsequent transport to work in Jasper for a "rich man" is interesting. Academic research has identified legal barriers, such as 1880 amendments to the Indian Act that prohibited and regulated "any grain or root crops, or other produce grown upon any Indian Reserve,"¹²⁸ as racist hindrances to those who successfully transitioned to farming/ranching life.¹²⁹ But little research has been done on Métis who returned to the bush. Here the return to trapping was facilitated by the family matriarch, which offers interesting insights into the division of labour among descendant families from the Jasper/Grande Cache area.

The ranching life described by Plante includes a description of his grandfather, Xavier Plante, who was a blacksmith. Felix describes how he learned to make packsaddles from his grandfather when he was a young child – "nobody teach me,

¹²⁷ Felix Plante. 1994. Transcripts of Tape Recording of Interview with Felix Plante. (Jasper: Yellowhead Museum and Archives, 84.42.57).

¹²⁸ Indigenous and Northern Affairs Canada. "CHAP. 17. An Act to Amend the "The Indian Act", 1880." Accessed March 1, 2016. <https://www.aadnc-aandc.gc.ca/eng/1100100010280/1100100010282>

¹²⁹ Sarah Carter, "Two Acres and a Cow: 'Peasant' Farming for the Indians of the Northwest, 1889–97," *Canadian Historical Review* 70, no. 1 (March 1989): 27–52.

See also Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (McGill-Queen's University Press, 1990).

I just watch him.”¹³⁰ Plante’s upbringing as a farmer and rancher involved a division of labour reflective of farming and ranching life in western Canada where men tended to horses, farmed, and maintained the ranch. Men were, in effect, the breadwinners of the family. Once the family decided to take up a life of trapping, however, they became dependent on Plante’s mother Euphrasine (née Wanyandi), who “know(s) all about how to trap.”¹³¹ Finally, Plante’s story reveals a lot about the families removed from the park. They took up residence outside the boundaries because they felt it was their right to do so, it was also their land to use, and not included in the agreements to create Jasper National Park. Plante’s mother took her family to return to her country in the Brazeau district near Jasper National Park, where she had a right to trap, hunt, and make a living. This was true for her in 1914 and for her relatives from the Jasper area in 1910-11.



Abraham Plante on his Trap line 1930s. © Glenbow Museum

¹³⁰ Plante, Felix. 1994. Transcripts of Tape Recording of Interview with Felix Plante in 1994. (Jasper: Yellowhead Museum and Archives, 84.42.57).

¹³¹ Ibid.

One of the significant features of the Aboriginal peoples who occupied the area in and around Jasper is their diversity. Among the families removed in 1910-11, there are clear examples of intermarriage between a wide range of groups – a function of developing trading networks. These unions also illuminate the difficulty of negotiating agreements, especially as most people were related to groups who had defined territory elsewhere. The overlap and mixing in this region created a very egalitarian society as there was no sense of ownership of resources, especially as most groups were loosely organized and free of strict governing systems. Social anarchy, with emphasis on cooperation, mutual aid, and freedom from outside influence, may be the closest form of governance the people who occupied the area applied. Their quick move away from encroaching colonial expansion to a familiar lifestyle illustrates this point.

The railway played a central role in this drama. Plante had “been raised on a farm” – his father, Abraham, had taken to farming and ranching at Alberta Beach and his Grandfather, Xavier, worked as a blacksmith there.

Plante: My Grandfather was a blacksmith, Frenchman, he was good, makes anything. He can make anything. I was just a little boy; I stay inside and watch my Grandpa, what he’s doing. How he worked things, you know, just stand there and look at him. So when I grow up I learn these things. He is the one that make packsaddles too, that’s where I learn, nobody teach me, I just watch him. My Grandfather make a packsaddle 1870.¹³²

It seems that stated government goals for Métis people to become sedentary and farm had succeeded with the Plante family. They provide an interesting case to study the movement of people during that time. Xavier La Plante was a French Métis who took scrip at Alberta Beach in 1885. The home Felix grew up in was Cree. It is

¹³² Ibid.

interesting that Felix refers to Xavier as a Frenchman, because it is an indication that the connection to the rise of Métis nationalism in the nineteenth century did not exist in this family. The railway broke the settlement dream for the Plante family and it was his mother, born and raised in the Jasper/Grande Cache area, who returned the family to the ways she had known as a child. Plante talks about the movement of his family in and out of the area that is now Jasper National Park.

Wallace: Where did your wife (Caroline daughter of John Moberly) grow up?

All over, not just exactly one spot, they go here, maybe next winter some other place, something like that. They don't stay one place like farmer, they're trapper, they are trapping and make a living out of the bush, you see. They got to go here and there, all over the place, you see. That's what they do, they stay one day one place maybe three months something like that, the game's getting short, you see, killed too many. They don't want to kill all of them either, they want to save some, so they move another place, same thing they want to save game in there, not kill them all, they all do that all over the place, so that way they always have lots of game, see.¹³³

The return to “making a living out of the bush” was facilitated by Plante’s mother. The bush was not defined in terms of property that could be owned (unlike a farm), but rather as areas where one could get meat. This definition also came with the concept of reusability – to move on once enough animals had been taken. While the concept of private property is not evident, a usufruct sense of territory, hunting ground, and wildlife management did exist.

It was this understanding of the bush that the evicted families took with them when they moved, one in which resources were managed in a way that provided for everyone but without firm boundaries or owned areas. This notion excluded areas of settlement. The move from Jasper thus presents an opportunity to examine an important difference in understandings of the agreement to relocate outside the park.

¹³³ Ibid.

The colonial perspective is one of ownership of all the land, including that outside the park. The families, by contrast, understood the park to be owned, while use of lands outside the park continued as always. Felix Plante and family's move to the area in 1914 illustrates this perspective.

Both moves were the result of incoming colonial control, and both indicate that the displaced families were more than able to adapt to encroaching Canadian society. The problem was the colonial belief that people with Aboriginal heritage had no place within Canadian society until they had been assimilated. Abraham Plante's worry that the railway would cause "lots of trouble" is insightful. The decision to return to the bush could not have been an easy one, but was probably aided by close proximity to Edmonton and the negative sentiment that Aboriginal people were exposed to. The opportunity to live beyond the gaze of colonial authorities must have issued a significant pull on the Plante family. Felix Plante's opinion concerning the advance of settlement – "make a town...you can't trust everybody when you make a town,"¹³⁴ – reflects his lived experience. He repeats it when discusses the building of the pulp mill that created the town of Hinton in the 1950s, near his homestead at Entrance just outside the Jasper National Park boundary. He recalls the reason he and other outfitters in the area lost most of their horses: the pulp mill claimed that the horses were "eating trees."¹³⁵ Their claim was untrue, but it resulted in policies that required horses to be fenced in, which greatly reduced the number of horses that outfitters could own. For Felix, the underlying sentiment was the same – a rush of people to build a town results

¹³⁴ Ibid.

¹³⁵ Ibid.

in hardships for Aboriginal people. While people like Plante might have vilified railways, as the harbingers of such hardships, this is not the case. He sees no trouble with the railway, calling it good. The problem, rather, was the rush to settle, control resources, and push out existing economies.

The creation and protection of natural areas and policies designed to manage natural areas by the Canadian government provides an interesting addition to Plante's narrative. In *States of Nature*, Tina Loo uncovers the influence of powerful social groups in creating and managing natural areas.¹³⁶ The impact of "game laws" on rural peoples, "deepened the divisions of race and class."¹³⁷ The management of game also impacted Indigenous communities, "in extending state control over the countryside and marginalizing the consumption of wildlife, as well as the local knowledges and practices that underlay it, conservation was an instrument of colonization."¹³⁸ The development of sport hunting accompanied these policy changes and shifted the role of the hunter from provider of sustenance to collector of trophies. For Indigenous hunters, value placed on the heads of animals, rather than the meat, created conflict. Game wardens such as Fred Bradshaw were hired to manage game and privileged trophy hunters. Bradshaw complained to authorities that, "some of the finest heads, that would be considered almost priceless, are slaughtered and left in the woods to rot."¹³⁹ In *Hunters on the Margin*, John Sandlos also explores the troublesome attitudes of Canadian authorities. He argues that bureaucrats, naturalists, and biologists routinely interpreted

¹³⁶ Tina Loo, *States of Nature : Conserving Canada's Wildlife in the Twentieth Century* (Vancouver: University of British Columbia Press, 2006).

¹³⁷ Ibid., 7.

¹³⁸ Ibid.

¹³⁹ Ibid., 45.

reports of “wasteful” wildlife slaughter as the outgrowth of a more general “primordial bloodlust” among Native hunters.”¹⁴⁰

While new game wardens implemented laws that enforced conservation and regulated Indigenous hunting, commodification of Indigenous knowledge also occurred “by commercializing their knowledge of the natural world, transforming and redeploying it as guides and outfitters or as rural entertainers.”¹⁴¹ The enforcement of the new relationship with game was in some cases dependent on “selling local knowledge as woodcraft.” Indigenous people became embedded in this shift in game conservation that, “highlighted their skills and knowledge even as it marginalized them.”¹⁴²

The change of lifeways that accompanied conservation did not have the same impact among groups inhabiting the Rocky Mountain region because it occurred at different times: the 1870s and 1880s in the area near Banff, and 1905-1910 in the Upper Athabasca. The Stoney people are known to have a long history, “roaming along the foothills out into the prairies to the east and deep into the Rocky Mountain country to the west.”¹⁴³ One group of Stoney people, “migrated along the foothills north to the Brazeau River area.”¹⁴⁴ This was the same area the Felix Plante’s family moved to in 1914, although by that time the Stoney communities’ freedom had been greatly impacted by Treaties 6 and 7. Peter Wesley’s recollections of the treaty negotiations reflect the understanding that people evicted from Jasper had about the oral promises

¹⁴⁰ John Sandlos, *Hunters at the Margin: Native People and Wildlife Conservation in the Northwest Territories* (Vancouver: University of British Columbia Press, 2007).

¹⁴¹ *Ibid.*, 8.

¹⁴² Loo, *States of Nature*, 8.

¹⁴³ John Snow, *These Mountains are our Sacred Places* (Hunter Rose Company, 1977), 2.

¹⁴⁴ *Ibid.*

they had been given – “told that they could still use the land in the same manner as before and there would be no interruption either.”¹⁴⁵ The creation of Banff National Park in 1885 greatly restricted Stoney use of the Mountains for obtaining meat. In 1905, James Brewster, a well-known outfitter in Banff who built a business taking clients into the mountains to kill wildlife and is credited with personally killing 150 grizzlies, complained to authorities about “Stoney Indians” killing mountain sheep.¹⁴⁶ “There is no discrimination in their shooting, rams, ewes, and lambs all look alike to the Indian and if a whole herd is cornered up they are all exterminated.”¹⁴⁷ Philip Moore a colleague of Brewster’s, expands on this frustration. “An Indian of the Stoney Tribe is an incomparable hunter...a track never escapes them and they can follow a trail over bare rock.... No animal escapes. They clean the country like a rake.”¹⁴⁸ By the twentieth century, the Stony had been engaged with colonial authorities for more than twenty years and were attempting to regain access and control over the Kootenay Plains area north of their reserve at Morley. Unlike the Métis that lived in the Upper Athabasca they did not become participants in the conservation economy.¹⁴⁹

The Métis at Jasper were able to transition from their existing lifeways to big game hunting as it became controlled by conservation policy. They had skills and knowledge about the very things that outfitters such as Fred Brewster, who hired Felix Plante in 1914 and Edward Moberly in the early 1920s, were looking for. The transition from ranchers and traders to labourers occurred quickly as the children of the evicted

¹⁴⁵ Ibid., 29.

¹⁴⁶ George Colpitts, *Game in the Garden: A Human History of Wildlife in Western Canada to 1940* (Vancouver: University of British Columbia Press, 2002), 153.

¹⁴⁷ Loo, *States of Nature*, 44.

¹⁴⁸ Ibid.

¹⁴⁹ Snow, *These Mountains are our Sacred Places*.

families were hired on as guides, surveyors, and packers – all things they had done before the creation of Jasper National Park, except now they were working for others.

The same condescending approach of local authorities that Loo and Sandlos outline also appeared at Jasper. On the one hand, the Métis would be hired to guide and hunt as part of the trips rich men took into the mountains, while on the other, authorities would complain that “the one chapter of the law that is disregarded entirely is that of the killing of game.”¹⁵⁰ The Ministry of the Interior responded to the complaints by hiring forest rangers who became the authorities on the ground. It is, as Plante claims, a very bad story, one that began by opening the area with rail, but progressed to prevent those identified as “Half-Breeds” from participating as business owners in the new economy, even when it mirrored their existing businesses.

It is the histories of these families that make the eviction story so compelling. Further subtleties arise as the families settle in different areas and undertake different approaches to dealing with colonial authorities. Ewan Moberly moved to the Grande Cache area, setting up a store and living as if Canadian authorities had no right to interfere with his life and business, while John took scrip and accepted that Canadian authorities had a say in his life. Despite this difference, some of the children and grandchildren of both worked for others as guides and labourers, while others avoided the Canadian state until the 1960s, working for themselves and allowing patrons to represent their interests. This difference in engaging with the Canadian state has in many ways continued as a reflection of the eviction event and differing ideas concerning

¹⁵⁰ C. MacFayden. 1916. “Letter to William James Roache.” Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt1.

the best way to respond to what is widely regarded as unfinished business between the families and Canada.

Another aspect of the outstanding claims comes with Plante's recollection of his trip to Miette Hot Springs, located in Jasper National Park, in 1909.

Wallace: Did you go to Miette Hot springs in the early days?

Plante: Ya, I was there when I was 16 years old. (Plante was born in 1893), I was 16, I had boils all over my body. Boils, when I lived in Alberta Beach. So we come up here, my dad, we heard about this hot springs. So we went up there, we stayed in there a week, then I got cured, it helped me, cured on me. There's two springs in there, one is very hot. Ewan Moberly found them springs; he's the man that found it.

Wallace: And what was it like when you were up there?

Plante: Oh it was all right, just a little...

Wallace: Were the first log pools¹⁵¹ there?

Plante: Ya, ya ya...

Wallace: So there was log pools to sit in? Did you just sit in the creek or were there logs to sit in?

Plante: Rocks, rocks and sulphur.

Wallace: Had somebody made a swimming pool out of it when you were there?

Plante: Ya, Ewan Moberly, that family, they did at that time, ya.

Wallace: And so you camped up there and stayed there?

Plante: Ya we stay there a week. I was all right the time I got back.

Wallace: Did you ever go back there again?

Plante: Ya, in the early days, I believe the early days was better than now. They change the water too much, you see they change the water all the time. Mostly any kind of sickness, they cure that, but now nothing at all now. They don't cure nothing now, but them days you got rheumatism you go in there you all cured. Ya, ya, that's why I said you use the same water its better than change all the time¹⁵².

Miette Hot Springs is a very popular tourist destination in Jasper National Park, but this story is completely absent from any historical depiction. Parks Canada tells the history on its website by listing a chronology without any sources.

1800s: First Nations people introduce members of the Hudson's Bay and North West Companies to three hot springs located on Sulphur Creek, a tributary of Fiddle River.

1910: A crude pack trail, accessible on foot or by horseback, attracts only the most determined bathers.

1913: Construction of a makeshift log bathhouse and sleeping shelter.¹⁵³

¹⁵¹ A Log Pool is a swimming pool made out of logs.

¹⁵² Felix Plante, 1994. Interview.

¹⁵³ Parks Canada, "Miette Hot Springs: History." Accessed January 23, 2015.

<http://www.pc.gc.ca/eng/voyage-travel/sources-springs/miette/histoire-history.aspxx>.

This is a good example of what the Comaroffs identify as agentive power incorporated by Parks Canada to discount the oral history of the Moberly family and their claim to the discovery of Miette Hot Springs. The family narrative of the area contains a clear recollection of the numerous members of the family who have been cured by the water that flows from this hot spring. Family members continue to gather the water in jars and use it for curing ailments or for drinking as a part of regular health maintenance. The value is medicinal, yet Parks removes that aspect of the history. The name Roche Miette, which has links to a nineteenth century fur trader, is given to the mountain from which the hot spring is located, however, there is no evidence that its location was known before it was discovered by Ewan Moberly.¹⁵⁴

Parks Canada's claim that members of the HBC and NWC were shown the area in the 1800s is presented without documentation of sources. Brenda Gainer was hired to write the human history of Jasper National Park in 1981, yet the story of Miette is absent in the narrative she presents.¹⁵⁵ In researching this dissertation, I have never found any evidence that Parks version is true, and I contend that their claim is not based on historical sources but rather fabricated to obfuscate the Moberly family's claim to discovering Miette hot springs. The use and availability of supporting documents for these histories is an important issue in twenty-first-century disagreements and tensions between the evicted descendants and Jasper National Park. The story remains largely hidden because of the distance between the discourse among

¹⁵⁴ Peter Murphy, Robert Udell, Robert Stevenson and Thomas Peterson, *A Hard Road to Travel: Land, Forests and People in the Upper Athabasca Region* (Hinton: Foothills Model Forest, 2007), 170.

¹⁵⁵ Brenda Gainer. "The Human History of Jasper National Park." (Ottawa: Parks Canada, 1981).

families and the public discourse presented by Parks. The major point of distinction remains the eviction and subsequent heavy-handed suppression that occurred in 1910-11.

The history presented above is a Métis history. The genesis occurs as Iroquois and Freeman from Lac Ste. Anne merge. Even as intermarriage is common between them and other groups in the region, their communities develop into a distinctly Métis society. The Métis culture in the Upper Athabasca does not concern itself with expressing their identity to outsiders, nor does it align with Red River or a sense of Euro-Métis nationalism. The localized and hybrid nature of this branch of Métis reflects the history of the Upper Athabasca between the onset of the fur trade and the disposition of their lands by colonial authorities.

Chapter Three

Eviction

The creation of a forest reserve in 1907 paved the way for Jasper National Park in 1910. While many Indigenous peoples used and lived in the area up to 1907, they were progressively moved by authorities once the area became a forest reserve. Only five extended families remained by 1909. The heads of these families were Ewan Moberly, John Moberly, Isadore Findlay, Adam Joachim, and non-Indigenous, American-born, Louis Swift.¹⁵⁶ The Indigenous heads-of-family experienced different treatment from Canadian authorities than did Louis Swift, who, despite marrying Suzette Chalifoux (a Métis woman from Edmonton), received title to his home and stayed in Jasper until his death. This discrepancy in treatment reflects the place of Indigenous people of that time. Actions taken by the federal government of the day removed the claim that these families had in this area and in turn privileged Swift's claim. Public history has developed a narrative that says Swift had the advantage of understanding something about the property rights of the incoming authorities, and for this reason he was able to remain. Even though he was the last to arrive, he was able to secure 160 acres that he refused to sell to the park.

What is known about why Swift was able to stay and enter into separate negotiations with government authorities comes from the recollections of people such as Shand Harvey, who may or may not have been present during negotiations with

¹⁵⁶ Ewan Moberly's sons William and Adolphus also had houses.

Métis homesteaders. In addition, Swift's diary is held by the Jasper Yellowhead Museum and Archives, and research has begun to incorporate his entries, especially concerning his appointment as a game warden, into the eviction narrative.¹⁵⁷ However, in Edward Moberly's 1980 interview with Peter Murphey, he recalled that "they put two policemen, two RCMP ...maybe at that time it was North West Mounted Police."¹⁵⁸ The archival records documenting police protection at Jasper support Moberly's recollection. The first request for a police presence at Jasper comes from Fred White, Controller of the Royal North West Mounted Police to W. W. Cory Deputy Minister of the Interior on November 4, 1909. "When I met with Mr. Oliver in Edmonton recently he expressed an interest to have a couple of police sent to Jasper Park for the winter, to suppress the destroyers of large game."¹⁵⁹ On November 8, 1909, R.H. Campbell, Superintendent of the Forestry Branch, responds:

...there is no difficulty now of getting into the Park as the Grand Trunk Pacific Railway Company have the right of way cut out practically to the borders of the park, and the contractors have constructed a wagon road practically to the same point....There are stopping places to within a very short distance to the Park, and there will probably be stopping places started inside the Park during the present winter.

The point at which there will be the greatest danger to game during the present winter will be in the vicinity of Henry House or Swifts place as shown on the plan of the park. There are a number of Half-Breeds living around there and the information I obtained while I was there in September, was that they intended to organize a regular roundup this winter and clean up all the sheep and goats in the mountains around the Athabasca River, as they expected it would be the last year that they would get a chance to do so. It is rather important, therefore, that they should be stopped from doing that sort of work immediately. If a patrol of policemen is sent up they can get accommodation at Mr. Swifts place for the present time. Mr. Swift is fully in sympathy with the proper protection of the game.¹⁶⁰

¹⁵⁷ MacLaren, I. S., ed. *Culturing Wilderness in Jasper National Park: Studies in Two Centuries of Human History in the Upper Athabasca River Watershed* (Edmonton: University of Alberta Press, 2007). XL.

¹⁵⁸ Peter Murphey. 2007. "Homesteading the Athabasca Valley to 1910." In *Culturing Wilderness in Jasper National Park: Studies in Two Centuries of Human History in the Upper Athabasca River Watershed*. Ian MacLaren ed. (Edmonton: University of Alberta Press, 2007). 136.

¹⁵⁹ White, Fred. 1909. "Letter to W.W. Cory." Library and Archives Canada, RG18, Vol. 504, File 50-16.

¹⁶⁰ R.H. Campbell. 1909. "Letter to F. White". Library and Archives Canada, RG18, Vol. 504, File 50-16.

Controller Fred White writes to the police commissioner's office on December 9, 1909 to request information on "reports you have received and actions taken under your instruction in connection with establishment of a detachment of police in Jasper Park for the protection of game." White also asked that the police officer in charge to "cooperate with Mr. McLaggen of Strathcona who has been appointed Forest Ranger...he left Ottawa yesterday for Strathcona."¹⁶¹

On December 13, 1909 Inspector R. E. Tucker of the Entwistle detachment provides an update:

I have the honour to inform you that reg. no. 4330 Corp. Darling, J. with horses nos. 142 and 30, left here 12-12-09, for duty at Jasper Park. Reg. no. 4830 Const. Francis, R. now at Wolf Creek will accompany Corp. Darling. I have arranged to meet with Corp. Darling at the junction of Prairie Creek and the Athabasca River on the 25-1-10, and will go west from there to look over his work etc. Corp. Darling proceeds now direct to Swifts place near Henry House. I have instructed him to make temporary arrangements with Swift for board &c., pending my arrival there next month.¹⁶²

Swifts diary documents how he was subsequently deputized as a game warden for Jasper. On January 20, 1910 he wrote, "Met Surpendant McLaggen of Jasper Park and aceped apointmnet as Game Warden with instruction to patrol Jasper Park where killing of game was likely to accur, headquarters at my home [sic]¹⁶³." The Headquarters Swift was referring to was the Jasper Park R. N. W. M. P. Detachment that had been established by Corp. Darling in late December 1909. After joining Darling and Francis in Jasper, Inspector R. F. Tucker sends the first report from the Jasper Park Detachment to

¹⁶¹ Fred White. 1909. "Letter to Police Commissioners Office." Library and Archives Canada, RG18, Vol. 504, File 50-16.

¹⁶² R. E. Tucker. 1909. "Letter the Officer commanding, R. N. W. M. Police, Edmonton." Library and Archives Canada, RG18, Vol. 504, File 50-16.

¹⁶³ Jasper Yellowhead Museum and Archives. "Louis Swift diary." 84.42.57.

the Edmonton headquarters on January 26, 1910. Tucker confirms that the detachment has been set up at Swift's place at a cost of \$5.60 per day for lodging and food for Darling, Francis, and their two horses. The report goes on to mention that there is potential for Jasper to become a tourist destination. "This place would make a very nice summer resort, there is any amount of room for a town, and plenty of suitable grounds for tennis courts, golf links and other sports."¹⁶⁴ Tucker reassures that "No game has been killed this winter. Mr. Swift has been appointed a game warden at a salary of \$60.00 per month."¹⁶⁵ Tucker goes on to report that, "The Moberly's live about 10 miles east of Swift, they have, I am informed, about 20 acres under cultivation. There are four families of Moberly's, in all, about 25 people."¹⁶⁶ The news of the hot springs discovered by Ewan Moberly, who had built a log pool that Felix Plante visited a few months earlier, also made its way into the report. "The hot springs are about 20 miles north of Swift's, the nearest point that the railway passes them is about 15 miles, and an impassable trail, except for packhorses."¹⁶⁷

In an addendum to the report, Superintendent A. Ross Cuthbert commented on the Jasper detachment's work before forwarding it to the Commissioner's office in Ottawa on February 5, 1910.

There is absolutely nothing for the Jasper Park Detachment to attend to. A resident game guardian has been employed on salary, which should be sufficient to keep an eye on the few other residents there. A Corporal, Constable and two horses are located there at great expense, while important police work in the settled portion of the district cannot be properly attended to for the want of men. If it is thought that one man must be met there, I beg to recommend that Coprl.

¹⁶⁴ J. Darling. 1910. "Report of Jasper Park Detachment." Library and Archives Canada. RG18, Vol. 504, File 50-16.

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

Darling in any case be withdrawn from Jasper Park for the most necessary duty with pack train G. T. P. construction.¹⁶⁸

While the Tucker Report was making its way up the chain of command, Swift's diary reflects his new role. On February 6, he took the train to Edmonton. The next day he reported to McLaggen that Donald MacDonald's house had been torn down.¹⁶⁹ On February 8, he met with McLaggen at Wolf Creek to receive his first payment of \$24.00. On the following day, he "Met chief Game Warden Loutogn [McLaggen] and rec'd Instructions re firearms ban and other matters" [sic].¹⁷⁰ On that same day, February 9, 1910, Swift wrote to McLaggen:

Re my claim as a squatter, having resided on this land for the last fourteen years...If this proposition is not satisfactory, as an alternative, I would suggest that you issue my patent for the southeast quarter of section 15, Tp.46, Range 1, upon which I have resided since the year 1895, my idea being to lay out a Townsite with the understanding that I will deed the government, land required for public buildings in the townsite. Otherwise I claim fifty thousand dollars damages....¹⁷¹

On February 12, 1910, Controller Fred White updates Sergeant Major A. B. Perry at the Regina Headquarters. "Inspector Tucker's report is excellent, and if the conditions permit the detachment can be reduced to one man later on. It's just one of those instances where police have succeeded in "getting there".¹⁷² He goes on to reveal that, "Mr. Oliver was so keenly interested and I know that he doubted the possibility of the police being able to establish themselves in the Park in time to frustrate the contemplated raid on the Big Game."¹⁷³

¹⁶⁸ A. Ross Cuthbert. 1910. "Addendum to Report of Jasper Park Detachment." Library and Archives Canada. RG18, Vol. 504, File 50-16.

¹⁶⁹ Donald MacDonald also had a cabin at Jasper, but moved to Grande Cache in 1907.

¹⁷⁰ Jasper Yellowhead Museum and Archives. "Louis Swift diary." 84.42.57.

¹⁷¹ Louis Swift. 1910. "Letter to Mr. McLaggen". Library and Archives Canada, RG 84 A-2-a VOL1471 File J16 pt2.

¹⁷² Fred White. 1910. "Letter to Sergeant Major Perry." Library and Archives Canada. RG18, Vol. 504, File 50-16.

¹⁷³ Ibid.

On February 15, 1910. R. H. Campbell sent a memorandum to Minister of the Interior Frank Oliver informing him of McLaggen's instructions to, "deal with all persons located within the park," although Mr. Swift was considered as having a "better claim than other squatters."¹⁷⁴ It is easy to speculate on the face-to-face conversations that accompanied these official letters of communication, in particular, the assertion that Mr. Swift had a better claim to his homestead. In the statements made by all the remaining families, only Swift identified as not being born in or near what was to become the Jasper Forest Reserve. He was born in Ceylon, Ohio and became a naturalized British subject in 1897.¹⁷⁵

Campbell ends his memorandum: "I think that probably the only thing to do is to give him his patent for his homestead as under the ordinary provisions of the Dominion Lands Act *he has certainly earned it.*"¹⁷⁶ This letter reveals several things. First, that Indigenous people could not access the same rights as non-Indigenous homesteaders, even if they adopted the ways of settlement that the Canadian government wanted. Second, Half-Breeds with the same lifestyles were separated into another category from Swift. And third, Swift was aware that the authorities were keen to avoid a lawsuit. The lifestyles of these homesteaders were very similar, and only the antiquated notions regarding race that existed in 1910 separated them. The real difference was that Swift was regarded as an asset to the incoming law as practiced by non-Indigenous people. He also had resources such as money and skin colour to pursue

¹⁷⁴ R. H. Campbell.1910. "Memorandum for Frank Oliver". Library and Archives Canada, RG 84 A-2-a VOL1471 File J16 pt2.

¹⁷⁵ Louis Swift. 1909. "Statement made and confirmed by statutory declaration, September 11." RG 84 A-2-a VOL1471 File J16 pt2.

¹⁷⁶ R. H. Campbell.1910. "Memorandum for Frank Oliver". Library and Archives Canada, RG 84 A-2-a VOL1471 File J16 pt2. Emphasis mine.

a lawsuit. The development of the new economy in the west did not provide the same opportunities for Indigenous people. They were removed to make way for non-Indigenous settlement. It is revealing that the total value placed on the six evicted homesteads was a tenth of Swift's claim.¹⁷⁷ The only factor separating them was that the Moberlys, Joachims, and Findlays were considered "Half-Breeds" and, as such, undesirable.

On February 18, Campbell sent a letter to McLaggen detailing the minister's decision: "if Mr. Swift has improvements on both quarter sections, he should be given a free patent on one and not the other, but this decision is not to be conveyed to Mr. Swift until you have made a settlement with the other squatters. After they have been dealt with we will have a freer hand to deal with Mr. Swift's case."¹⁷⁸ The common story regarding Swift does have some truth to it; he does seem to have understood how to navigate the oncoming changes. However, it is clear he benefited from his identity and close association with McLaggen, as well as the police detachment located on his homestead.

On February 19, one day after Campbell's letter to McLaggen, six homesteaders signed an agreement to receive compensation in exchange for "voluntary removal from off the said land."¹⁷⁹ The payouts for improvements were as follows:

<i>Ewan Moberly</i>	<i>\$1600.00</i>
<i>William Moberly</i>	<i>\$175.00</i>
<i>Adolphus Moberly</i>	<i>\$180.00</i>
<i>John Moberly</i>	<i>\$1000.00</i>
<i>Adam Joachim</i>	<i>\$1200.00</i>

¹⁷⁷ Report of the Committee of the Privy Council, Approved by His Excellency the Governor General on the 13th April, 1910. Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

¹⁷⁸ R. H. Campbell. 1910. "Letter to J.W. McLaggen". Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

¹⁷⁹ Agreements were signed with a mark except for Adam Joachim, who was literate in English.

Isadore Findley *\$800.00*

On February 24, 1910 Deputy Minister Cory responds to the request to have the detachment at Jasper reduced to one officer:

I may say that I have brought this matter to the Minister's attention and he has express the opinion that no change should be made as regards for police arrangements in the Park. I would be glad therefore if you would issue the necessary instructions to have the matters remain as they are. There is no doubt that the services of the police detachment will be required in the Park during the summer months.¹⁸⁰

On February 28, 1910 Tucker sends his second report on work done between December 25, 1909 and February 28, 1910. "For the first week or ten days Const. Francis and myself were engaged in fixing up quarters, making bunks, mudding walls, etc."¹⁸¹ The report details the movements of the officers, "to Brule Lake, Prairie Creek...There have been no patrols made to the west as there are no residents, and no Indians, breeds or other hunters."¹⁸² Tucker assures that the worry concerning big game is unnecessary, "All rifles and guns of residents in the Park are sealed and I propose to inspect them periodically".¹⁸³

As arrangements were being made with the Métis families to move, Campbell sent a handwritten note on government letterhead to McLaggen on March 2, 1910.

I note your decision in the matter is not to be made public until the other squatters have been settled with and I might add that in my opinion it would be very unwise to make any announcement until other squatters are finally off the park as there is certainly a very wide difference between the settlement made with the half-breeds

¹⁸⁰ W. W. Cory. 1910. "Letter to Fred White." Library and Archives Canada. RG18, Vol. 504, File 50-16.

¹⁸¹ R.E. Tucker. 1910. "Report done on work done and patrols by Detachment in Jasper Park from 25-12-09 to 28-02-10." Library and Archives Canada. RG18, Vol. 504, File 50-16.

¹⁸² Ibid.

¹⁸³ Ibid.

as compared to this and there is no doubt the half-breeds would be very dissatisfied if the matter became public.¹⁸⁴

On March 27, 1910, McLaggen arrived at Jasper. On March 28, Swift, newly appointed as game warden, used his authority and “walked down to Dalphas Moberly plase and put a lock on house with Sup McLaggen.”¹⁸⁵ On March 29, they “crossed the river at John Moberly and walked down to isadore finly house and put a lock on it” [sic].¹⁸⁶ One of Swift’s tasks in dealing with his former neighbours also included the sealing of guns that were found in the park. Sealing refers to blocking the gun chamber so that it would no longer function. Between April and July 1910, he sealed eleven guns.¹⁸⁷ The hardships that arose from being unable to hunt were many and included the starvation of children. The harsh aspects of this story, and Swift’s participation in particular, are often overlooked in the retelling of this history by Parks Canada. Rather Swift is depicted as a man who understood the changing world and kept his property because he was able to navigate the bureaucratic structure of the Canadian government. While it is true that Swift understood that backroom dealings with powerful officials could win favour, the retelling of this story in the public discourse promoted by Parks is antiquated and not so subtly race based. The Parks Department sanitizes the memory of the land deal with Swift. Additional examination of Swift’s relations with the Canadian government would further highlight why the only non-Indigenous person occupying the park was able to stay.

¹⁸⁴ R. H. Campbell. 1910. “Letter to J. W. McLaggen”. Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

¹⁸⁵ Jasper Yellowhead Museum and Archives. “Louis Swift diary.” 84.42.57.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

It is evident that the evictions were in line with other racially motivated actions taken by colonial authorities of the day. The reasons are understandable. There is fear that such actions may result in claims or unwanted negative public discourse. However, if reconciliation with the descendants of those evicted is truly the goal, as Park Superintendent Greg Fenton stated on June 20, 2015 (“we invite ceremony and education about the history and connection of our Aboriginal partners to this national park as a way forward towards healing and towards reconciliation”¹⁸⁸), then current actions and bureaucratic obstacles that prevent this story from being woven into the fabric of the public history of Jasper must be overcome. It is important to note that Jasper National Park began collecting the documents presented here that relate to promises made upon the creation of the Park in 1990.

Some descendants regard the Swift family as similar to the others that were evicted. For example, the recently organized Mountain Métis claims him and his family as belonging to that group, which also claims the descendants of the families that settled in Grande Cache after being evicted from Jasper. Suzette Swift is a highly regarded Métis woman and this respect is, in this case, extended to her husband. Their descendants are intermarried and have a long association with the Moberly, Joachim, and Findlay families. The difference in treatment by colonial authorities did not hinder this bond, and the story that comes out in Swift’s diary and government discourse concerning his claim does not appear in the depiction of him on the Mountain Métis website. Rather, Swift is described this way: “(he) thought that he too would lose his land and, like the others, only be paid for the improvement he had made to the land. Lewis was fortunate

¹⁸⁸ Nicole Veeman, “Jasper celebrates National Aboriginal Day,” *The Fitzhugh*, June 30, 2001.

to negotiate title on his 160 acres. Once he received that, he absolutely refused to sell out to Park authorities.”¹⁸⁹ It is unclear if Swift’s diary and communication with authorities is known to the Mountain Métis.

The Mountain Métis adopted Swift as an ancestor upon their inception as they shifted from a regional branch of the MNA to focus on the connection to Jasper that the five remaining families had in 1910. Though this approach is hard to understand in light of the records just outlined, it was a savvy way to endear themselves to current Parks personnel who are interested in presenting this history in a different light. It is also a reflection of respect for Swift’s wife Suzette, who was Métis and from the Edmonton area.¹⁹⁰ This decision, however, does not change the fact that Swift was treated differently, not only because he was not a Half-Breed, but because he willingly assisted with the removal of the other homesteaders in order to gain favour with authorities and secure his claim.

While the heads-of-families are most present in the historical record and resulting contemporary narratives, they were not the only ones using the Park at the time. The Donald MacDonald family, closely related to the others, also lived there, but chose to move on before negotiations were complete. Additionally, many families from the interrelated cultures occupying the area prior to 1907 were removed without compensation. These families participated in protests at the park gates in 1990. Some have joined the Aseniwuche Winewak Nation or the Mountain Metis, and others avoid political allegiance. My grandfather, Felix Plante, and granduncle, Edward Moberly,

¹⁸⁹ Mountain Métis, “Jaco Findlay.” Accessed January 12, 2015.
http://www.mountainMétis.com/pages/jaco_findlay.html

¹⁹⁰ Ibid.

were certain that all the families evicted in 1907 were given verbal assurances that they could settle outside the park and would not be bothered again. Payment for buildings and clearing of land was not provided to everyone living in the park, and those evicted in 1907 did not receive anything beyond verbal agreements to inhabit land outside the park. As a result, these families also have a claim to rights in Jasper, although the difference in their cases also reveals the complexity of the situation – a complexity that continues today. Moreover, it illustrates why this particular situation is seen as unresolved by the various groups who claim rights based on the eviction and subsequent documentation of these families. In 1967, James Shand Harvey recalled J. J. McLaggen's 1909 visit to the area:

...he went over to Ewan's and said "All I can pay you for is the value of your building." He says: I can't pay you for land you're on because you're a trespasser. "But" he says "I will grant you a squatter's claim, anywhere you like, outside of Jasper Park." He said the same thing to Adam Joachim. Of Course, Adam spoke perfectly good English. He understood and interpreted for them. He told Isadore Findley the same thing, and he told John Moberly the same thing. Then they all agreed...But there was no word as to where they would move, – 'anywhere outside the park'¹⁹¹

The descendants of these heads-of-families recall these negotiations differently. Felix Plante told it this way in his 1994 interview:

A park? Ya that's a good idea, but don't make a town out of it...Why did they make a town in there for? You can't do no shooting, you can't trap, you can't nothing, still make a town in there. Now you think you can trust all the people? You can trust everybody? No! You can't, when you make a town you can't trust all the people. So that's what he (the government) did...That wrong, wrong, very very wrong. Them people that live in there for years and their lives and get nothing out of it. They should get a little bit out of it, not only a thousand dollars, it should be more. Hudson Bay store, he had a store in there for years and years, it don't cost them a cent...Now the government makes lots of money in the park, they should at least give them people a little bit. Get out! You can't live here no more. That's what he told them. Get out! He said. He don't talk in a sociable way, he don't tell them people in sociable way, he say Get out. Give you 10 days to get

¹⁹¹ Harvey, James Shand. 1967. "Transcripts of Tape Recording of Interview." Jasper: Jasper: Yellowhead Museum and Archives, 84.42.57.

ready and pull out. Now he makes a town out of it. Shouldn't be a town in there no-how, no-how, I don't care what.¹⁹²

The issue Harvey did not address is what the families were told about plans for the forest reserve. What was its purpose? In family narratives of this event, the interpretation of the forest reserve's purpose was also a part of discussions. From the perspective of those evicted from the Upper Athabasca, the purpose of a park was to preserve nature. There was no mention that the area would soon be opened up for further development and that the existing families would not be welcome to live there.

3.1 The Forest Rangers

Development at Jasper occurred slowly and it was not until the transcontinental railway was completed in 1914 that larger numbers of visitors created a tourist industry that coexisted with the railway. It was in 1914 that Felix Plante began working in Jasper. This was also the year that Forest Rangers began to suppress and monitor the activities of the Indigenous people outside park boundaries. Understanding the situation on the ground is crucial to appreciating the communication between government officials and descendant families in the years following eviction. It also provides a framework for the identity issues that emerged.

It is important to consider the attachment that Ewan and John Moberly would have had to the area along the Athabasca River. Their mother Suzanne was born at Jasper House in the 1820s. It was a place that existed in large part to capture the

¹⁹² Felix Plante, 1994. "Transcripts of Tape Recording of Interview." Jasper: Yellowhead Museum and Archives, 84.42.57.

bountiful Iroquois trade. Suzanne's father, Louis Kwarakwante, was one of the main Iroquois fur trappers/traders, so Ewan and John had been raised to trade in a place that was occupied by their Iroquois ancestors since the late 1700s, and by their interrelated relatives for many years before that. By 1907, other groups had been evicted for the creation of a forest reserve, but the brothers, along with Adam Joachim and Isadore Findlay and their families, stayed.

Why did they stay on and force the authorities to provide separate agreements with each family? What made these families different from those that had moved out of the area without such agreements? Part of the answer to these questions may be that the families had a long history of operating businesses and had built up their homesteads and buildings to a degree that warranted compensation. A letter on their behalf written by Forbes Groat to Minister of the interior Frank Oliver: "These places they have too many improvements on to leave and go where they can hunt and live as they are accustomed...."¹⁹³ Thus, any settlement must address the question of land. It is difficult to believe that traders who lived in Jasper and met with numerous people and travelled to Lac Ste. Anne and Fort Edmonton for supplies would relocate without the understanding that they could continue their way of life elsewhere.

In his 1994 interview, Felix Plante revealed how this understanding was not made in good faith. Before Wallace ended the interview, Felix requested to tell a little story about the rangers.

They started work here in 1914, the government put in forest rangers, they put them all over the place. And then when they was working here, in the spring, they started in April, when he first started, 1914, he told all these poor Indians living here, make a living out of the bush. He told them not to kill anything. They'll get pinched if they kill

¹⁹³ Forbes Groat. 1909. "Letter to Frank Oliver," Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

anything. And that man, that forest ranger, he didn't care if them people starved to death. He hates them, that's why he told them not to kill anything. Why is that the ranger or government have any business to say that or do that when he knows its not his. All the game that lives here belongs to the Indians, by right, not the government, but he put man here to tell these people to quit killing game, let you starve, let your kids starve. Now what else you can live on, nothing else but meat. That's what the rangers do here for years, for years. Eventually, a good many years they do that, eventually they quit the trapping, they cut the trapping off out of the poor Indians. They put the white man in there to trap instead of the poor Indian that owns the place. They do that now, they do that right now.¹⁹⁴

Mr. Plante pauses here to ask, "is that a good story or a bad story" before answering the question himself: "it's a very bad story." He continues,

How white people came to this country, in the first place he had no business. The Indians were living here all over the place, different kinds of Indians, they owned the place. The white man come here, all right this is mine you get out, that's what he told us.¹⁹⁵

Again, he pauses the story to ask, "is that very good? Eh, is that good":

Now for a 100 years, the poor Indians got no education, like myself they only put me to go to school six years, they kicked me out. I was too smart, the government says "that enough you're finished". Six years that's all I went. Now they can have the same education as a white man today. Now they going to start to kick, they start to coming now there, they can talk now. They can do something now, from now on.

You see is that interesting? Is that any good? To do things like that? Supposing I go in their country I said this is my country you get out. Would they like it? They wouldn't like it, but they do that to us.

That's what hurt my feeling all the time. Its very bad news, but still that's the way it turn out. Lots of white man will be with us all right; he'll help us, but lots of them they don't. I talk to quite a few, quite a lot, people like that, they say they'll help us on that case, but lots of them say no we help a white man, belongs to this country. All the things that he's growing in this country, it belongs to the government. Like gold, Silver, all the material, all the things they got. Look at gas they got out of it, oil they got out of it. they got nothing, they takes it all. Poor Indians now they got nothing. That's the way, they don't do no good.¹⁹⁶

This narrative, told a few months before Felix Plante died, gives a sense of the lived history of the area in and around Jasper National Park. It also reveals how Plante regarded his identity and connection to this place. Plante's statement, "the poor Indian

¹⁹⁴ Felix Plante. 1994. Interview.

¹⁹⁵ Ibid.

¹⁹⁶ Ibid.

owns the place,” is interesting. Left alone, the local Aboriginal population understood and managed the area in a way that permitted autonomy. Plante’s mother knew the area and how to trap so she was able to reoccupy it and make a living with her family. This history is told differently today. A consistently changing, forming, reforming, and denial of groups and people working to regain a presence in Jasper marks the current state of the Aboriginal file within the Jasper Field Unit. Unlike the pre-park days, contemporary groups define themselves separately, downplaying intermarriage and mixing in favour of political gain. As the only outlet for expressing Indigenous history and agency at Jasper National Park, the Jasper Field Unit uses access to their frontline bureaucracy as political capital. This use of bureaucracy is, in my view, a function of the drive toward being recognized by contemporary colonial authorities and is often used to create friction between and within groups so that fallout from infighting results, rather than acknowledgement of a nuanced and fascinating history.

Usufruct governance is implied in Plante’s statement, “The Indians were living here all over the place, different kinds of Indians, they owned the place.” There is no underlying concept of held territories or even of nationhood. Plante depicts a society that is peaceful, law-abiding (even to its own detriment), and organized along family lines. There is a collective understanding that Indigenous families in the area owned the land, game, and resources, but together as “the commons.” The appearance of forest rangers impeded a system that incorporated tradition and self-reliance among interrelated families.

These untold histories are important, but the drastic changes that were impacting almost all Indigenous people in Canada must be considered along with the

one family whose case study I highlight here. What makes this particular situation unique is the way in which the families were dispossessed of their land. Unlike treaties, scrip, or forced removal without documentation, these families were removed by an Order of the Privy Council and were compensated for improvements made to land they occupied. This order justified the eviction of the Moberly, Findlay, and Joachim families and provided compensation for, "improvements, and damage for removal."¹⁹⁷ They were managing businesses, farming, and trading. Their identification as Half-Breeds, and subsequently as undesirable citizens in the area, was the reason they were treated differently from their neighbour, Louis Swift, who is not mentioned in the Order.

The stories of Ewan and John Moberly diverge upon their removal from Jasper. John appears to have accepted the authority of colonial Canada and took up a homestead at Prairie Creek, while Ewan moved to Grande Cache and re-established his business. John registered his property and followed the regulations of the expanding Canadian nation state. Ewan did not and never in his lifetime accepted the authority of the Canadian government. John's move to Prairie Creek put him in close proximity to the small town of Entrance and its Railway station. This move ensured that he would have access to the economic opportunities provided by the growing population travelling west. Ewan moved well beyond the encroaching settlement and quickly controlled trade among visitors and Indigenous residents around his home.

¹⁹⁷ Compensation to squatters removed from Jasper Forest Park E., W., J., and A. Moberly, I. Finley, J. Adam Minister of the Interior, 1910/04/06. <http://www.bac-lac.gc.ca/eng/discover/politics-government/orders-council/Pages/item.aspx?IdNumber=145815>



1914, First car in Hinton L-R: John and Marie Moberly and their sons Frank Moberly and David Moberly. © Glenbow Museum

It is interesting to note that Felix Plante begins his story with the move from Alberta Beach, a small community on the shores of Lac Ste. Anne, in 1914. At that time, his family moved into the area outside Parks boundaries that were available to Indigenous inhabitants who continued to live off the land. Plante's decision to settle down on a homestead in the 1920s reflects John's influence through Plante's marriage to Caroline, John's daughter. Although close relations between the extended families continue today, those inhabiting Grande Cache never registered their homesteads. This is perhaps a reflection of Ewan's perspective and influence. It is clear that the brothers took a different approach in dealing with colonial authorities. John accepted that colonial rule had been established and he followed the policies that applied to the registering and paying of fees for the homestead that he moved to, while Ewan did not. Ewan chose another path. He chose to join relatives, namely the Delormes, Paulettes

and Wanyandies, in Grande Cache.¹⁹⁸ At the time he arrived, the area was still unsurveyed, and was a part of the seasonal round of this hunting and trapping society. In his view, he had moved beyond the control of colonial authorities and he felt he would be able to live as he always had.

By 1912, however, just a year after he had moved his family and possessions from Jasper, Ewan had become a concern for administrators of the newly planned Athabasca Forest Reserve. Shand Harvey, by this time a forest ranger, wrote to the Department of the Interior on October 21st to report on the people living at Grande Cache. He notes that Ewan Moberly has “50 head of cayuses¹⁹⁹ one black draught stallion and 14 head of cattle...a mowing machine.... He is reputed to have money as well in the bank.”²⁰⁰ He also describes the other families in Grande Cache, which include those of Adolphus Moberly and Adam Joachim, who also have cayuses, cattle, and “a high class Percheron Stallion.” In his description of the holdings, he describes the settlement:

Ewan Moberly has erected four buildings namely, a dwelling house with rubberiod roof and whipsawed lumber floor, a large store building, a cattle and horse barn and a small store-house. He has about 2 acres fenced in, which he cropped last summer. As the valuation of these and other structures at Grande Cache it is very hard to arrive at a satisfactory estimate as a great amount of the necessary materials such as rubberiod nails windows, etc, had to be brought in on pack horses from Hinton consequently the value of the structures are considerably higher than they would be in a more accessible spot. I do not know what Moberly and the others value their buildings at but my own valuation is about at 1200.00 on Moberly's place, his son (Adolphus)...\$700.00; his son-in-law (Adam Joachim) \$600.00....²⁰¹

¹⁹⁸ Grande Cache is an area used by this society for many years and can be considered, along with Jasper and Lac Ste. Anne, as a kind of headquarters, with a long history of use and occupation.

¹⁹⁹ Cayuse refers to a particular breed of mountain pony.

²⁰⁰ James Shand Harvey. 1912. “Letter to the Department of the Interior.” Library and Archives Canada.. RG 84 A-2-a VOL1471 File J16 pt2.

²⁰¹ Ibid.

Harvey goes on to point out that, “there is practically no timber of commercial value at Grande Cache or in close vicinity.”²⁰² He concludes his assessment of the impact the small settlement will have on the new forest reserve with the observation, “I do not consider their presence a detriment to the forest reserve whatever, rather an advantage as in their own interest the safe guarding of fires, especially in the fall is very important: they do not put up any hay for their horses as they depend on grass for their winter feed.”²⁰³

The last section of Harvey’s report concerns the circumstance of trespass. He reiterates that the removal of the families from Jasper the year before, “...carried through the agreement by which they each received a sum of money and a verbal permission was given to them to settle anywhere outside of the of the said park limits.”²⁰⁴ It is important to consider the perspective that Ewan Moberly would have had. The area that he and his kin used extended beyond the park area to Grande Cache, Lac Ste. Anne, and points in between. Grande Cache was not an area he randomly encountered upon leaving the Park; the intermarried Iroquois/Lac Ste. Anne Métis communities had used it for generations. Harvey ends his report by making a strong case for leaving these extended families alone:

At the time Moberly and others (1911) moved to Grande Cache there was no posters, boundary stakes or other marks to show the reserve lines and no Fire Rangers to my knowledge except James Smith on the Athabasca River. This summer (1912) I travelled over the mountains and lower trails several times and only saw old fire notices south of the Hay River and no other indication of the reserve boundary being defined in any way. Mr. Brown the present supervisor visited my camp in August and then informed me that the 15th base line was in the north boundary and that the east boundary was not yet completed... Recommendations: I do not think the forest reserve would suffer in any way from granting the aforementioned persons permits of settlement. In fact I

²⁰² Ibid.

²⁰³ Ibid.

²⁰⁴ Ibid.

think in their own interests they would guard against fire as much as possible and I strongly recommend that permission should be given them to remain.²⁰⁵

The move to Grande Cache was arduous and something of a setback for the families, and it also separated them from relatives who had lived in close proximity in the park. John Moberly moved to Prairie Creek, taking a homestead, and Isadore Findley moved to Shining Bank, near present-day Edson, Alberta. Both were far more accepting of colonial authority than Ewan, who moved with his sons Adolphus and William, and son-in-law Adam Joachim, to Grande Cache. At the time of Harvey's letter in 1912, it must have seemed like they had managed to escape colonial gaze to be left alone. The families of the Jasper evictees, notably the relations of Ewan Moberly and Adam Joachim, had been there for close to a century or more. Harvey was also aware of the promise to settle anywhere outside the park limits, and recommended that the group be left alone.

²⁰⁵ Ibid.

Chapter Four

The Tragic Case of Ewan Moberly

Chapters Two and Three outlined the history of the Métis in the Upper Athabasca from inception to eviction. This chapter will focus on the post eviction life of Ewan Moberly. Concepts in Métis culture that privilege independence and freedom from outside influence are evident among the community that resettled in Grande Cache. Settlers were adamant that they had acquired assurances they could exist unmolested by colonial authorities after leaving Jasper National Park.

Samuel Prescott Fay, an American adventurer, was among the first people to traverse the northern section of Jasper National Park after the relocation of Ewan Moberly's family. Fay was an early member of the American Alpine Club and he first visited the Rockies to climb in the Lake Louise area in 1906. He was also a regular customer of Fred Brewster. His party left Jasper on June 26, 1914 and arrived at Moberly's homestead in Grande Cache a month later. Fay's expedition to the Northern Rockies in 1914 was aided by his visit to Moberly for supplies and transport. His encounter with Moberly provides an interesting window onto the life Ewan Moberly had built upon his relocation to Grande Cache. Fay recorded the encounter in his journal:

Jack (Symes) and I started off to look for Ivan²⁰⁶ Moberly in order to buy some flour and baking powder, as we want to add to our supply before leaving the Smokey. Ivan keeps a few things for trading with the Indians that pass through here.... There are numerous little meadows where he has been cutting hay (mostly weeds) to feed his cattle during the winter. To our surprise we found a mowing machine, big hay rake

²⁰⁶ Ewan Moberly's first name is pronounced E-Van and was sometimes recorded as Ivan or Avan.

and wagon. Later he told us he packed everything in on his horse from Edmonton, over three hundred miles away. That was four years ago, when that was the nearest point where the railroad was. He said his horses got sore backs from the heavy wagon wheels and big pieces of machinery. It seems funny to see their squaws, children and all putting up hay, with snow-covered meadows in all directions...He was very pleasant and talked quite freely and although his English was rather broken it was intelligible. Once in a while he couldn't understand us and he would say "me no savvy." He had flour etc. and said he would come back later to our camp, so we left him carrying his axe with his rifle done up in a buckskin case slung over his back.

They have picked out an ideal spot for their horses, - on a big, green grassy hill looking right down into the deep valley of the Sulfur River and up the valley of the Smoky, with green sheep hills on one side and snow mountains on the other. No one could have chosen a more ideal spot.... Ivan came later and Fred (Brewster) and I went over to his house, a log shack plastered with mud, and got the supplies. Although flour is three dollars a sack (fifty pounds) at Hinton, all he charged us was five dollars! Yet, he packed it in here, over a hundred miles from the railroad.²⁰⁷

Fay's impression of Ewan, the area, and society of people there provides a fascinating picture of the independence of this community. It is interesting that Fred Brewster accompanied Fay on this trip. As one of the major outfitters in Jasper, Brewster hired Felix Plante the following spring (1915). Fay's description of Moberly's trade "with the Indians who pass through here" is consistent with the trade in Jasper.²⁰⁸ After the HBC pulled out of the area in the 1880s, trade was largely for and by Indigenous people. Unlike the narrative that exists in the public retelling of the eviction story, Ewan Moberly was not overrun by the complexity of colonial economies, rather, as the son of a fur trader, he had been raised to manage an extensive trading network. Even though his father Henry John Moberly had left the Jasper region in 1861 when Ewan was two-years-old, his mother had been born at Jasper House in 1824 and she stayed in the area with her children until her death in 1905. The HBC stopped trading there in 1884, at which time Ewan and his brother John began to take over the trading

²⁰⁷ Samuel Prescott Fay, Charles Helm, and Mike Murtha, *The Forgotten Explorer: Samuel Prescott Fay's 1914 Expedition to the Northern Rockies* (Surrey: Rocky Mountain Books, 2009), 31-32.

²⁰⁸ *Ibid.*, 31.

in the Upper Athabasca. The move to Grande Cache also involved, then, a relocation of Ewan Moberly's business that included the suppling of travellers passing through, trapping and hunting.

The following morning, the party began to prepare to cross the river. Fay's journal reveals more of Moberly's business sense.

The men found a cottonwood dugout canoe near where they planned to build a raft, so they returned early and we bargained with Ivan for seven dollars for the use of it. He is one of the nicest and most willing Indians I ever saw. He came over to the tipi and down to the river with us.... It was an eighteen-foot dugout, capable of carrying a thousand pounds....²⁰⁹

It is apparent that Fay was very impressed with Ewan Moberly. Large, modern equipment and a well-stocked store is not what he had expected in such a remote location.²¹⁰ Another entry outlines how Moberly challenged Fay's preconceptions of Indigenous people. When his party offered Moberly some of their strong HBC rum he replied, "me no touch," which "impresses" Fay greatly. The strength of Moberly's business was once again demonstrated when the party returned later that fall.

We were out of grub for two or three days before reaching Moberly's, that is, except for flour, of which I took care to have plenty. So I had to buy some grub there from Moberly, the Indian whose dugout canoe we had used in July to get our stuff across the Smoky River. The old devil soaked me, you bet, as the first thing Jack Symes did was to blurt out that we hadn't had anything to eat for a week, very diplomatic!²¹¹

Taken together, these passages paint an impressive picture of Ewan Moberly. Even though he had only been in Grande Cache for two years, he had established another location to run his business. His ability to create a very positive impression on Fay with his inexpensive pricing and warm demeanour – "one of the nicest and most

²⁰⁹ Ibid., 33.

²¹⁰ Ibid., 31.

²¹¹ Ibid., 188.

willing Indians I ever saw” – made a return visit likely. Upon his return, Fay learned that his impression of Moberly was a demonstration of the latter’s well-honed business sense – “The old devil soaked me.”²¹² Moberly’s identity was tied to an intimate knowledge of the area and his business skills were fully developed. It is unlikely he would have re-established his business unless he had assurances that he was free to do so. It would seem at this point that the settlement at Grande Cache was an ideal choice for relocation by these Jasper evictees, as it seems they were able to continuing to live as they had in Jasper.

However, a few months later, on January 15, 1916, Forest Supervisor C. MacFayden requested that the evictees be removed from Grande Cache. I present the whole letter, addressed to Minister of the Interior William James Roache. I then analyze the letter paragraph by paragraph, because it illustrates how Canadian society of the day thought about Indigenous people, places, and identity. It is a very revealing letter for a number of reasons. It lays out the problems that MacFayden had with the evictees’ identity and unwillingness to bow to the authority of the Canadian government.

I beg to acknowledge receipt of your letter...asking that some definite recommendation be made relative to the breed settlement on the reserve.²¹³ For fear of any misconception I should say that these people, while called half breeds, are, except in the eyes of the law, to all intents and purposes, Indians. There is just a little white blood but just enough to have them inherit the white man’s vices and none of his virtues. These people are living an isolated nomadic life and the children growing up in absolute ignorance and as shiftless and irresponsible as their parents. So long as they are allowed to live under their present conditions no advancement is going to be made, they will never have anything of their own and will be a source of continual annoyance to the forestry branch. If the children were afforded an opportunity to attend school and be in constant touch with white people I can see no reason why they should not become as independent and thrifty as anyone. Herely given an education and then allowed to return to their nomadic life I do not believe will do any permanent

²¹² Ibid.

²¹³ This is a reference to the Forest Reserve that was created shortly after Moberly moved to Grande Cache.

good. The effect of a primary school education is lost in a short time unless they afterwards are continually associating with the white people.²¹⁴

The rhetoric in this letter is consistent with that of Department of Indian Affairs Deputy Superintendent Duncan Campbell Scott, who in 1920 expressed his desire to “get rid of the Indian problem” through forced assimilation.²¹⁵ MacFayden’s chastising of the Métis residents for being for “all intents and purposes Indians” must be considered in historical context. The sentiment is obvious; the children must be saved from their parents and kept in constant association with white people. The community’s close and longstanding relationship with the church most likely played a role in this not happening. The second paragraph, however, contradicts the assertions of the first, especially the goal of having the children become “independent and thrifty.”

These people for the most part derive a very comfortable income from the sale of furs; in fact make more money than the average white man residing in this district. At the same time they are always, through poor judgment and lack of example, living under the hardest kind of conditions, poorly fed, poorly clothed and housed. The members of the settlement at Grande Cache are somewhat exceptional as in this case every member has sufficient equipment gathered around him to work a good sized farm. Had the same work been put on a homestead of their own, the members of this last settlement could have been living very comfortably.²¹⁶

This paragraph is loaded with contradictions. On the one hand, MacFayden belittles the poor living conditions of Indigenous peoples in the area, conditions likely caused by his own forest rangers, and lumps their situation together with that of other settlers in Grande Cache. Plante’s description of the forest rangers who arrived in 1914 (“that man, that Forest Ranger, he didn’t care if them people starved to death. He hates them.

²¹⁴ C. MacFayden. 1916. “Letter to William James Roache.” Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt1.

²¹⁵ John Leslie, *The Historical Development of the Indian Act*, second edition (Ottawa: Department of Indian Affairs and Northern Development, Treaties and Historical Research Branch, 1978), 114.

²¹⁶ MacFayden. 1916. Letter to Roache,

That's why he told them not to kill anything"²¹⁷) reveals why Indigenous populations were "living under the hardest conditions."²¹⁸ Tina Loo shows that this was not a unique situation at that time. "It was all too clear to both Aboriginal peoples and...agents who oversaw their affairs that the game acts were aimed at restricting, if not eliminating, the use of wildlife as food."²¹⁹ However, at the same time, MacFayden acknowledges their income and equipment. The last sentence is especially revealing. In the minds of those settled at Grande Cache, they were working their own homesteads and living quite comfortably – they only asked to be left alone.

MacFayden struggles with a number of things in his letter – the identity of the group, economic determination, and their rights as Indigenous people. The next paragraph gets to the heart of his agitation:

While very indifferent and law abiding it is hard to explain to these people anything of the forest reserve regulations and very little satisfaction can be had in the matter of collecting dues and permit fees. It appears that at the time they released their interests in Jasper Park that no very definite directions were given as to where they could settle and remain unmolested so that they now feel that they are being imposed on when asked to pay dues of any kind. The one chapter of the law that is disregarded entirely is that of the killing of game. The present annual slaughter that is made by these people, in season and out, regardless of sex or age, is surely leading to the extermination of the sheep, goat, caribou, moose, and deer in what is probably the finest big game country in the Dominion. It is really deplorable that a national asset as such a game country could be made is being destroyed by a few nonproducing residents. Given the proper protection and advertisement I have no doubt that this forest would yield as large and permanent a revenue from its game as from its timber resources. The only protection at present afforded to the whole district is one non-salaried game guardian residing at Hinton. It is only natural that a man receiving no remuneration cannot afford to spend the necessary time to even attempt to enforce the laws.²²⁰

²¹⁷Felix Plante. 1994. Interview.

²¹⁸ MacFayden. 1916. Letter to Roache

²¹⁹ Tina Loo, *States of Nature: Conserving Canada's Wildlife in the Twentieth Century* (Vancouver: University of British Columbia Press, 2006), 46.

²²⁰ Ibid.

MacFayden's frustration stemmed from the fact that he was unable to enforce forestry bylaws, issue permits, or collect fees in the settlement at Grande Cache. Residents did not recognize the authority of the forest rangers and contended that the negotiations at Jasper had provided them with the ability to live as they chose. Stories of Ewan Moberly's resistance to interference are legendary. He would give warning shots with his rifle and refused to be moved or bothered again.²²¹ The issue of killing game is also revealing. As Felix Plante outlined, families removed from the park had been hired as guides and outfitters by people like Fred Brewster and were paid to provide guiding services. The hunting of game was a part of this economy and generated contradictory statements by those who, on the one hand, hired Indigenous descendants to hunt, but also complained that they were killing all the game. Tina Loo reveals how this situation was not unique to Grande Cache, but part of a larger movement to privilege sport hunting and restrict subsistence hunting. MacFayden believed big game hunting could be very lucrative, if only the very people needed to provide expertise in hunting did not themselves waste the animals.

The commodification of the Indigenous knowledge of the relatives and residents of Grande Cache occurred as outfitters such as Fred Brewster hired people such as Adolphus Moberly, son of Ewan, to guide in Jasper. Aboriginal guides were seen as "closer to nature."²²² However, this quality also re-enforced the assumption that Aboriginal guides, "were socially and culturally inferior to their clients."²²³ The thing that confounded MacFayden was the absence of submission to authority. It seemed to

²²¹ Lena Ouellet. 2015. Interview with author, March 15.

²²² Loo, *States of Nature*, 55.

²²³ Ibid.

him that the community did not accept the presumed inferiority of their society and culture.

MacFayden's call for more game wardens was readily adopted, as the Plante narrative reveals. The increasing legal restrictions that resulted contributed to the suppression of Indigenous communities in this area in the same way as in other places.²²⁴ The fact that Ewan Moberly resisted this intrusion provides a window onto the exercise of colonial authority through bureaucracy.²²⁵ After identifying the problems with the Grande Cache settlement, the wellbeing of the children, the security of the game, and lack of fee payments, MacFayden finally offered a solution in the next paragraph of his letter:

In view of the foregoing and for the ultimate betterment of these people and the forestry branch interests I suggest that they be removed from the (Forest) reserve entirely. I would not attempt to make any pecuniary remuneration but would recommend that they all be given a quarter section of agricultural land in the Grande Prairie or Pouce Coupe districts. Such a grant should be non-assignable as otherwise it would be, in most cases, sold for the first offer, the proceeds squandered and the old life reverted to once more. The offer of this grant I would suggest should be held open only for a period of six months from the date of that first notice being given.²²⁶

MacFayden's solution is revealing. Although the lack of documentary material available concerning the 1909 negotiations and subsequent removal of the families from the Upper Athabasca is frustrating for researchers, this account does provide insight into the government approach to these types of issues at that time. Bruce Miller's insights into the development of confounding identities as a feature of resistance to colonial authorities and keeping agency over the future are useful.²²⁷

²²⁴ Loo, *States of Nature*.

²²⁵ This situation has, in my view, continued, albeit in an evolved bureaucratic format that I examine in later chapters.

²²⁶ MacFayden. 1916. Letter to Roache,

²²⁷ Bruce Granville Miller, *Invisible Indigenes: The Politics of Nonrecognition* (Lincoln: University of Nebraska Press, 2003).

MacFayden's awkward attempt to identify the group reflects the eviction from the new park, as the community's identity now included the promise to be left alone once removed. Particularly interesting is the assertion that the community had inherited the vices of the "white Man."²²⁸ In this context, these vices might be the consumption of alcohol and associated problems. However, Fay's description of Moberly is dramatically different. MacFayden categorization of the small community as "Indians with vices" would aid in removing their agency and allowing for a second forced removal.

While the eviction from Grande Cache was prevented, the underlying reasons that led to the Jasper removal and the ability of Louis Swift to stay are identifiable in MacFayden's letter. The place of Indigenous people is clear, and their particular circumstance of occupying a hybrid identity, neither fully Indian nor Métis, confounded government officials who struggled to find a solution that allowed for non-Indigenous use of the land occupied by these people. The confounding aspect is the same in both the Jasper and Grande Cache cases. The families were doing fine economically. They did not need assistance and had adapted to commercial economies. MacFayden omits this aspect of the Grande Cache settlement from his observations. Ewan had money in the bank, a store, cattle, and trade relationships. He did not need to adapt to the colonial model, and after his move to Grande Cache he did not intend to.

MacFayden's final paragraph returns to the theme of educating the children and forcing the adults to become peasant farmers.

This procedure would afford each breed a chance to make an independent living and the children, being close to schools and raised where they could benefit by the observation of the white man's methods, would grow up to be thrifty and intelligent citizens.²²⁹

²²⁸ MacFayden. 1916. Letter to Roache

²²⁹ Ibid.

One of the things that confounded visiting officials intending to control the actions of Ewan Moberly must have been his preference for speaking Cree. He understood and spoke very little English, yet was able to run a very successful business in and outside of the park. Along with his brother, John, he took over the fur trading in Jasper after the HBC left for good in 1884. As negotiations for the removal from Jasper had occurred in English, translated by his son-in-law Adam Joachim, Ewan Moberly would have been very aware of the promise to take up land and continue unmolested outside park boundaries.

With growing pressure from the Forestry Branch of the Department of the Interior, Ewan Moberly sent Joachim to Edmonton to hire barristers W. M. Short and C. W. Cross. On December 30, 1916, they responded to the Department of the Interior concerning the harassment of the Grande Cache community. Their letter is interesting in that it presents in English the Cree perspective on the eviction from Jasper and events that followed.

This is a case that goes back to the ousting of these people from Jasper Pass. When the Grande Trunk Pacific railway was given its right to carry its line of railway through the pass, there were found in the Pass the Moberly's and some other allied family. By a show of force supplemented by cajolery and wheedling, these people were driven out of the land which they and their predecessors had held since the early Seventies or before. They were paid certain moneys by way of compensation for improvements, which they were forced to abandon. Being descendent from the native aristocracy, they were easy marks, and the government of the day wrought its will with them. But at that time, these peaceable citizens asked that they might have another place of refuge of the lands, which had once belonged to their native ancestors in untrammelled freedom to which they might go and whereon they might re-erect their dwellings, and live unmolested. The government representative, Mr. McLaggen, told them they might go to their present location freed from all fear of any future removal. It may be said that Mr. McLaggen had no authority so to say. He was, however, the instrument of the government of that day; he it was whose activities drove them from their home and caused to be paid the trifling amount which they received in compensation for their homes; he, to them, was the Government, and in as much as he had the authority to drive them out, they assumed that he has authority also to fix a place to which they might go, and in all conscience, the refuge which they sought, was far enough away from civilization to render them free from anxiety. It remains far enough away from

civilization for that purpose. It is an outpost of human habitation, and will remain so for a long time to come, notwithstanding the very great anxiety of our people to cover the last foot of unexplored territory.²³⁰

The issue of removal from Jasper is represented as a moral question, rather than a legal one. McLaggen had no authority to grant settlement elsewhere, yet he was able to convince the families to leave Jasper. It seems clear that this removal would not have been possible without assurances that they could continue the lifestyle they were accustomed to. The method of using lower level bureaucrats to placate concerns, while never giving them authority to actually make changes, is a well-worn feature of the Aboriginal file in Jasper. While the event in question was no doubt immoral and dishonest, the persistent issue concerns determining of its legality. To this day, Parks contends that the removal was final and no promises could have been made, as McLaggen was not in a position to make any promises. This position is very similar to the way verbal promises were made in Treaty Negotiations.

Barristers Short and Cross ended their letter by appealing to the Department of the Interior to do what was just and right. They also addressed the theme of identity. All through this story, the identity of the Métis society that emerged in Jasper remained undetermined. Organized through family lines and alliances, living from the bush, but also trading and constructing economies akin to those of mainstream Canada, this society did not easily fit into conceptions of Indian, Half-breed/Métis, or white. The barristers' sidestepped the identity question and appealed for a just result:

Under the circumstances, it seems to us that a very different attitude than that indicated by your letter is necessary to preserve even a vestige of the decency with which a Government is expected to act towards those who are, after all, really wards of the Government. We are not aware of whether these people are classed as Indians or

²³⁰ W.M. Short and C.W. Cross. 1916. "Letter to the Department of the Interior from Barristers W. M. Short and C. W. Cross. Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

Half Breeds. We are aware of the fact that they are native to the soil, partaking more of the Indian ancestry than of the white, and deserve to be treated accordingly. It is upon the present Government to deal in a more honorable way than the Government that dealt with them some years ago, and although the Government view may not be favourable to that contention, they are of more use today where they are than almost any other place to which they could be removed. We shall have no hesitation in opposing publicly and privately the callous brutality such as was handed to these people in the former occasion.²³¹

While the Métis community would have welcomed the advocacy of Short and Cross, the lawyers did not provide much more than that. Making public unfair treatment and appealing to the Honour of the Crown were common ways to force the hand of government then as they are today, but the lawyers did not provide a basis for a case against government action. The issue regarding trespass on the Athabasca forest reserve in 1915 must have seemed familiar to the families at Grande Cache who recalled the creation of the Jasper Forest reserve in 1907. Again, Ewan Moberly chose not to move without compensation. Rather than accept what must have been a disappointing result from his lawyers, Ewan Moberly chose to pursue the issue himself. The following spring, on March 8, 1917, he sent his own letter to the Deputy Minister of the Interior.

This time the allied families, including Delormes, Wanyandies, Gautheires, Plantes, and Karakonties, totalling 144 people living in Grande Cache and the nearby community of Entrance, signed on with Ewan Moberly who would represent them all. The signatories include Adam Joachim, Adolphus and William Moberly, Felix Plante, and most members of Iroquois/Lac Ste. Anne Métis descended families. Interestingly, John Moberly was not one of the signatories – another signal that he had chosen to take a different track after leaving the park. His homestead was near Entrance at Prairie

²³¹ Ibid.

Creek and his family was closely aligned in everyday activities with the other signatories, but the absence of his name reflects the differing perspectives between these brothers. As Ewan did not read or write English (although he did both in syllabic Cree),²³² it is probable that Adam Joachim translated and wrote the following letter for him.

We have recently been informed that complaints have been made against us by white men, and that reports have been published by Forestry Officials accusing us of destroying the big game in the Grande Cache country. We have also received letters ordering us off the Forest Reserve before the first of March, and telling us that after that time all our buildings, stables, fences will be forfeited to the Forestry. We feel confident that things have been grossly misrepresented to the Government, and we wish you to know the truth, so that justice shall be done us.²³³

That the complaints made by “white men” were not directed at the community but rather to authorities reveals much about the ability of this Métis community to avoid any direct contact with those who wished to use the area for hunting big game. The attempt to order their removal was met with an expectation that the government would rescind such an order once the community’s perspective had been heard.

We have lived all our lives in this section of Alberta, and quite a few of us had settled in what is now the Jasper Park. We were given to understand by Mr. McLaggen that if we removed out of this area, we should be allowed to settle and hold 160 acres any place we should select. We settled around Grande Cache in 1911. At that time there was no talk of the Forestry, and we put up our buildings, stables, corrals, fences etc in good faith, expecting to make this our permanent homes. The next year a man named Harvey came, and put up notices that we should be careful about fires. Since then we have heard rumours of us having to leave, and last fall we received a letter from the secretary of the Department of the Interior. Now winter is a poor time to order us off, and we feel that if we are again compelled to move it would only be fair that we should be compensated for our lands and improvements put up in good faith, on the strength of advice given us by a government official.²³⁴

²³² Documents signed by him are in syllabics, and some of his accounting and writings in syllabics are in the possession of his grandchildren.

²³³ Ewan Moberly. 1917. “Letter to the Deputy Minister, Department of the interior,” Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

²³⁴ Ibid.

The promises McLaggen made were understood to allow the Jasper evictees to join relations at Grande Cache and take up 160 acres. The community did not receive any indication that the Grande Cache region was off limits and proceeded as they had agreed upon leaving Jasper. It is interesting that Shand Harvey is identified as having first met the community at Grande Cache, considering he claimed to have been present at the negotiations concerning eviction from Jasper.²³⁵ It is also notable to consider the quick exit of McLaggen from the region. After the families left Jasper he is absent from the historical record, a fact that must have been very frustrating to the community at Grande Cache.

Now as regards this cry concerning the extermination, we wish to state the we never kill game except when forced to do so by necessity, and that we utilize everything, head, hides, bones, and flesh, but that we see white men come in our country: some kill game and take only the heads leaving the balance for the coyotes, while others shoot Moose and Caribou, and only utilize part of the meat, the balance left to rot. In this respect we wish to state, that years ago there were a lot more people who lived in this country and made their living only by hunting and trapping. Now owing to the bad roads and the distance (Edmonton being our nearest store) we lived almost entirely on meat, and that game certainly was not exterminated when the white men came in. We should suggest that you ask these people of the forestry how it is that if this promiscuous slaughter of game is going on, not one of them has ever prosecuted us, or got any proof except hearsay of this. It is easy for them to accuse us of wrong, but if they speak true and it is their duty to stop it, why don't they do it?²³⁶

The attitudes that accompanied conservation of animals and the subsequent marginalization of Aboriginal hunters that Loo and Sandlos document was clearly at play in Grande Cache, however, this response that challenged local authorities is revealing. Members of the community who worked as guides would have been confused by the waste of meat and saving of heads for taxidermy, and their condemnation of white hunters assumes a morally superior position. Hunters from the community considered the heads and liver of game desirable food. Liver is eaten first,

²³⁵ James Shand Harvey. 1967. Interview.

²³⁶ Moberly. 1917. Letter to Deputy Minister.

often while still warm, and hunting parties cooked the heads of ungulates over a fire at camp while the rest of the animals were prepared for transport back to the community.²³⁷ The end of this paragraph provides an indication that the community would not recognize the authority of local officials, demanding proof and regarding their accusers as inferior to them, especially in their ability to do their job.

We also have been forbidden to use nets to catch white fish, and we have been charged one dollar to fish with a hook and line. Now in other places we are allowed to catch fish for our own use, so that we can feed our people. It is also stated that we keep big bunches of dogs. At the Grande Cache settlement, where there are 9 families we have only 12 dogs: 3 of these are pups, and we use the others for packing and tailing Lynx when they get away with our snares.²³⁸

Fishing regulations that attempted to enforce sport fishing changes are also rejected by the revelation that in “other Places” fish are caught for sustenance without fees. The complaint about dogs is rejected as well with the assurance that trapping is dependent on working dogs. The thrust of this letter rejects any interference from government officials either as regulators or assistance. The community had taken to heart the promise to be left alone and had managed to create a good life beyond the grasp of colonial authorities. The only recourse left to local authorities was to demand and encourage the government to once again move the Métis living at Grande Cache.

To conclude we are law-abiding citizens: crime is unknown among us. Outside of a little grazing, the country is only fit for trapping and hunting. There is no timber of any commercial value near Grande Cache or any agricultural land, and we are making an honest living interfering with no one. If driven out of here, with improvements which we put up at the cost of considerable labour and expense confiscated we do not know where to go or what to do, to make a living for our people. We only ask for justice which we are not getting from the Forestry people, and hope that you will see fit to send some good man that will speak straight and tell you the truth and that then you will tell us what to do.²³⁹

²³⁷ Liver and cooked heads are widely regarded as delicacies among Elders.

²³⁸ Moberly. 1917. Letter to Deputy Minister.

²³⁹ Ibid.

The final paragraph returns to the moral issue at hand. The forest rangers were tasked with controlling the Aboriginal population in the area as a function of colonization, however, the community of Métis would not submit to their authority. The themes MacFayden presented in his letter the previous year seem to have taken root. Accusations of slaughtering game must have seemed ridiculous to the members of this society who worked as guides. This letter also correlates with Felix Plante's story of the rangers harassing and preventing Indians from feeding their children. However, the Grande Cache/Entrance group seems to have rejected this authority and continued to hunt anyway. The reluctance of the rangers to stop them reflects a complex situation on the ground, most notably the ability of the community to avoid, resist, and ignore local, micro-level authorities. The Métis had been hunting in the region for generations, and while their sense of ownership was based in usufruct, they still had a sense of traditional territory and believe it was their right to hunt across it. In addition, outfitters relied on them and they had economies that included Canadian currency, which was used for buying supplies at Edmonton and, later, Hinton. The sale of furs obtained by trapping and trading and the sale of goods in Grande Cache made up the seasonal rounds of the society. Ewan Moberly also continued to maintain a store and goods for sale, much as he had in Jasper. As a result, people could purchase what they needed, make a profit by supplying others, and did not need to rely on colonial governments for anything.

The tone of the letter is also noteworthy. The people represented are appealing to the better judgment of government authorities, while at the same time expressing their ability to be completely independent of outside governance. Their version of the

situation on the ground is very different from that of those employed by the forestry department. New regulations and laws have been imposed without respectful dialogue and this has led to a tense relationship. It was perhaps naïve, however, for the community to think that government officials in Ottawa would side with them over their own staff, although this is also a theme that continues today.

Despite the accommodating approach Ewan Moberly took in his letter, relations became worse. Officials threatened him on all fronts and continually hounded him. Finally in 1918, he went to Edmonton to take all his money out of the bank, because he feared the government would seize it.²⁴⁰ This event is quite unusual and illustrates how he had successfully relocated his business and had thrived. Even as local authorities harassed him, he had managed to accrue a fortune through his trapping and trading activities. This fortune flies in the face of government accusations and perhaps reveals the real thorn in their collective craw. Despite being illiterate in English and having no formal education, Moberly thrived in the colonial economy and became very successful. Differing reports claim his net worth in 1918 at between \$30,000 and \$40,000. He had, depending on accounts, between \$15,000 and \$17,000 in the bank. In 2015 currency, this would be in the range of \$250,000 cash, with a similar value in assets.

One of the unfortunate and tragic elements of this story is the untimely death of Ewan Moberly, along with thirteen others in Grande Cache, from the Spanish Flu epidemic of 1918. Two accounts exist of his passing in December 1918. The first comes from A. A. McDonald, Sergeant of the North West Mounted Police:

Avan Moberly was one of the Breeds who died, and when he died had clutched in his hands a package of money containing \$15,000.00. This man is reputed to have

²⁴⁰ Lena Ouellet. 2015. Interview with author, March 15.

property in horses, etc., to the extent of \$25,000.00. His wife and some of his family were with him when he died.²⁴¹

The second comes from Forest Supervisor W. W. Badgley:

Avan Moberly is surely dead, the same old Avan who was chief of the clan, and the chief of the Grande Cache trespass. He died with his \$17,000.00 in cash in his arms. He was buried almost where he fell with his pack cover wound tightly around him with Mr. Roy Woodly in attendance, he became superstitious last fall that the Government was going to take his money to Germany and he made his last trip to Edmonton and brought all his money with him. Since the last report two more breeds have died, Paulette Joachim, and, John Moberly's squaw.²⁴²

Ewan Moberly's death was a serious blow to the Métis community at Grande Cache. His determination had caused authorities to be wary of this group and avoid pushing them. Upon his death, Badgley noted that he was "chief of the clan, and chief of the Grande Cache trespass," an indication to colonial authorities that the political situation in Grande Cache had changed. The tragic death of Ewan and more than a dozen other members of this community in the 1918 flu epidemic was a huge setback. It is hard to research history that exposes the sustained contempt by colonial authorities towards one's ancestors. Personally, these accounts hit home when I see that my great grandmother, Marie Moberly, described as a kind and very talented woman in numerous family accounts, is reduced to being identified upon her death as squaw.

Women in this society occupied a role within families that were unknown to authorities of the day. While colonial officials were determined to suppress the activities they associated with men, the agency of Métis women was ever-present. Plante's narrative reveals how his mother, Euphrasine Plante (née Wanyandi), led the family once it left a life of farming to embrace one of hunting and trapping. Euphrasine

²⁴¹ A. A. McDonald. 1918. "Report of Ewan Moberly's death by NWMP Sergeant A. A. McDonald, December 1918." Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

²⁴² W. W. Badgley. 1918. "Letter to Forestry Department from W. W. Badgley," Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

Moberly taught her husband Abraham to trap and hunt and how to make a living off the land without farming. In this society, women hunted small game and collected foodstuffs that fed the family while men who hunted and spent winters on the trap line were away. The effacement of the agency of women in this society is so complete that I am forced to work from documentation that only includes the names of the men. Even though Marie Moberly was key to building a life at Jasper, none of the historical documentation lists her by name. It is the John Moberly homestead and John Moberly's descendants that exist today. In Chapters Five and Six I grapple with this neglect of women in the historic period as it is reflected within the relationship that developed between Elders and Parks. While this remains a challenge in English discourse, within the Cree narrative, women are paramount.

4.1 Life after Ewan

Adolphus Moberly wrote to the Department of the Interior on October 14th, 1920 to once again ask for a grant of land at Grande Cache.

It is in the Forest reserve but we were there before there were any natives. We moved out the park before, but we were told that we could go anyplace we like, and after we left then we got behind with everything, and if we do move out this place we will all be broke. If we can't get grant of the land would like to get some good land and get our patent right away, and would like to get something for our improvements, as we got no money. If we leave that country we won't have anything. Would like to get an answer, would like to know as we can't find out anything out here. That's the only country we like to be.²⁴³

Forest Supervisor W. W. Badgley replied to the local forestry branch in Entrance (they had forwarded Moberly's letter on to him) on January 28th, 1921.

²⁴³ Adolphus Moberly. 1920. "Letter to the Department of the Interior from Adolphus Moberly." Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

...Dolphus Moberly is an illiterate and unable to read or write even his own name and consequentially some other person translated it and deliberately misinformed him as to the true contents of the letter and also wrote the letter in reply with a view of blocking the movement on foot to get the breeds located on land outside the reserve and as a result the Moberly family have taken out agricultural machinery to Grande Cache with a view of staying there, every effort on the part of the forestry branch to get rid of the Grande Cache trespass including the breeds and Fred Kavass has been secretly and systematically blocked and successfully with the exception of Kavass who we were obliged to into the courts before we finally got rid of him, I am now of the impression that the whole opposition to the efforts of the Forestry Branch originates in the Entrance District and possibly assisted by some influences they may bring to bear.²⁴⁴

Dolphus Moberly is a son of old Avan Moberly who died a couple years ago, and is appointed to Big Okahama by his band, he called at the Forestry office last fall and stated that they were anxious to locate on land outside the reserve and requested me to ask the Forestry Branch to assist them in finding suitable lands to locate on, evidently before he left Entrance someone got wise as to his business and set to work to undo his good intentions and wrote a letter requesting the land at Grande Cache and when the reply came they told him the letter stated it was alright to locate where they were the Government were going to give them the land.

There is just one legitimate businesslike way of getting rid of the trespass and that is first, to have the act passed this coming session of parliament including the territory north of the 15th base line in the Athabasca Forest, a few of the breeds are located north of that line, and secondly, issuing instructions to the Athabasca Forest officials to *seize then by the necks and land then outside the reserve and let them shift for themselves, that is the only way they can be made to realize that the seat of the Government is at Ottawa instead of Entrance. I would be pleased if you would loan me the original letters from Dolphus Moberly with a view of identifying the author for our private information.* [Italics mine]²⁴⁵

The influence of Ewan Moberly is very evident when one considers the shift in the tone of communication. There were no accusations of outside influence when he had sought help in writing to the Department of the Interior. The treatment of Adolphus marks a drastic change. Badgley's grappling with the identity of the settlements at Grande Cache and Entrance is also revealing. Labelling Adolphus the "big Okahama" (Big Chief) appointed by "his Band," while at the same time referring to the group as breeds is contradictory. These families did not have chiefs. It is also an indication that

²⁴⁴ Fred Kavas was born in 1882 in Norway. He immigrated to the USA as a young man then went to Alberta to explore the west. He was friendly with the Grande Cache settlement, often working as a partner in hunting and trapping.

²⁴⁵ W. W. Badgley. 1921. "Letter to Entrance Forestry Branch from W. W. Badgley," Library and Archives Canada. January 28, 1921. RG 84 A-2-a VOL1471 File J16 pt2.

local authorities believed that the death of Ewan Moberly would result in an easy suppression – a reining in – of the community. The most transparent part of this letter comes at the end. The heavy-handedness of requesting the original letters so as to identify the author is directly substantiated by Felix Plante's recollection of the forest rangers. Despite the threatening language, Badgley did not succeed, as C. M. Morse, District Forest Inspector, reported on March 28th, 1921.

I have your letter...regarding the status of the Moberly case and regret to report that there have been no recent developments. The reason seems to be that the half-breeds have been advised not to move unless paid to do so. The result is that these people are simply waiting to see what we will do. It is out of the question to propose any form of settlement wherein payments will be made to them. This being the case there are only two courses open to us as I see it. We can either forcibly remove the half-breeds from the reserve or we can refrain from drastic action but crowd them so badly that they will choose to move. The latter course seems to be the most practicable. The first thing to do is to get the territory north of the 15th base line included in the reserve. This is most important. The second is to build a cabin at Grande Cache and keep a Ranger there summer and winter to watch every move the half-breeds take. If we get the right sort of man for the position I think we can make life so unpleasant for them they will be glad to move out.²⁴⁶

The situation seems to strike to the heart of early-twentieth-century Canadian relationships with Indigenous people. The numbered treaties were designed to secure lands for development by creating reserves that contained status Indian populations. Hunting and other harvesting activities were permitted for those recognized as having Indian Status. The federal government was responsible for these populations. For Métis, education, health care, and general welfare was the responsibility of the provincial government. Métis and Half-Breeds were given scrip and allowed to settle with their families on land they could then manage on their own. While both these accommodations were rife with gross mismanagement stemming from institutional

²⁴⁶ Ibid.

and bureaucratic neglect, the settlements at Grande Cache and Entrance seem to fall in the middle of these categories. Once removed from Jasper, no form of recognition was given, although the community, referred to as both Indian and Half-breed (Breed), did not seek consideration for any sort of formal Indigenous standing in Canada. Rather, they wished to be free of outside interference and had adopted a system of middlemen, or patrons, to distance themselves from colonial authorities. Unfortunately, the order of the Privy Council to remove the families did not provide a way to relate to the community post-eviction. A January 19, 1922 report by District Fire Ranger R. H. Palmer summarized the situation and also initiated a stalemate that lasts still today.

As arranged I interviewed His grace, Archbishop O'Leary, who gave me a letter of introduction to the parish Priest, Father Beaudry, and on Monday, January 23rd, he, acting at the request of the Archbishop met me. I may say that the church is more or less willing that these people be moved to where they can get schools, religious teachings, but title to the land is a question they are not clear about, and Father Beaudry would not move in the matter unless the Hon. Charles Cross²⁴⁷ is consulted, so I called on this gentleman and got his views which are as follows; -

1. He has pledged himself to support the, (the Moberly family) if they don't want to move.
2. There is a letter from Sir George Foster, acting Prime Minister, saying that their rights would be protected, (copy of the letter will be forwarded in a few days)
3. Contends they are doing no harm
4. Thinks they may get title to land there
5. Is doubtful if the Moberly family were compensated for the move from Jasper Park.

In view of these objections may I suggest for your consideration the following:

1. Proof that the Moberly family were compensated for the move from Jasper Park.
2. Get definite instructions from the present Minister of the Interior to effect the removal, after bringing before him the objections of the Hon. Chas. Cross.
3. Get definite instructions from the Minister of the Interior regarding title to land in the Athabasca Forest reserve.
4. For the question of possible compensation for the Moberly's only, and get both the minister and director to definitely recognize this because the Moberly's after leaving the Park were told, or they think they were told, that they could settle on any unoccupied land, and at that time the Athabasca Forest Reserve was only

²⁴⁷Charles Cross was one of the lawyers hired by Adam Joachim (at the bequest of Ewan Moberly) in 1916. He was the first Attorney General of Alberta and became a member of the Alberta Legislature in 1921. His support no doubt held off a forced removal from the Grande Cache settlement.

proposed. Father Beardy thinks they acted in good faith regarding the taking up land at Grande Cache at that time.²⁴⁸

This holding pattern, for the most part, continues. With the assistance of the Native Area Development Committee in the 1970s, the settlement at Grande Cache has evolved into small co-ops, the people are still considered squatters, and the question of the Jasper removal remains unanswered. The support of Archbishop O’Leary is likely linked to the long history the Catholic Church had with the community, one which extended back to Louis Kwaragkwante’s meeting with Pierre-Jean de Smet in the 1840s, and the building of a mission at Lac Ste. Anne in 1844. In addition, a loan of \$5000 to the Edmonton diocese by Madeline Moberly upon Ewan Moberly’s death enabled the construction of the Catholic Church in Jasper in 1918.²⁴⁹ One positive outcome of the Palmer report was that the payments agreed to and only partially paid, were subsequently paid in full.

4.2 Mid-Twentieth-Century Changes

Elders today fondly recall the years following these attempts to remove the people from Grande Cache as a period that allowed for a certain degree of freedom for the extended families that used the area. Guiding, trapping, hunting, and intermingling with new arrivals to the area continued, although in a much reduced way. The dominant language within the community continued to be Cree, and forced removal to Residential Schools did not occur in this area.²⁵⁰ In many ways the paths of John and

²⁴⁸Palmer R. H. 1922. “R. H. Palmer Report.” Library and Archives Canada. RG 84 A-2-a VOL1471 File J16 pt2.

²⁴⁹ Told to me by Emile Moberly, who contends that the money was never paid back.

²⁵⁰ Lena Ouellet. 2015. Interview with author, March 15.

Ewan Moberly continued to diverge. The rail line between Jasper and Edmonton led to construction of a road, and the towns of Jasper and Hinton soon emerged alongside developments in forestry, mining, and later, oil and gas. As these towns grew, the people in Grande Cache maintained an existence that was relatively unaffected.

Change came quickly with the discovery of a large coal deposit in 1960. This was also the year that the first Métis Association of Alberta meeting was held in Grande Cache.²⁵¹ Since then, the Métis Nation of Alberta has championed the cause of this unrecognized group of people, although much of its work has been to facilitate employment and emerging economic opportunities. The MNA and later the Asinowabewik Winiwak Nation (AWN) began to develop a narrative of place that drew on the history of the evicted families. This story resonated with Indigenous peoples in the area as most of them had strong connections to groups of people who had been evicted in 1907. The paper trail of the homesteaders provided an opportunity to access funding envelopes intended for Aboriginal people.

Descendant families did not always welcome the political presence of these organizations, in particular the MNA and AWN's claims to speak on their behalf to Jasper National Park. This claim strengthened in the twenty-first century as these organizations claimed the legacy of evicted families at a time when Parks sought to enhance depictions of Indigenous history. As a result, the evicted families began to resent their limited input in Jasper and a political vacuum resulted, one that I was able to fill with the creation of the Council of Elders of the Descendants of Jasper Park in

²⁵¹ Ibid.

2004. It is the birth, life, and death of this group that provides my window onto the contemporary relationship between Parks and evicted families.

Chapter Two focused on the questions concerning the genesis, history, construction, and understandings of identity of the Upper Athabasca Métis. Chapter Three addressed the significance of their eviction from the newly created Jasper National Park and subsequent post eviction challenges. Chapter Four has highlighted issues of identity, government malfeasance, and rights claims through the case of Ewan Moberly's post-eviction life at Grande Cache.

Chapters Five and Six examine the state of Aboriginal rights to traditional territories and how a federal agency such as Parks Canada manages those territories. Joint management of heritage sites with Parks Canada, and Aboriginal self-determination and governance within a rights-based framework, provide the backdrop to the case study presented. There are two aspects to this analysis: first, the role of the state in managing ethnohistory especially in relation to framing Aboriginal identity; and second, the use of federal agencies such as Parks Canada to control the relationship between Aboriginal people and the nation via commemorative heritage.

Chapter Five

The Birth and Rise of the Council of Elders of the Descendants of Jasper Park

I became involved with Parks because descendant Elders were not happy with the way two organizations were representing them: the Mountain Métis (at that time known as a branch of the Métis Nation of Alberta), and the Asiniwache Winiwak Nation (AWN), whose membership includes those evicted from Jasper in 1907. My association with Parks began with the creation of The Council of Elders of the Descendants of Jasper Park in 2004. The group dissolved through bureaucratic erasure and was renamed The Upper Athabasca Elders Council in 2011. While all these groups rest their claims on the eviction of their families from the Upper Athabasca, their style of working with Parks is very different. One of the things I learned from my time as spokesperson for the Council of Elders of the Descendants of Jasper Park was that Parks personnel often succeeded in their attempts to control our history by facilitating access and accommodation to organizations willing to accept commemorative heritage created by Parks, and thus forego depictions of what Felix Plante called “a very bad story.”²⁵²

The concerns of these Elders and their families are centred on the homesteads of their ancestors, which have become the focus of outside organizations seeking to frame historic narratives in Jasper. The evicted families do not feel that they have a greater right to a voice in Jasper than other groups who used the area. Their perspective is

²⁵² Felix Plante. 1994. Interview.

solely concerned with the Moberly, Findlay, and Joachim homesteads and the outstanding issues steaming from the eviction of these families and government malfeasance during and following this event. The MNA's use of the homesteads to advance its objectives provided the major push that brought the Elders together to consider their options. The objective was to jointly manage the historic sites of their Métis ancestors.

The Council of Elders of the Descendants of Jasper Park formed in May of 2004 at the Way of Holiness Retreat Centre a few miles from the historic community of Entrance, Alberta. In attendance were Elders of the families of Ewan Moberly, John Moberly, Adam Joachim, and Isadore Findlay – children and grandchildren of the evictees. These Elders were concerned by the lack of recognition and involvement given by Parks, in particular concerning a move to erect panels on the Ewan Moberly homestead. These panels told the story of their Elders and ancestors in a way they did not agree with. A panel erected in front of the grave of Suzanne Karakonti Moberly was a particular source of concern. The Elders felt that it made the grave a tourist attraction and, as such, was disrespectful. The fact that these activities had occurred as a result of a partnership between the Métis Nation of Alberta (MNA) and Parks was also a concern. The Elders did not feel that the MNA had a right to speak for them.

Relations between Parks and the MNA had been established and formalized through a “Good Spirit Understanding” agreement on June 28, 1999. While a disclaimer at the end of the agreement established that it “is not intended to create any contractual or legal liability...or be used as an interpretive aid in the determination of rights,” it did

lay the groundwork that resulted in the erection of the panels. The MNA presents itself as the holder of Métis presence in the park:

In the spirit of mutual desire to maintain close ties, we will work together to ensure that awareness of Métis history and culture in Jasper National Park is enhanced, and the historical importance of Métis people is respected and understood.²⁵³

At the time, no such agreement was in place for descendant families, and Parks assumed that the MNA represented them and that they would be happy with the arrangement. One of the key issues addressed at the descendants meeting in May 2004 was the need to start our own organization, as it seemed that was the way to gain Parks recognition. Another key to our recognition by Parks was the fact that Elders from all the families were present and through consensus spoke with a single voice. My role as spokesperson emerged quickly, and I was asked to translate into written English what the Elders had decided in Cree. The Elders at this meeting followed a method of decision-making that was fascinating for me to witness. Consensus was achieved after long discussion during which each point of contention was addressed and discussed back and forth until everyone was okay with the decision. This did not mean they all agreed, rather it meant that they all supported it. Looking back, I now see the naivety of our approach. We neglected to find a way for younger generations to learn how the elders governed themselves. In retrospect, I would have organized an opportunity for English-speaking descendants to learn this method of decision-making.

Parks soon became aware of our meeting through the transparency of our discussions, which were translated into English and given to Superintendent Ron

²⁵³ "Good Spirit Understanding Agreement between Parks Canada and the MNA," June 29, 1999. Private Collection of the author.

Hooper. One of the interesting aspects of those early days was our inability to understand how our political traction created growing concern for the Jasper field unit. Unbeknownst to us, Parks had collected documentation concerning the eviction from the Park after the 1990 protest at the park gate in support of the Iroquois at Oka.²⁵⁴ The emergence of a group of Elders representing the families connected to historic sites in Jasper, who practiced consensus-based decision-making and thorough discussion of things in Cree, prevented Parks from accessing or influencing the discussions of the Elders. Such a group could not be formed today. As Elders have passed on, new forces have emerged, and while Cree translation occurs at meetings with Parks, consensus reached through cultural forms of decision-making no longer takes place. As a result, Parks Canada's recognition of the families' concerns and wishes has diminished. It is my contention that this is the result of intended actions by Parks staff working at the Jasper field unit level responsible for the Aboriginal file.

The first opportunity to present the new Elders group to Parks came on June 12, 2004 at an event on the Ewan Moberly site called "Proud Traditions." The Council of Elders of the Descendants of Jasper Park are listed as one of the assisting organizations at the event, even though they had not been included in any way beforehand. Listed alongside them is the Métis Nation of Alberta.²⁵⁵ This was to be the last time these organizations were presented as working together. I was invited by the Elders to speak on behalf of the descendant families, and I ruffled a lot of feathers by pointing out

²⁵⁴ Warrior Publications, "Oka Crisis 1990." Accessed March 4, 2016.

<https://warriorpublications.wordpress.com/2014/06/11/oka-crisis-1990/>

²⁵⁵ Jasper National Park. 2004. "Proud Traditions" Pamphlet. Personal Collection of author.

problems with the panels at the Ewan Moberly site and Parks treatment of the descendants. It was, in retrospect, a strategy void of tact. We had not yet met formally with Parks, even though the Council of Elders of the Descendants of Jasper Park was listed as contributing to the event on the flyer handed out that day. They had not done so, and Parks had not included the Elders other than to request that I speak on their behalf.

The beginning of formal relations with Parks began when I presented them with a letter on July 12, 2004, requesting a meeting later that summer. The original agenda items proposed by the Elders included requests for park passes, clarification on the continuation of cultural practices in the park, changes to the panels on the Ewan Moberly homestead, a yearly gathering organized by the descendants, and reimbursement of expenses incurred to attend meetings.²⁵⁶ The first meeting between Parks and the Council of Elders of the Descendants of Jasper Park occurred on August 9, 2004. The meeting was conciliatory, and the Elders way of doing things (consensus and ample discussion in Cree) seemed to work for everyone. It was also well attended with representatives from all the families. One of the outcomes of the meeting was an agreement among the Elders that I would document the process as the basis for my academic research. The meeting also served to draw and re-establish political lines, so that the groups that had previously represented the evicted families were no longer in that role.

²⁵⁶ Council of Elders of the Descendants of Jasper Park. 2004. "Letter to Parks Canada from Council of Elders of the Descendants of Jasper Park." Private Collection of the author.

In fact, both the “Proud Traditions” event and initial meeting between the Elders and Parks resulted in tensions with existing organizations. The MNA requested that Elders in Grande Cache attend a meeting in order to explain their role as our representatives in Jasper. Although I was not told of the meeting by the MNA, I was invited to attend by Elders. In the meeting, I somewhat bluntly told the MNA representatives, who included president Audrey Poitras and the Grande Cache local president Alvin Findlay (a descendant of Isadore Findley), that the MNA was not the voice of the descendants and that the Elders were now speaking for themselves. The Elders, speaking in Cree through a translator repeated my statement. Despite my lack of diplomacy, the point was taken and the MNA has since changed its approach to address this shift in local politics. Within a few years, the Grande Cache local branch of the MNA evolved to become the Mountain Métis. The group’s website now highlight the evicted families as their ancestors.²⁵⁷ The role of fluid group names in re-establishing boundaries as identified by Gerald Sider is evident in this case. “Each of these different names came tied to a different vision and different version of history, and, less neatly but still crucially, they were also tied to different visions and versions of the path to the future.”²⁵⁸

The Métis Nation of Alberta had relied on an amalgamation of Métis in the province to create political capital in order to be the body that works with colonial authorities, as seen in the case of the development of panels at the Ewan Moberly site. However, once the children and grandchildren of the evicted families organized, it

²⁵⁷ “Mountain Métis.”

²⁵⁸ Gerald Sider, *Living Indian Histories: Lumbee and Tuscarora People in North Carolina* (Chapel Hill: University of North Carolina Press, 2003), 4.

became necessary for the local branch of the MNA to adopt a name that represented the local story in order to continue their relationship with Parks. The creation of an Elders group in 2004, thus, pushed the boundaries of recognition, and the MNA swiftly organized into the Mountain Métis and sharpened its presentation of lineage and identity to re-establish political capital. While the “new” group remains formally associated with the MNA, an argument can certainly be made that the Grande Cache settlement was indeed, culturally, the Mountain Métis. In the same way, the Asiniwache Winiwak Nation draws on the Cree term for their First Nation and also can claim a long association with the region. It is important to note, however, that both these groups have organized politically only relatively recently as a way of becoming the recognized bodies representing Aboriginal peoples to provincial and federal governments. They both also work with industry, which now require governing bodies of Aboriginal groups to consult with and facilitate training or employment opportunities.

In August 2009, descendants of evicted families who live in Grande Cache and identify with the Mountain Métis organized a fourteen-day pack trip to commemorate the removal from the park a century before. This activity is an example of a more politicalized identity.²⁵⁹ MNA ties to provincial and federal leaders have continued with the Mountain Métis, and it is to their credit that they have been able to transition successfully into an independent group. This shift may also reflect changing political realities in the province. As Métis communities seek recognition, their claims rest on local histories, and the umbrella organization of the MNA may also transition to accommodate greater independence among its member communities than existed

²⁵⁹ Ibid.

before the development of the *Powley* test (2003). The MNA's role may shift to a body that legitimizes Métis groups and verifies contemporary membership. Such a change would be a concern for many descendants of evicted families who have, at times, used the MNA as patrons to avoid colonial authorities, but have never accepted the identity and history imposed by them.

Another political shift – this one affecting the Asinowache Winiwak Nation (AWN) – occurred just as I “appeared on their radar,” conducting my Master's degree research on the historical archaeology of the Jasper/Grande Cache Métis.²⁶⁰ After the August 9, 2004 Elders meeting at Jasper, Emile Moberly, son of Adolphus and grandson of Ewan, talked to me about Maqua Tolorlais, an ancestor who died while on his trap line sometime at the turn of the twentieth century. He was buried with a spirit house over his grave near Grande Cache. Spirit Houses are a common feature among the Grande Cache Métis. They are gabled roofs constructed so that they cover the entire grave. When I asked Emile about them, he said that graves should never be disturbed, and that the Spirit Houses kept everything, including rain and snow, from touching the grave. This story became one of tragedy after the discovery of coal in Grande Cache in 1960 resulted first in an airstrip and later the Bighorn Highway being built over Tolorlais's grave. Emile was very upset by this ongoing situation and had tried to get help from others to move the body to the family graveyard near his house. As a student of archaeology, I knew this was possible and that all we needed was a disinterment permit and someone to pay for the costs. Doing so was important to me as it connected

²⁶⁰ Richard Andre Ouellet, “Tales of Empowerment: Cultural Continuity within an Evolving Identity in the Upper Athabasca Valley” (MA Thesis, Simon Fraser University, 2006).

me to an ancestor and also provided a case study for undertaking Indigenous archaeology, something I was studying at that time. After a couple days of phone calls and inquiries, I was able to secure the disinterment permit and have the Alberta Department of Highways pay the costs. As I worked closely with Elders, notably Emile Moberly and his twin brother, Mike, I did not see the importance of talking to others about our plans. This is an important point because it reflects something of the cultural paradigm I was operating in. It is common for people of this culture to point to the authority of Elders, yet actions done at the bequest of Elders can also trigger a backlash, as I was about to learn.

The disinterment and reburial took place on August 25, 2004. The local Grande Cache media covered the story, which proved to be the source of tension between the AWN and myself. The unfortunate publishing (without my knowledge) of a photograph of me holding up a bone fragment in the local paper set off a storm of controversy. The underlying issue, according to the AWN, was that I had no right to do such a thing. I was not going to back down, however. I bluntly rejected subsequent letters to me from the AWN questioning my credentials. In my view, the AWN had no say over the Jasper descendants, because someone not from our families led the group.

The issue came to a head a year or so later when I was asked by the AWN to give a paid presentation in Grande Cache, and I, somewhat reluctantly, agreed. The event went quite well until the question and answer session when a unilingual Cree speaker began to ask questions that I could not understand. As my Cree is very limited, I could not grasp what he was saying, but learned later that he was complaining about his living conditions and was told I could help him. His limited English would make my academic

presentation to the group unintelligible to him. However, the president of the AWN, David McFee, claimed that he was talking about the disinterment, and manipulated the English discourse by using his bilingualism to make a public display of me to the non-Indigenous people attending, and thus secure his political capital.

I do not mean to present this event as a clash between my naivety and Mcfee's cunning ways. As a patron for the community in Grande Cache, the AWN presents itself as the political body that represents the community, in the same way that a First Nation's administrative offices do. I had neglected to inform the AWN of my intentions and refused to acknowledge their authority over my actions. Inviting me to Grande Cache to give a presentation of the history of the Métis in the area allowed them to reframe my political capital. I had no interest in becoming a patron and working on behalf of the community on things other than in my area of expertise, however, the fact that I had disinterred and reburied an ancestor without consulting the AWN raised questions concerning their role in representing the community. By forcing me to deal with problems that I could not understand fully or help with, the AWN regained its role as patron. This incident provided a great lesson in the Aboriginal politics that exist among my extended kin, and I have come to appreciate it as such.

The dramatic entrance I made into the political world created by the MNA and AWN before 2004 didn't, I believe, go unnoticed by Parks personnel. The issue of disinterring bodies has resonated through this relationship. Once the new Elders group was able to resist undue influence by these groups, meetings with Parks became more focused on outstanding areas of concern. As the issue of the eviction of the Moberly,

Joachim, and Findlay families has never been a comfortable topic, Parks was in many respects confounded by the Elders, who by now had secured regular meetings.

One important goal of the current study is to reveal how bureaucratic manipulation marginalizes and exclude Indigenous groups from controlling the use of their own known histories. To that end, I examine two events. The first is the twinning of the Kinder Morgan pipeline through Jasper National Park in 2007. This subject makes up the remainder of this chapter, which also analyzes a period of transition between acting superintendents Ron Hooper (2002-2011) and Greg Fenton (2011-) in Jasper. The second event, which is examined in the next chapter, is the raising of the Two Brothers Totem Pole in Jasper in 2011. Through analysis of these events, I illustrate the problems inherent in bureaucracies tasked with working with Indigenous people, but without Indigenous people working within their structures. The results often centre on constructions and presentations of identity, and therefore of rights, in which scenario the role of Parks becomes one of controlling the relationship between Aboriginal groups and the state through commemoration of heritage. Glen Coulthard addresses the politics of recognition arguing that the contemporary nature of reconciliation “rests on the ability to entice Indigenous peoples to identify, either implicitly or explicitly, with the profoundly asymmetrical and nonreciprocal forms of recognition either imposed on or granted to them by the settler state and society.”²⁶¹

²⁶¹ Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 25.

5.1 Trans Mountain Pipeline

The announcement in 2005 that the multinational company Kinder Morgan was planning to twin the existing Trans Mountain Pipeline that runs through the park came with a notice that the company had an existing right-of-way given to it by the federal government upon construction of the original pipeline in 1952. The right-of-way for the pipeline runs through the Adam Joachim and William Moberly sites, and neither of these families was consulted before, during, or after the 1952 construction (at that time, no law or federal regulation required consultation). According to the decision-making process that has been developed through meetings among family Elders, the descendants of a family homestead make decisions for that homestead and other Elders support that decision. Thus, for the Adam Joachim site, Adam's four living daughters, along with other relatives, would decide what to do. For the William Moberly site, his children, nieces, and nephews who attended meetings as Elders would make decisions.

Kinder Morgan understood the importance of meeting with Indigenous groups, and Parks provided them with a list of the groups that they had been working with. At that time, Parks claimed upwards of twenty groups were in discussions or had claims in the park. For most of these groups there was a clear understanding of who the leadership was. Groups such as the Simpcw and Stoney had clear processes for decision-making, which made their relationships with Parks straightforward.²⁶² The groups that claimed to represent the evicted families, however, were at odds with each other over the consultation process. For the descendant families participating in the

²⁶² The AWN does include members of the evicted families, however, it sees them as a part of the larger Cree and Beaver populations that occupied the eastern Rockies.

Council of Elders of the Descendants of Jasper Park, an unforeseen event brought the internal political realities of my culture to the fore. A meeting with Kinder Morgan representatives did not include all the Elders, and because the company paid Elders who did come, internal tensions arose. In particular for me, my first cousin, youngest son of my auntie, began to question the legitimacy of what was happening with the council due to his frustration upon hearing that his mother was not among the paid Elders.

My cousin quickly organized a few others into his own group and demanded the same right to consult with the company as I had as the spokesperson for the Council of Elders of the Descendants of Jasper Park. In addition, the Grande Cache Métis group, (then still a branch of the MNA), wanted the same right to consult. Philippe Reicher, Director of External Relations for Kinder Morgan, was put in the unwinnable position of mediating between groups that seemed to represent subsections of the same group of people. The situation between my cousin and me seemed to be entrenched and any attempts to talk with him were rejected. I am, of course, making this assessment from my own perspective, and I am sure he understands his actions differently. However, the emergence of political tensions from within the small circle of Elders and their families proved a gift to Parks as they could play us off against each other.

Before these tensions arose, I had returned to Alberta from Vancouver to produce a short "Traditional Use Study and Oral History Report," which was signed by the Elders I interviewed, as well as the Cree translator who helped me. The report was sent to Kinder Morgan, which shared it with park officials. This oral history is summarized here, because it demonstrates the perspective of the Elders whose sites

would be impacted by the pipeline. My role was to represent their views to Kinder Morgan and Parks in a report that was translated from Cree to English.

5.2 Oral History Report

Six Elders represented the views of The Council of Elder of the Descendants of Jasper Park in the oral history gathered for the report. Nine questions were asked to each of the Elders who gathered as a group in Grande Cache at the end of July 2006. The first question concerned the relationship that Adam Joachim and William Moberly had to these Elders. Their responses document their direct lineage to these men. For example, Emcie Moberly is the daughter of Adam Joachim, while her husband Mike and his bother Emile are the nephew of William Moberly. The relationship between Adam and William is also revealed as Adam married William's sister Friesen.

The next question concerned the history of the families in Jasper and why they chose to live there. All the Elders spoke of the abundance of hunting, trapping, and foodstuff in the park except Emile Moberly who said, "Because that's where my great-Grandmother Suzanne Kwaragkwante Moberly raised her children."²⁶³ The next question concerned the lifeways of the community that lived at Jasper. Emile Moberly presented their life this way: "They trapped a lot and hunted a lot. Everyone was self-sufficient. Later they guided in the area. They farmed and had numerous cattle and horses".²⁶⁴

²⁶³ Oral History Report sent to Kinder Morgan August 6, 2006. Private Collection of the author. The full text of the Oral History Report is attached as Appendix B

²⁶⁴ Ibid.

The following question concerned the reason the families moved. All the Elders agreed that they were “kicked out,” with Hellen Hallock adding, “The white man wanted the land because it was nice. They got kicked out, their guns were sealed and they were forced to move.”²⁶⁵ They were then asked about the original 1952 pipeline construction. None of the Elders knew about the original construction until hearing about the existing right-of-way. There were concerns that graves may have been found. They also expressed the inability for anyone to tell them about the original pipeline construction in 1952, as Hellen Hallock explained, “Nobody was told about the pipeline in 1952. There were only Cree speakers at that time.”²⁶⁶

The next question addressed the proposed pipeline construction, and the Elders were much more animated and engaged with this question. Each Elder had serious concerns. Emcie Moberly: “I don’t like it especially because three of my brothers are buried there....” Mike Moberly: “The stake marking the pipeline shows that it would go right through William’s house, the line should miss the buildings and graves, this is very important.” Emile Moberly: “if it has to happen the cabins should be rebuilt and graves identified and the pipeline moved so it does not disturb them....” Charlie Delorme: “I don’t like the pipeline going through, but it will probably happen. I would like them to avoid the buildings and graves. I would like to see them use the machine Ground Penetrating Radar (GRP) to find the sites. I know that three of my uncles are buried in the area....” Jane Macdonald: “I don’t like how they did it in 1952 when

²⁶⁵ Ibid.

²⁶⁶ Ibid.

they did not care if they disturbed houses or graves. If they are going to do it now these things need to be taken care of in a respectful way. They need to make sure the pipeline goes around the houses and graves and they need to compensate by paying for rebuilding the cabins....” Hellen Hallock: “They definitely need to rebuild the cabins, the hurt has been there since 1952 and they need to compensate so we can heal, much like the way Parks is working with us. It would not only heal us but heal our children and future generations.”²⁶⁷

The final issue the oral history report dealt with was compensation. The Elders felt strongly that the Adam Joachim cabin, along with others, should be rebuilt. They referred to doing so as an act of healing. “It would not only heal us but heal our children and future generations.”²⁶⁸ They saw it as an opportunity to work with the younger generation to demonstrate how the families had lived in the park and promote pride within the community’s youth. The Oral history report ended with this request for compensation:

The Elder’s will agree to permit the use of the Adam Joachim and William Moberly sites if Kinder Morgan agrees to fund the reconstruction of one cabin on each of the three sites – Adam Joachim, William Moberly and Adolphus Moberly sites – built in the traditional style under the direction of Elders by descendants of the Joachim and Moberly families. Kinder Morgan is also encouraged to promote the partnership as an example of working respectfully with Aboriginal people.

In order to facilitate this proposal some work will have to be done between The Council of Elders, Parks Canada and Kinder Morgan, however, the Ewan Moberly site was constructed with similar collaboration and the Elders hope to employ that formula in the reconstruction of the other sites associated with their community. They are prepared to adhere to the proper channels required when undertaking such a project within a National Park and would like to have the ability to offer non-government funding when negotiating the reconstruction of their ancestral cabins. Kinder Morgan will be a financial partner, thus recognizing the importance of the

²⁶⁷ Ibid.

²⁶⁸ Ibid.

sites and creating residual benefits to the Aboriginal community, the Park, and to visitors to the Park. As well, the area is a proposed site for educational purposes, for school groups and with the intended collaboration, the history can be shared with others and continue to be passed down to future generations.²⁶⁹



5.1 William Moberly Standing by his house

© Lena Ouellet

²⁶⁹ Ibid.



5.2 Representatives from The Council of Elders of Japer Park meeting with representatives from Kinder Morgan, spring 2006 © Lena Ouellet

One of the immediate results of this report was the organization of site visits with Elders and environmental consultants working for Kinder Morgan. These visits were very successful as the Elders felt they were treated respectfully and were provided with a Cree-speaking representative of the company. It was determined that the planned route would have no impact on the William Moberly site. Possible gravesites identified by ground penetrating radar on the Adam Joachim homestead were subsequently fenced off so no activities would disturb them. The company also agreed to have Elders present when digging was taking place on these sites, so they could care for any human remains that were unearthed.

At the same time, the Elders and I were beginning to hear of unnamed people who did not agree with us. A decision was made to call a large Elders meeting at Jasper.

The first attempt to do so was scheduled for September 15-17, 2006. However, Parks postponed this meeting without providing an indication as to why. The meeting was delayed until November 3-5, 2006. I began to make arrangements with the four living Joachim sisters to attend. As children of Adam Joachim, they would have the final say as to what happened on their dad's homestead. In order for this meeting to take place, someone needed to cover the travel expenses of the Elders. I suggested that Kinder Morgan do so as it would allow for the creation of a unified voice. On Oct 23, 2006, Philippe Reicher, Kinder Morgan representative, emailed me with some news.

I have received your phone calls. As I mentioned before, Kinder Morgan Canada will not entertain any additional site visits to JNP unless the group of Elders that would be assembled represent all Métis interests in the area, which include Ron Pelletier's group²⁷⁰ of Elders and the Grande Cache Métis group. This view is also shared by Parks Canada in this matter.²⁷¹

I emailed back the same day.

Thank you for getting back to me. The purpose of the meeting planned for Nov 3-5 is to allow the three groups you mention (all of which are representing Elders who are the direct descendants) to bring the Elders together to create the single voice you are seeking. The Elders will act as decision makers. If you do not want to fund this event it will limit the ability of most Elders to attend and the problem will persist. I encourage you to reconsider. This is a very sensitive site and infighting that has resulted from people speaking on behalf of Elders will continue until they can get together and solve these issues. I have contacted Ron Hooper and hope that we can all work out the details and make this meeting happen. The other groups you mention are legitimized because they have convinced Elders to join them; the way around this is to bring the Elders together. In our culture a unified Elder's voice trumps everything else.²⁷²

A snag in the process occurred, however, when, rather than facilitating an Elders meeting, Parks responded to the "Traditional Use and Oral History Report" on November 3, 2006 in this way:

Dear Rick,

²⁷⁰ Ron Pelletier is my first cousin. He had organized a group demanding the same accommodation as the other groups. The group dissolved shortly after and became aligned with The Upper Athabasca Elders Council.

²⁷¹ Philippe Reicher. 2006. "Email to author." October 23.

²⁷² Richard Andre Ouellet. 2006. "Email to Philippe Reicher," October 23.

Thank you for the letter forwarded by email on October 24, 2006, sent on behalf of the Council of Elders of the Descendants of Jasper Park regarding the Joachim site and the Kinder Morgan Canada TMX Anchor Loop proposal.

Parks Canada will work to ensure that valued cultural resources in Jasper National Park, including those associated with the Joachim homestead, are protected. With regard to the potential gravesites identified in this area, Parks Canada has worked with the pipeline proponent to ensure that these sites will not be impacted during construction.

As I have communicated to the Elders previously, we are interested in ensuring that the important story of aboriginal peoples in Jasper National Park is well told. However, any work related to the presentation of this site must reflect the desires of all parties with an interest in this area. I cannot support proposals that are put forward at the exclusion of other interested parties. We have discussed this need given the sensitivities associated with the family members involved.

With regard to the matter of compensation raised in your correspondence, Parks Canada is not prepared to entertain this item. We have previously discussed this matter in some detail.

Please be assured that your interest in working with Parks Canada on the protection of this site, and the presentation of Métis history is welcome and much needed.

Yours Sincerely,
Ron Hooper
Superintendent

cc: Philippe Reicher, Kinder Morgan Canada
Ron Pelletier
Glen Marko, Department of Justice²⁷³

It was readily apparent that Parks was unwilling to allow the Elders to jointly manage their historic sites. The aspect of the letter that refers to compensation being “previously discussed in some detail” is not reflective of the meeting and discussion. The issue of rebuilding cabins had been a topic of much discussion, and rather than reject the idea, Parks pointed to a lack of funding for such a project. By not allowing Kinder Morgan to fund fences and spirit houses, they had taken the position that had always existed in Jasper. From their perspective, the homesteads are the property of the park, and while they present their relationship with the Elders as respectful and

²⁷³ Ron Hooper. 2006. “Email to author.” November 3.

designed for reconciliation, any action that implies shared ownership of the sites or that families have some say in Parks decisions is quickly rejected. This position is alarming to many descendants who witnessed the MNA restore Ewan Moberly's house and erect panels all without input from the descendants.

Through this letter, I became aware that discussions were taking place without the inclusion of the Elders or myself. I was concerned that this letter was sent directly to me and that it was copied to others, none of whom were Elders. In order to force direct communication with the Elders, I emailed Superintendent Hooper on November 14, 2006:

Although descendants of the Métis inhabitants evicted from Jasper National Park utilize oral history within our own culture, we recognize, for obvious reasons (i.e., the promise of land outside the park made verbally in 1910) that only officially written communication will be recognized by Canadian legal systems. The ambiguously written letter to me provides no opportunity to translate anything into Cree and does not address the file of communication that the Elders have provided Parks or answer directly issues raised in the Oral History and Land Use Report. My role has been to translate into written English what the Elders are saying in Cree and not to include what I think (except of course my underlying belief that Elders have the legal right to have input on what happens on these sites). By addressing me individually, you have in essence obfuscated their voice. By doing so, you also prevaricate the dialogue which has been developed since August 8 2004.

In order to remedy this disrespectful situation, I have no choice but to halt my role as spokesperson. I am still in the Elders employ however, although my role does not include that of directly communicating to Parks Canada or Kinder Morgan on their behalf. I request that Parks Canada and Kinder Morgan no longer communicate directly with me on any issue concerning *The Council of Elders of the Descendants of Jasper Park*. As I understand it, the Elders will incorporate a wider range of options to aid with English translation and will communicate directly with Parks and Kinder Morgan themselves.²⁷⁴

I felt through consultation with Elders that this was the best course of action. I was frustrated by the way the process had played out. In my 2005 MA thesis, I had expressed significant optimism that the relationship that had been developed would

²⁷⁴ Richard Andre Ouellet. 2006. "Email to Ron Hooper." November 14.

restore a place for our families in Jasper.²⁷⁵ The meetings were very respectful, however, any unpleasant news was not communicated directly to the Elders, and it was assumed that complex discussions, such as those concerning perspectives on the right of Elders to represent families and issues stemming from the use of the term 'compensation' in the "Traditional Use and Oral History Report," were beyond the capacities of the Elders. I came to this conclusion through a conversation with then Superintendent Hooper. Before I wrote the oral history report, Hooper suggested that I begin by saying there is a lack of agreement over the eviction, but Parks is seeking to create a working relationship with Elders. However, once the report was submitted (without this suggestion) complete with a section on compensation, Hooper indicated to me through a phone call that he was unwilling to discuss compensation with the Elders and suggested that we focus on things less complex.

Parks had rejected outright that the company would pay for things Elders requested, yet would not state that to the Elders. In fact, it was Parks that represented the Elders and negotiated a pre-set framework with the company, which is why Kinder Morgan deferred to Parks in communications to the three groups who claimed connections to the descendant families. While it is technically Parks responsibility to take this role, this fact was never communicated to elders. They believed that a solution to the lack of money Parks had indicated as the barrier to reconstructing homesteads lay with Kinder Morgan. It is telling that groups such as the AWN were able to quickly come to agreement with Kinder Morgan, and their compensation would come through things like jobs and contracts for doing some of the work related to the construction.

²⁷⁵ Ouellet, Tales of Empowerment.

That would be something that would fit nicely into the framework created by Parks. If the Elders decided that jobs for their grandchildren were a priority, they would have been accommodated. It was the perspective that they felt some kind of ownership to their ancestral sites that created tension. Parks insisted that discussions related to building activities on the Adam Joachim site would come from them or not at all.

It is also revealing to consider the reduced influence of the MNA. A few years previous they had been able to work with Parks to develop the Ewan Moberly site. One of the early concerns from Parks staff to suggestions that other sites should also be rebuilt were financial. Where would the money come from? This was one of the driving forces behind the request to have Kinder Morgan fund rebuilding of houses on other sites. The Elders had responded to the proposed development in a way that reflected their relationship with Parks to that point. However, unlike the MNA, who held political capital and a relationship based on public perception, the Elders were concerned about family issues. Parks desire to present friendly relations and accomplishments to a wider audience hindered its relationship with the Elders whose concerns were overshadowed by Parks unwillingness to move from a predetermined outcome.

5.3 Legacy of Kinder Morgan

The Kinder Morgan events brought a lot of things into focus. Before Kinder Morgan, the Elders Council's relationship with Parks was heralded as unique and transformative. We were told in meetings that the decision-making style of the Elders was enlightening and the same was reported to the Ministry of the Environment. However, when the multinational sought to work with us and agreed to support the

Elders in their request for compensation, Parks revealed their true power over the sites. The unrecognized voice of the Elders was plain to see. Jean and John Comaroff's theory of agentive and non-agentive power is valuable in this analysis; Parks controlled all forms of agentive power that could impact their authority over the sites or the relationship between Kinder Morgan and the Elders. If compensation had been accepted, the Elders who control the oral narrative and insist that Upper Athabasca forms of respect should lead the relationship would have gained power. Parks collection of documentation concerning the eviction, however, required that the Oral History Report be forwarded to the Department of Justice and that the relationship remain within the control of local authorities. Their concern was that the legality of the eviction might be revisited, and that family rights concerning activities on their historic homesteads might trump Parks' control. Therefore, Parks resisted in a heavy-handed way.

Glen Coulthard deconstructs relationships such as that between Parks and the Elders built on the goal of reconciliation. A significant feature of the state/Indigenous relationships that have developed under the guise of reconciliation is "the current politics of reconciliations inability to adequately transform the structure of dispossession that continues to frame Indigenous peoples' relationship with the state."²⁷⁶ The specific events and trauma that create the need for reconciliation are manipulated to develop, "...an approach to reconciliation that goes out of its way to fabricate a sharp divide between Canada's unscrupulous "past" and the unfortunate "legacy" this past has produced for Indigenous people and communities in the

²⁷⁶ Coulthard, *Red Skin, White Masks*, 120.

present.”²⁷⁷ A result of the framing of reconciliation relationships by the state is an unwillingness or inability on the part of the state to acknowledge that the power imbalance between colonial authorities and Indigenous groups is not extinguished.

If our families were to work with Parks, we would have to do things that made them look good. For example, Indigenous awareness events where traditional costumes are worn and cultural activities are shared are most welcome, while issues that concern contemporary people are ignored. This process is similar to that seen in the development of national parks in the American west. Mark Spence’s, *Dispossessing the Wilderness: Indian Removal and the Making of National Parks*, describes how Yellowstone National Park created the Dot Island Indian Village as way to boost tourist visits in 1899.²⁷⁸ In Glacier National Park at the turn of the twentieth century Blackfoot actors were paid to “play Indian” near the Glacier Hotel at the same time government official were clearing them from the backcountry.²⁷⁹ In Yosemite National Park the creation of “Indian Field Days” by the National Park Service extended the tourist season by banking on the belief that Indians legitimized an authentic wilderness experience.²⁸⁰ These examples of performing culture in national parks remain in use a century later, and a similar approach has been widely incorporated in Jasper National Park.

Laura Peers explores the ways Parks Canada creates and revises re-enactments of the past at historic sites in, *Playing Ourselves: Interpreting Native Histories at Historic Reconstructions*. Prior to the 1980s, themes of national importance took precedence

²⁷⁷ Ibid., 121.

²⁷⁸ Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of National Parks* (New York: Oxford University Press, 1999), 69.

²⁷⁹ Ibid., 85.

²⁸⁰ Ibid., 103.

while, “Native peoples were presented within this framework, if at all, in ways which emphasized colonial control over them....”²⁸¹ A shift to include Indigenous peoples and perspectives beginning in the 1980s was often tied very closely to governments treating Indigenous people as ethnics. In this respect, re-constructions of the past simply moved “from representations of a heroic, celebratory, pioneer past to those of a happy, celebratory, multicultural past.”²⁸² However, Peers does see vast potential in developing historic reconstructions as spaces where Indigenous and settler societies can meet under the guise of examining the past from differing perspectives with the goal of advancing relations in the present and future.²⁸³

Thomas King describes this dilemma in terms of “dead Indians” and “live Indians.”²⁸⁴ The government loves dead Indians; they are colourful, interesting, and easy to categorize. However, live Indians are another matter altogether. Live Indians are problematic, always creating barriers to development and getting in the way. I understand the events relating to Kinder Morgan’s work in the park as a verification of King’s perspective in the way Parks allowed for dead Indians (Métis) to be a topic of discussion, but live Indian (Métis) issues were totally off the table. The issue of recognition became a major stumbling block. I felt that, from the perspective of Parks, it was okay to address the fact that our small society was once in the park, but it was clear that we were no longer there, except in memory. Miller refers to this colonial approach

²⁸¹ Laura Peers, *Playing Ourselves: Interpreting Native Histories at Historic Reconstructions* (Lanham, MD: Alta Mira Press, 2007), 40.

²⁸² Ibid., 174.

²⁸³ Ibid., 175-180.

²⁸⁴ Thomas King, *The Inconvenient Indian: A Curious Account of Native People in North America* (Toronto: Doubleday Canada, 2012).

as “death by accountants.”²⁸⁵ Dean Neu and Richard Therrien further analyze the commonplace occurrence of this type of mistreatment, which often results in ethnocide, in, *Accounting for genocide: Canada's Bureaucratic Assault on Aboriginal people*.²⁸⁶ The goal of recognition and restoration of the relationship is not part of the micro-level bureaucracy's tasks to placate dissent while promoting the existence of the relationship as being akin to progress and reconciliation. At Jasper National Park, the idea that removal from the park by Privy Council order ended colonial recognition is hardwired into park DNA. Even as descendants of evicted families have constantly impacted the history of the area, and the relationship has in many ways remained unbroken, a selective use of the documentation creates the conditions for continual non-recognition except where it allows for non-Indigenous employment in the facilitation of a reconfigured past that resonates with visitors.

²⁸⁵ Miller, *Invisible Indigenes*, 29. “Death by accountants” refers to the ways the state manipulates its requirements for recognition of Indigenous groups and their rights to a point where some groups no longer exist as an entity in the eyes of the state.

²⁸⁶ Dean E. Neu and Richard Therrien, *Accounting for Genocide: Canada's Bureaucratic Assault on Aboriginal People* (Black Point, NS: Fernwood Publishing, 2003).

Chapter Six

The Unfortunate Demise of the Council of Elders of the Descendants of Jasper Park

The brief history of the Council of Elders of the Descendants of Jasper Park reached its most interesting point at the end of the group's life. The group did not die through internal neglect or lack of accomplishment; it died because Parks refused to recognize it once it began to respond publicly outside of meetings. Parks did not accept that the Elders could discuss or comment on the management of the homesteads without their input. In this way, Parks tried to control the narrative of the evicted families. This approach also resulted in very troubling communications that were ignored, or perhaps even supported, by groups who do not challenge Parks ability to represent the families on things that happen on their homesteads. The study of colonial processes often reveals overt statements of racism, as is evident in the letters between government officials presented in this research. In the twenty-first century, however, colonialism has been refined to a point where it has become difficult to find such smoking guns of systemic racism against Indigenous people. The evidence lies instead in statistical analysis or is hidden in processes of Indigenous engagement, which often tokenize relationships with Indigenous groups. Bruce Miller points out how historical legal actions against groups, enforced during a time when Indigenous people were

marginalized and their rights denied are often maintained even now.²⁸⁷ This is an accurate depiction of the situation in Jasper, where the eviction of 1910 remains a central tenant in the relationship with the descendant families, even though the vast documentation of this event indicates malfeasance by the crown. As a response to this approach by contemporary officials, the creation of group names such as, The Council of Elders of the Descendants of Jasper Park, have reflected the state of the relationship. Gerald Sider illuminates how colonial attempts to redefine and erode outstanding grievances are met with name changes that reinforce autonomy and resist colonial control over the relationship and /or wrestle access to authorities as an act of infighting, as was the case with the naming of the Mountain Métis.²⁸⁸ My presentation of the way Parks managed the event of the Two Brothers Pole raising in Jasper further illustrates this process of marginalizing dissenting Aboriginal voices. By framing the identity of the Upper Athabasca Elders Council's participation in non-cultural terms only, Parks prevented participation in the ceremonial aspect of this event and thereby controlled how the Elders' rights were depicted in public. The shift in name from 'Descendants of Jasper Park', which reflects the concern over the eviction issue, to 'Upper Athabasca Elders Council', which obfuscated the eviction issue altogether. Glen Coulthard captures the lesson that emerged: "What our present condition does demand, however, is that we begin to approach our engagements with settler-state legal apparatus with a degree of critical self-reflection, scepticism and caution...."²⁸⁹ What follows is not a complete retelling of these events. I have omitted much of the internal

²⁸⁷ Miller, *Invisible Indigenes*, 216.

²⁸⁸ Gerald Sider, *Living Indian Histories: Lumbee and Tuscarora People in North Carolina* (Chapel Hill: University of North Carolina Press, 2003), 11.

²⁸⁹ Coulthard, *Red skin White Masks*, 179.

family discourse in favour of trying to retell, from my own perspective, the overall thrust of the developments as they happened.

6.1 Two Brothers Pole

The idea for a new Two Brothers Totem Pole was first communicated in a letter to the Council of Elders on July 3, 2009.²⁹⁰ An original Haida Pole in Jasper had stood near the Jasper Train Station for more than 90 years. This pole was carved around 1870 and was originally erected in the village of Masset.²⁹¹ It was purchased by the CNR for the purpose of promoting tourism at Jasper.²⁹² A replacement pole was discussed with increasing disagreement between Parks and Elders at the two Elders meetings that followed. The issue was the same – lack of consultation and unwillingness to allow for input that was not in line with a predetermined agenda. The limited functionality of Parks representatives to facilitate real discourse soon became apparent. The decision to replace an aging pole that had stood in Jasper for 94 years was made at a very senior level, and most likely was a gentlemen’s agreement between Gin Guujaaw, then president of the Haida Nation, and Jim Prentice, then federal Minister of the Environment and head of Parks Canada.²⁹³ These partners had, during that time, negotiated funding to enhance “visitor experience and environmental protection projects for Gwaii Haanas National Park Reserve and Haida Heritage Site.”²⁹⁴ The Jasper

²⁹⁰ Council of Elders of the Descendants of Jasper Park. 2009. “Meeting Minutes.” July 3.

²⁹¹ Guujaaw. 2011. Personal Communication with author, May.

²⁹² Ibid.

²⁹³ Ibid.

²⁹⁴ Parks Canada, “Government of Canada and Haida Take Action to Protect National Parks and Improve Visitor Experience” Accessed August 2, 2015. http://www.pc.gc.ca/APPS/CP-NR/release_e.asp?id=1461&andor1=nr

field unit was simply ordered to make the pole raising happen, and this brought to a head the underlying issues that had taken shape in the Kinder Morgan negotiations. As compensation for lack of meaningful consultation, a plaque that would tell the story of the descendent families was promised to the Elders. The inability to come to an agreement concerning the pole raising resulted in a decision by the Elders to begin communication with the Haida without Parks involvement. While most of the Elders supported the project, they wanted to ensure the Haida recognized proper respect of protocols. At the October 2009 meeting, the Elders decided to contact the Haida on behalf of their council.

My Haida connections in Vancouver came through James Cowper and Ryan Andrew Murphy, both of whom I met while I was a student at Simon Fraser University. Cowper was a member of the Council of the Haida Nation and Murphy was a friend of pole carver Gwaai Edenshaw. They helped me get my message to Guujaaw, and he called me one evening in the spring of 2010. His skill in moving a discussion along was remarkable. I soon felt an opportunity existed to incorporate the pole raising into a partnership between the descendant families and the Haida people. When I tried to relay news of the successful meeting with Guujaaw to the Council, my optimism was replaced with disappointment as I learned that family politics and power relationships had undermined the hope of a culturally significant ceremony with representatives from the Haida.

Non-Cree speakers have, since this time, become the lone voice in discussions with Parks. Cree Elders are asked simply to comment “yes or no,” or to state opinions after discussions in English have laid out a course of action. In this case, my discussion

with the Haida was rejected by a core group of non-Cree speaking Elders. This decision was difficult for me to understand. The way elders are defined had changed from the ways of the larger Métis community in the Jasper area, and how the original 2004 elders group had done so. In these latter cases, an elder is a member of the oldest living generation; someone whose parents have passed but still has living aunts and/or uncles is not an elder. Yet, the core group who rejected me were of my generation and would not historically be considered elders. The last meeting of the Council with Parks that I attended was in April of 2010. At that time, I had not yet contacted Guujaaw, and was struggling to comprehend the influx of a large number of new non-Cree speaking Elders. They rejected the belief that our families still had a claim in Jasper. The most troubling aspect of the new group was how they abandoned consensus as it exists among Cree Elders.

At the next meeting in October 2010, which I was unable to attend, drastic changes were adopted. The first was a name change. The Council of Elders of the Descendants of Jasper Park became the Upper Athabasca Valley Elder Council (now commonly rendered as UAVEC). According to the minutes of October 2010, "This name was chosen because the descendant families settled along the shores of the Athabasca River long before the park was formed and identified the area they inhabited by this distinctive waterway."²⁹⁵ The name is interesting because it removes the political angle that was sought by the original Elders. By claiming to be descendant of Jasper Park, they asserting that the park had created our current situation and is responsible for our

²⁹⁵Upper Athabasca Valley Elders Council. 2010. "Upper Athabasca Valley Elders Council Meeting Minutes" October. Personal Collection of Lena Ouellet.

reconciliation with Canada. The new name reflects a different path, situating the group as a historic manifestation of the fur trade days and eliminating the eviction narrative. As a result, the families' agreement to support each other on issues that concerned each other's homesteads was undermined.

The Cree Elders had expressed to me, upon the creation of The Council of Elders of the Descendants of Jasper Park in 2004, a desire for a very narrow engagement with Parks that concerned the historic Métis homesteads. They wanted to focus on those sites and issues relating to the breaking of the agreement to remove the families from the park in 1910-11. They had resisted joining the wider Aboriginal forum, until this outstanding issue was resolved although they agreed that Aboriginal-Park relations in all areas outside the few acres that encompass their ancestors' homesteads should occur. They also supported including the MNA or AWN in discussions concerning Aboriginal rights in the park in all areas outside the homesteads and Miette Hot springs.

The second change that occurred was the creation of a communications committee. This change is outlined in the October 2010 meeting minutes: "The Elders Council requested removal of Parks Canada's authority to communicate with anyone directly claiming affiliation with their group. All inquiries on matters pertaining to the descendant families are to be directed to the Communications Committee."²⁹⁶ Again, the change reflects a shift in priorities and power. Parks was removed from any responsibility, and the Communications Committee positioned itself as a buffer for divergent opinion. The Members of the Communications Committee were Ron Pelletier, Ken Groat, and Dusty Groat. Parks reaction to the Elders' request for compensation as a

²⁹⁶ Ibid.

result of the Kinder Morgan pipeline construction is reflected in the creation of a Communications Committee to respond to outside inquiries and to identified members, but not to outside groups and agencies. That role became the sole responsibility of Parks.

My connection to, and growing partnership with, the Haida led to an increase in events and activities though my work at UBC where I was the Aboriginal Student and Community Development Officer. It also led to a shift in my focus and, after a time hunkered down with my family, we decided to organize a family-to-family ceremony between the descendants of John Moberly, upon whose trap line the pole sits,²⁹⁷ and the families of the pole carvers Gwaai and Jaalen Edenshaw. We did not want to abandon this opportunity, and felt it was our right to coordinate activity on the John Moberly site.

In discussion with Parks personnel, in particular Superintendent Greg Fenton, I was able to understand that the Upper Athabasca Elders Committee had decided that I was to be removed from working with Parks on behalf of the Elders. The Upper Athabasca Valley Elders Council had decided to allow Parks to represent them in their dealing with the Haida. I called members of the Communication Committee to let them know that I was in close discussions with the Haida and we would develop our own ceremony outside the public one. They indicated that they were not interested. This led to a call to superintendent Fenton, during which he clarified the outcomes of the meeting I had missed. I told Fenton that most members of the John Moberly family did not support the new name and would continue with the old one. From our perspective,

²⁹⁷ Ouellet, Lena. 2015. Interview with author.

we could not have a name forced upon us and, as descendants of one of the families with homesteads in the park, we would have to be accommodated too.

These changes, along with discussion with my mother Lena, and her discussions with other family members, led me to propose that Parks facilitate our inclusion into the planned events. I called Fenton to discuss what the family had decided and asked him to accommodate two requests. He tentatively agreed to our first request that we should be on the list of people to welcome the Haida at the public ceremony. We presented it as Parks' responsibility to include all interested Aboriginal groups and, as we have a longstanding relationship with Parks and a new relationship with the carvers' family, we should be allowed to welcome them.

I also requested that Parks provide transport across the Athabasca River so that the two families could meet on the homestead of John Moberly. I was clear that this was a John Moberly event intended to reflect that he, before the park's creation, had welcomed visitors on the homestead land. I had been working with Guujaaw to make this happen, as I wanted him and the two carvers to understand the area where their pole was to go. John Moberly had been a trader welcoming the various Indigenous groups that travelled through the Upper Athabasca from the west. Part of any new trading relationship required gift exchanges and ceremony. We wanted to show that this tradition was not extinguished, and we still had the right to welcome people in our own way.

On April 22, 2011, I sent an email to Fenton and his superiors in the Parks system, Bill Fisher and Allen Latourelle, outlining what had been agreed to during the phone conversation. First, I would welcome Guujaaw, Gwaai, and Jaalen (the pole

carvers) to the territory of my ancestors as part of the ceremonies on July 16; and second, The Council of Elders of the Descendants of Jasper Park would host their own event on the John Moberly site. Parks agreed to provide boat transport.²⁹⁸

I received a response five days later, on April 27. In this response, Fenton indicates that he is, “pleased to confirm that... staff will provide boat transportation across the Athabasca River to accommodate the site visit.” He further addresses the other agreed upon action: “With respect to your request to welcome and thank Guujaaw and the pole carvers as part of the official ceremonies...I indicated that I would consider your request.... I will get back to you as the schedule is finalized.”²⁹⁹ While I was relieved that he would keep his promise regarding our ceremony with the Haida representatives on the John Moberly homestead, I was perplexed by the statement “I indicated I would consider your request” regarding welcoming the Haida.³⁰⁰ It was the first time that the name, “the Council of Elders” was not used, replaced with “descendant families.”

I responded the same day, April 27, 2011, outlining my growing concerns. I reiterated that I was acting on behalf of The Council of Elders of the Descendants of Jasper Park, who are not part of the Upper Athabasca Elders Council, were not at the October 2010 meeting, and who did not endorse the name change. I was concerned about this issue because of the erroneous claim that descendant families had been represented there. This was simply not true. Members of the Upper Athabasca Elders Council did not represent the Council of Elders of the Descendants of Jasper Park and

²⁹⁸ Richard Andre Ouellet. 2011. “Email to Greg Fenton, Allen Latourelle, and Bill Fisher.” April 22, 2011.

²⁹⁹ Greg Fenton. 2011. “Email to author.” April 27, 2011.

³⁰⁰ Ibid.

the new Communications Committee did not speak for us, nor was it a body we needed to consult with. This subset of the descendants of evicted families recognized Parks need to marginalize the eviction story and history and was willing to accommodate in return for a privileged position within Parks Aboriginal file.³⁰¹

I reached out to the Communications Committee and was told that I was not welcome to attend meetings or receive information from the Upper Athabasca Elders Council. In effect, the Elders who did not agree with Parks were being shut out to accommodate the pole raising that was planned without evicted families having an opportunity to tell their stories or participate in a significant way. A few Elders from the John Moberly and Isadore Findlay families wished to remain in a separate council, and did not believe that the changes included them, because they had not been consulted or included in the discussions. They considered this lack of consultation a serious breach of the original protocol that had brought the families together in 2004.

We asked about these troubling changes in an email to Fenton, and pointed out that since the October 2010 meetings we had not received any information regarding the meeting minutes or other changes that had been agreed to. Suddenly, I did not know when meetings were taking place, what was being planned, or anything else. We began to conclude that the Jasper Field Unit intended to develop a system of Aboriginal recognition that prevented a real relationship and reconciliation from taking place. Parks had no intention of seeking reconciliation that did not conform to a model that aligned existing groups under a predetermined outcome.³⁰²

³⁰¹ For a list of names of the Upper Athabasca Valley Elders Council and the remaining Council of Elders of the Descendants of Jasper Park on October 2010 see Appendix C.

³⁰² Miller, *Invisible Indigenes*, 133.

The Elders that wished to remain known as the Council of Elders of the Descendants of Jasper Park believed that they could not be shut out in this way. These Elders had guided me in negotiating a relationship with the Haida people. They wanted to be part of the public event because of cultural norms regarding respect and protocol. They had requested to be included from the beginning, and Parks' response was to accommodate a subsection and new members who had recently formed the Upper Athabasca Elders Council. However, not all of the Elders who had been meeting with Parks for seven years were part of that group. After the change in name, Parks refused to meet with longstanding members of the Council of Elders of the Descendants of Jasper Park.

Our email was met with a renewed parsing of words that indicated Parks perspective that the change in name was just that, a simple evolution of the relationship with the descendant families. Furthermore, from their perspective, the new group represented the interests of the six families and could prevent family members from having access to Parks. The rules of membership of the new group were loosely used to accommodate a working relationship that followed the wishes of Parks. This was done in a number of ways. The original definition of an Elder was someone from the oldest living generation of descendants.³⁰³ Thus, original Elders were the children and grandchildren of the families evicted from the park. The new group of Elders, however, came from further down the generational line – the oldest of their particular family branch. For example, my great-grandfather is John Moberly, but since

³⁰³ Council of Elders of the Descendants of Jasper Park. 2004. "Meeting," May. Private Collection of the author.

my mother, and aunties are living, I am not of the oldest living generation. The members who joined in 2010 were also great-grandchildren, but because their parents had passed on, they were now elevated to the status of Elders, even though members of the same family from the preceding generation still lived. This innovation was troubling, especially since these “new” Elders were not language keepers and had no real understanding of their family history that exists mostly in Cree. Furthermore, protocols that maintained respectful relations and adhered to consensus-based decision-making were abandoned rather than embraced as a learning opportunity for these descendants.

This new way of defining Elders was also adopted among John Moberly Elders, who are my first cousins and of my generation. At this time two members had parents who have passed on and are now regarded by Parks as Elders, and two siblings had lost their father, a descendant, although their mother, who is not a descendant, was alive. This is important because these members of the Upper Athabasca Valley Elders Committee are not seen as Elders among their own families. This system would see me deferring to my first cousins as my Elders in all my activities related to Parks until my mother dies, however, the same dynamic would not exist outside that relationship. In many respects, this new system has lost touch with the culture it claims to represent. The original group of Elders had agreed to come together and support each other on issues that concerned one extended family and also the discuss issues until consensus.³⁰⁴

Membership in the original Elders Council privileged those who spoke Cree, because the history of the families is held in that language. Issues were discussed in

³⁰⁴ Ibid.

Cree before being reported to parks. Respect was maintained and was also a key aspect of reporting to Parks. The subsequent formalization and change of these fluid concepts concerning governance, decision-making, and respect by Parks removed the ability of the society to determine its own practices on these matters. Stringent rules are cumbersome for the fluid nature of the group, and enforcing them only serves to remove those who feel marginalized. In this case, fluidity allows for nuances and negotiation of solutions, while formalization has created majority rule. Most troubling of these changes is the abandonment of the longstanding claim concerning the eviction. This is a central aspect of the Cree narrative and speaks to respect for ancestors who were mistreated, and it is a central piece of our identity.³⁰⁵

Thus, the Elders group had undergone radical changes in the year after the announcement of the Two Brothers Pole raising in 2009 in both name and membership. The shift in membership, including how things were communicated and who held responsibility, all diverged away from the 2004 goal of creating a governance structure that incorporated cultural elements so that Parks was better able to work with descendant families. The changes allowed family members working with Parks to shut out voices that were not subservient to Parks agenda, which was communicated through close personal relationships that saw individuals seek the favour of park personnel on the Aboriginal file. The challenge for those of us that had been shut out during this time was to navigate the shifting sands within our extended family and attempt to make the Two Brothers Pole event significant for our descendants. We were very fortunate in being able to communicate with Guujaaw and have his help in what he saw as “part of

³⁰⁵ Ibid.

the process.”³⁰⁶ The significance of the ceremony at the John Moberly homestead for his descendants soon became the main priority for the family.

With this clarity in place, we still had a lot to contend with, and the recollections, meeting minutes, and emails that followed illustrate that micro-level authorities have much to learn and change if a truly impactful reconciliation between Canada and the Indigenous groups it deals with is to take place. One of the challenges is the issue of documentation. Miller reveals how the requirement for documentation in a formalized relationship requires that Aboriginal people conform to colonial expectations. This aspect of the relationship in Jasper became evident during a dramatic shift documented through Elders meeting minutes.

The next Elders meeting took place, for the first time with Parks in attendance, in Grande Cache on May 16, 2011. Many Elders who were recognized through the new system, along with some of their spouses, also attended. Near the end of the meeting, Superintendent Fenton introduced two issues that would have fatal repercussions for the Council of Elders of the Descendants of Jasper Park. First was the group structure, as detailed in the meeting minutes. “When asked for clarification on how Parks Canada views the Upper Athabasca Valley Elders Council, Superintendent Fenton stated that Parks Canada views the Council as an important Aboriginal partner that has a documented historic connection with Jasper National Park.”³⁰⁷ He further stated that, “Parks Canada will work with one representative group of the Elders Council and descendant families and that group will be the Upper Athabasca Valley Elders

³⁰⁶ Guujaaw, Personal communication, May, 2011.

³⁰⁷ Upper Athabasca Valley Elders Council. 2011. “Upper Athabasca Valley Elders Council Meeting Minutes.” May 16. Personal Collection of Lena Ouellet.

Council.”³⁰⁸

In a twist of irony, Fenton acknowledged that, “another group consisting solely of John Moberly descendants may emerge and...has communicated that this is something that needs to be worked out among the families themselves and that he (Fenton) has no interest in working with more than one group.”³⁰⁹ Somehow the same Elders who started the relationship with Parks were being depicted as the new group, even though they had existed for seven years and the name still appeared in the Parks management plan. It is also important to point out that Elders Gloria and Alfred Findlay remained members of The Council of Elders of the Descendants of Jasper Park.³¹⁰ This decision empowered Parks to use the new structure and large meeting to have family infighting become the basis for recognition by Parks, and that recognition would come within a framework Parks developed with the purpose of appearing to accommodate Indigenous consultation. The participants at the meeting supported Parks decision to recognize them as the people representing descendant families. Not only were they empowered to do this; they were subsequently given a reason to rally against their relatives.

Fenton then revealed the requests that we had made to him in our emails and conversations. He noted that, “Parks Canada received a request from Rick Ouellet for water-based ground support for a trip across the Athabasca River from the Jasper Airfield to the John Moberly site on July 17th...for descendants of John Moberly and...a Haida delegation.”³¹¹ Fenton went on to say, “he has agreed to provide Parks Canada support by facilitating riverboat transportation in principle depending on logistics, and

³⁰⁸ Ibid

³⁰⁹ Ibid.

³¹⁰ See Appendix C.

³¹¹ Ibid.

whether or not the other descendant families support this activity.”³¹²

The minutes reflect how the Upper Athabasca Valley Elders Council responded:

The Elders Council was disappointed that Parks Canada would overstep Communications Protocol by agreeing to provide riverboat transportation without first obtaining broad-based consent from the Elders Council.

The Elders asked if the park had entered into any form of an agreement with Mr. Ouellet and Superintendent Fenton assured the Council it had not.

The Elders felt it would be appropriate for Superintendent Fenton to withdraw his commitment to facilitate riverboat transportation because if this was allowed to go forward it could result in the formation of a second group consisting solely of John Moberly descendants and that would be divisive.

Superintendent Fenton said as a result of discussions and concerns brought forward at this meeting, that he would rescind his decision in principle to provide river transport.

Ron Pelletier is committed to working on a consensus basis with the Elders Council and stated, until Superintendent Fenton’s decision to rescind his commitment in principle to provide riverboat transportation is formalized in writing and brought to his attention, he will withdraw his support from the Communications Committee and the Upper Athabasca Valley Elders Council effective immediately.

Ron also asked to know the extent and details of the discussions that have taken place between Rick Ouellet and the Council of the Haida Nation.

Superintendent Fenton’s sole interest is in the proposed activities of the Upper Athabasca Valley Elders Council in the upcoming summer celebrations and not the details of those discussions since they occurred privately between Mr. Ouellet and the Council of the Haida Nation.

DECISION May 2011 – 03 That without the support by the Elders Council, Parks Canada would rescind its commitment to provide river transportation on July 17th. This decision will be communicated to Rick and Lena Ouellet³¹³.

Of note is the threat “to withdraw support from the Communications Committee and the Upper Athabasca Valley Elders Council” unless Fenton rescinds his commitment to provide boat transportation “in writing.”³¹⁴ A central aspect of many small-scale societies is the politics that create and relieve tension within families. My perceived access to power through my work with Parks was a source of tension in my extended family, and this dynamic is certainly a central aspect of this story. Among my generation of descendants competitiveness is a key theme in our relationships, and while we were

³¹² Ibid.

³¹³ Ibid.

³¹⁴ Ibid.

often in disagreement about our work with Parks, we had managed to work together for a time shortly after the Two Brothers pole was announced.

I had informed them of my discussions with Guujaaw because I wanted to incorporate them and relieve family tensions. At one point, I was invited to attend a ceremony in Haida Gwaii and I invited others to join me. I never received a response to this invitation, and only later did I learn that they had opted to fill the power vacuum created upon my unscheduled departure from working with Parks. A new generation of John Moberly's descendants created the legitimacy needed for representation among all six families. The Communications Committee at this meeting fulfilled Parks' need to have family members do the unpleasant work of eliminating or delegitimizing dissenting activities. Awareness of this role is clearly indicated in the minutes capturing the threat to quit if Parks did not go back on its promise to the Council of Elders of the Descendants of Jasper Park.

Parks never informed the remaining members of The Council of Elders of the Descendants of Jasper Park of the outcome of this meeting, but created the conditions for our families to work against each other in return for a privileged relationship with them. We had approached the Haida with a clear mandate from the Council of Elders of the Descendants of Jasper Park, and we had been transparent in our attempts to facilitate a ceremonial event that recognized the history of the families in Jasper National Park. Parks decided, however, to recognize the Upper Athabasca Elders Council as the legitimate voice. The Council in turn chose to allow Parks to control our relationship with the Haida, rather than continue with what we had started. We were unwilling to be represented by the new group and soon I was only speaking to Guujaaw

on behalf of a reduced membership of the Council of Elders of the Descendants of Jasper Park. We were determined to continue because we were aware that the Haida had established a unique relationship with Canada in the management of Gwaii Haanas National Park Reserve. The Haida and the Canadian government have both agreed not to recognize the other's claim to ownership of that place.³¹⁵ The result has created a management style that allows for an Indigenous interpretation to be presented to visitors as the Haida maintain that it is their place and it holds their identity and history. As a result, the visitor experience is not controlled by Parks Canada. It embraces the human history without politicizing the story. We were confident that a similar relationship could be built to jointly manage the homesteads of those evicted from Jasper National Park, and we intended to incorporate the partnership formed with Guujaaw into our relationship with Jasper.

We strongly believed that our story should be part of the pole-raising event, even if it was something that we did on our own, outside the planned public activities. We became very frustrated when the Upper Athabasca Elders Council allowed a colonizing structure to represent them to the Haida, when we were able to do so ourselves without Parks input. The new group supported Parks despite the opportunity to elevate our story. In Elder Lena Ouellet's view they were taking crumbs when we had worked out a feast of opportunity.³¹⁶

When we received the news that Parks was rescinding its offer to provide transportation (based on a new narrative that the original offer had only ever been

³¹⁵ Parks Canada: "Gwaii Haanas Management." accessed on April 15, 2015, <http://www.pc.gc.ca/eng/pn-np/bc/gwaiihaanas/plan/plan1.aspx>.

³¹⁶ Lena Ouellet. 2015. Interview with the author, March 15.

conditional), we followed the chain of command and were rebuffed. Undeterred, we arranged our own transportation after the new group's relationship with Parks became clear. However, a lot of animated discussion, emailing, and letter writing took place within the family, with Parks, and in public before a solution was realized. The first of these communications was a May 17, 2011 letter written to Guujaaw by the newly formed Communications Committee of the Upper Athabasca Elders Council:

We would respectfully inform you that we do not agree or accept this gathering on one of our homesteads. This gathering was planned by one person without consulting the rest of the family. There are many John Moberly descendants on and off this council who oppose this gathering.

We have been participating in the "Cultural Planning Committee" from which protocols, events, and scheduling are being made. We feel that any other event or gathering on any of our traditional sites, involving the Haida people, is a direct violation of the protocols set. We would consider this to be a non-authorized encroachment on our traditional land by the Haida people.³¹⁷

Guujaaw forwarded me this letter shortly after he received it and we discussed it over the phone. He asked me if the area was public. I told him it was, and that the back of the homestead had a well-used trail that anyone could access. After our discussion, I followed up with my Elder Lena and brother Robbie to seek a solution. We were perplexed by Parks non-reaction to this letter as it laid out, in a more crude and threatening way, the perspective that had been expressed by Elders in the Oral History Report. In comparison, the request for compensation to rebuild ancestral homes as a condition for allowing homesteads to be used for pipeline construction did not seem as serious as banning a group from gathering on a public site without authorization.

Robbie Ouellet has a lifelong love of Jasper Park. An avid snowboarder, off-roader, trail rider, and general outdoor enthusiast, he has spent countless days

³¹⁷ Upper Athabasca Elders Council Communications Committee. 2011. "Upper Athabasca Elders Council Communications Committee letter to Guujaaw." May 17. Private Collection of author.

exploring in and around the Park. He is proud of the connection our family has to Jasper and has always been supportive of the political work being done. He was also the first Métis to be hired on the park fire crew in a very successful pilot project. He later led the Métis crew and was actively involved with numerous Parks projects. Robbie is not typically a person who can be riled up for a cause, however, the decision to rescind the offer of river transportation hit home for him. He had been looking forward to taking his young boys across the river with their grandmother and the Haida.³¹⁸

Robbie emailed Fenton on May 24, 2011 to express his frustration with the decision and to ask an important questions. “Do I no longer need to clear with Parks any plans at this site and now have to clear it with the upper Athabasca Elders Council?”³¹⁹ On May 27, Fenton responded. He included an explanation for rescinding the offer maintaining that he had “agreed in principle, subject to a more detailed proposal.”³²⁰ He then went on to explain that the May 16 meeting with the UAVEC had “included representatives of the John Moberly family,” and agreement to provide transport was inconsistent with “the communications protocols that were agreed to at previous meetings.”³²¹ As a point of clarity, these communications were only agreed to at the October 2010 meeting, the first one since the Council’s 2004 inception that neither my mom nor I attended. Fenton then outlined the elevated position of the new group:

establishing a positive, productive working relationship, as well as for sharing interests and actions related to the protection and presentation of the homestead sites within Jasper National Park, Parks Canada will continue to work with the Upper Athabasca Valley Elders Council which we recognize as an evolution of the Elders Council that was established in 2004. Parks Canada views the Upper Athabasca Valley Elders Council as the official body that represents the Moberly, Joachim and

³¹⁸ Robbie Ouellet. 2015. Interview with the author, March 16.

³¹⁹ Robbie Ouellet. 2011. “Email to Greg Fenton. May 24.

³²⁰ Ibid.

³²¹ Greg Fenton. 2011. “Email to Robbie Ouellet.” May 27.

Findlay families who resided in and used until 1910, what is now Jasper National Park.³²²

This statement is very revealing. It represented a dramatic shift in the relationship, creating a situation where we felt that our ability to use and engage with the park was less than other Canadians'. Parks had also been very aware of explosive family dynamics and must have understood that this type of approach would split the family. It is also untrue that the Moberly, Joachim, and Findlay families are officially represented by the new group, as both the AWN and Mountain Métis rely on members of these families to facilitate their relationship with Parks, and Parks continues to work with them. The only people being excluded were the subset of Elders and their families that insisted on maintaining a relationship that adhered to culturally-based decision-making protocols and respect. Communications committees and majority rule are not culturally-based for this Métis group. Fenton ends his reply by answering Robbie's question:

If you have any ideas, interests or concerns related to the Moberly homestead sites, I encourage you to share them with a member of the Communications Committee of the Upper Athabasca Valley Elders Council so that it can be shared and discussed with Elders and Descendant family members. I have taken the liberty of copying this letter to each of the members of the Communications Committee.³²³

Considering that Robbie is a member of the John Moberly family and knew the details of the strange rise to power of the new group, this response is revealing. By copying the letter to the Communications Committee, Parks took sides in a family disagreement, something that is very unprofessional, especially when examined along with the May 3,

³²² Ibid.

³²³ Ibid.

2011 meeting minutes and the threat to quit unless parks privileged one set of descendants over another.

Robbie replied on May 30, 2011. He took Fenton to task for establishing a group that represents the Moberly family, as this could also indicate our support for the letter to Guujaaw. He pointed out that John Moberly was very friendly to outside groups and welcomed them to his homestead. Robbie's frustration with the situation spilled over into the email: "I do not believe John would have been so racist! The site is open to the public, anyone can gather there!" He challenged the way in which Parks had supported the aggressive letter, which suggested being "okay taking from the Haida people, but do not want them on their sites. I find this very racist and disrespectful!" He asked if Parks had planned other questionable actions: "I will be interested to see if there are Haida and non Haida drinking fountains at the pole raising!"³²⁴ While feelings were becoming raw, there were some very important issues at hand. The Parks strategy had now succeeded in creating family infighting, which in turn facilitated a public event that avoided the depiction of Métis history and unresolved claims to be recognized.

Robbie demanded to know who on the new council represented the John Moberly family adding, "Can you send me a list of members on the committee, and council, along with the protocols that have been set that involve John Moberly. I wish to review these to make sure there is integrity."³²⁵ Fenton responded an hour and twelve minutes later in a short email, "I will leave it to the Communications Committee of the Upper Athabasca Valley Elders Council to respond as the letter to Guujaaw was from

³²⁴ Robbie Ouellet. 2011. "Email to Greg Fenton." May 30.

³²⁵ Ibid.

them (on behalf of the Upper Athabasca Valley Elders Council).³²⁶ It seems strange that Parks was unwilling to challenge the assertion that the Haida would be trespassing in Upper Athabasca Elders Council territory. Robbie was undeterred by this strategy and persistently challenged the shifting story. He also questioned how individuals of the Communications Committee had become the sole voice of the Council, answering questions with such speed that they could not possibly have consulted with Elders.³²⁷ In his response, Fenton took up the issue of using our own boat transportation to cross the river. He pointed out that “the National Parks Act does not permit the use of power boats.³²⁸” He further laid out the legal parameters that we had to follow:

I would only consider authorizing motorized transport across the river under the following circumstances: if the site visit is sanctioned by the Upper Athabasca Valley Elders Council (Elders Council); if it can be demonstrated that this is the only means of safe access for Elders participating in the visit and that the boat meets safety standards for use; if more details were provided regarding site visit logistics; and, upon confirmation that the boat operator has a valid Small Vessels Proficiency Certificate (as outlined in the Small Vessels Regulations of the Canada Shipping Act) to ensure safety of operations and passengers. I would require a formal request for approval in advance of the site visit, and to reiterate, the request must demonstrate in writing that the trip is supported by the Upper Athabasca Valley Elders Council as communicated to me by their Communications Committee.³²⁹

It had become clear to us that Parks was heavily invested in supporting the UAVEC in these family squabbles in return for removing any uncontrolled aspects of the public pole-raising event. As far as we were concerned, however, our ceremony with the Haida was going to happen.

While my bother Robbie was trying to find solutions for the situation at the local and family level, we prepared our case for the senior administration at Parks Canada.

³²⁶ Greg Fenton. “Email to Robbie Ouellet.” May 30.

³²⁷ Robbie Ouellet. 2015. Interview with author, March 16.

³²⁸ Greg Fenton. “Email to Robbie Ouellet.” May 31.

³²⁹ Ibid.

Three matriarchs, my aunts Shirley Angus and Ida Pelletier, and my mother, Lena Ouellet, led the John Moberly family. While my mom spoke regularly to my auntie Ida, she was not interested in this public squabble and would not allow her name to be printed on the letter I drafted in consultation with, and on behalf of, my auntie Shirley and my mom Lena.

In this letter, we addressed Fenton's email that maintained we had evolved into the Upper Athabasca Elders Council. As this was not true for these Elders, they challenged Parks Canada's right to have a say on the issue. They also challenged Parks insulting rhetoric concerning the "evolution of the group," which resulted in it rescinding its offer to assist us in providing transport, and subsequently prevented us from obtaining our own transportation without the agreement from the UAVEC Communication Committee support for our event with the Haida. Elders Lena Ouellet and Shirley Angus were also very concerned that future talks with Parks must go through the Communications Committee. They believed these recent developments were inconsistent with the ministry's desire to reconcile with Aboriginal groups that have ancestral sites within National Park boundaries. In particular, they reacted to the fundamental shift in the key principles that had created the conditions for the families to work together in 2004.

The first principle was that all decisions would be the result of consensus-based decision-making. This principle was central to creating a unified voice among the families. Issues were to be discussed in Cree until everyone was okay with the decision. The use of Cree was not essential, however, achieving consensus in English would have required mentorship with Elders who are familiar with this method. The shift to a

Communications Committee resulted in decisions being made by majority rule, with a strong adherence to pleasing Parks officials. The second principle was that all decisions pertaining to particular sites would be left to the descendant family Elders.³³⁰

These principles were absent from the Upper Athabasca Elders Council's way of doing things, and as a result the John Moberly Elders did not support the Council or its legitimacy to determine what is done on the John Moberly site. They reminded Parks of an email they sent after learning of the name change well after the October 2010 meeting, which they did not attend: "It is also important to note that a name change cannot be enforced and if some Elders, especially those who are not present, want to keep the name, they can. In effect this may mean that a new group will be formed."³³¹ Subsequent to this email, Superintendent Fenton and members of the Communications Committee were also told in person that the Council of Elders of the Descendants of Jasper Park would continue. In addition, if Parks version of events was true, why did they respond to a request in March of 2011 from the supposedly defunct Council of Elders? The request made clear it came from the Council of Elders of the Descendants of Jasper Park. "This will be a Haida Nation and Council of Elders event."³³² Parks responded, on April 27, and agreed to accommodate the request to provide transportation:

I am pleased to confirm that my staff will provide boat transportation across the Athabasca River to accommodate the site visit. I look forward to receiving some numbers from you so my staff can work with you to determine final arrangements.³³³

³³⁰ The Council of Elders of the Descendants of Jasper Park. 2004. "Meeting." May. Private Collection of the author.

³³¹ Council of Elders of the Descendants of Jasper Park. 2011. "Email to Greg Fenton, Bill Fisher and Allen Latourelle." May 23.

³³² Richard Andre Ouellet. 2011. "Email to Greg Fenton, Allen Latourelle, and Bill Fisher." April 22.

³³³ Greg Fenton. 2011. "Email to Author." April 27.

In a letter to Parks Canada Officials on May 23, 2011, the Council of Elders of the Descendants of Jasper Park also expressed frustration because they had approached our relationship with the Haida in a way that is consistent with our culture. We are traders and have long welcomed Aboriginal people to the John Moberly homestead. Aboriginal groups such as the Simpcw were welcomed in the years before Jasper National Park was created. The Elders were adamant that it is not up to Parks or the new group to determine how we do so.

The Elders used the May 17 Upper Athabasca Elders Council Communications Committee letter to Guujaaw to highlight how we have been purposefully ignored. They highlighted the following paragraph in particular:

We have been participating in the “Cultural Planning Committee” from which protocols, events, and scheduling are being made. We feel that any other event or gathering on any of our traditional sites, involving the Haida people, is a direct violation of the protocols set. We would consider this to be a non-authorized encroachment on our traditional land by the Haida people. (Upper Athabasca Elders Council).³³⁴

They noted that the cultural planning committee is made up of the following people.

- Ken Groat – Ewan Moberly Descendant
- Howard Mustus Jr. – Alexis Nakota Sioux First Nation
- Danny McDonald – Aseniwuche Winewak Nation of Canada
- Joe Fromhold – Asini Wachi (Mountain Cree) Band
- Gary Ducommun – Métis Nation of British Columbia
- Jim Ochiese – Foothills Ojibway Society³³⁵

None of these people can rightfully claim the John Moberly homestead as their traditional land. Métis homesteads are small, defined areas occupied by particular

³³⁴ Council of Elders of the Descendants of Jasper Park. 2011. “Email to Greg Fenton, Bill Fisher and Allen Latourelle.” May 23.

³³⁵ Ibid.

families and therefore not subject wider claims of traditional territory by the Aboriginal groups who used the area. The Inclusion of Joe Fromhold is interesting as the claims at Jasper for his group are lacking in verifiable archival sources and his inclusion on the committee is likely a political appointment. The presence of the representative from the Métis Nation of British Columbia is confusing, considering the entire area of Jasper National Park is in Alberta. Ken Groat is descendant of Ewan Moberly and does not represent John Moberly. As a result, the Elders questioned why they are not recognize as the ones to determine protocols on the John Moberly site, especially for an event that was organized by them and not the Cultural Planning Committee. The Elders of the Moberly family had organized their event in a way that was consistent with their culture before the Cultural Planning Committee was created. The Elders felt that the issue was beyond the capability of the Jasper Field unit to rectify and believed they had highlighted why it is important to hire knowledgeable Aboriginal people to work on these kinds of things. Through their letter to senior Parks administration, they hoped that “things could be made right.” They felt that they were intentionally left out of the conversation for very dubious reasons.³³⁶

The Upper Athabasca Elders Council letter to Guujaaw on May 17 came two days before Parks told us of the decision to rescind its offer of transportation and insisting that the people who wrote the letter to Guujaaw represented the descendants of John Moberly. Elders Lena Ouellet and Shirley Angus thought the letter to Guujaaw from the UAVEC was rude and threatening and that it did not reflect their yearlong communication with the Haida. They concluded their letter to Parks:

³³⁶ Ibid.

The John Moberly Family warmly welcomes the Haida to our site and the pole to our territory. We find that the way Parks have been organizing the groups has resulting in this kind of communication and we do not accept that the people who wrote this letter represent us in anyway.

We request to be left alone to organize our event with the Haida. It is unfortunate Parks has decided to take this approach and it is our wish to hear why Parks is treating us in this way and why they have rescinded the offer to help with transportation.³³⁷

The letter remained unanswered, and I poked Bill Fisher, Parks Canada's Director General for Western Canada, on June 2, 2011, reminding him of this outstanding issue. Finally, on June 9 he responded to me, but the Elders who sent the letter and provided their contact information have never received a response to it directly. Fisher reiterated that Parks was only going to work with the new group by writing, "I support Mr. Fenton's decision."³³⁸ He then repeated that we should contact the Communication Committee, and made it clear that if we wanted anything from Parks we had to go through the Communication Committee.³³⁹

One of the things my family had talked about doing was making the story public and shaming the park into acting more respectfully. I received an invitation from Guujaaw about this time to attend the Pole Leaving Ceremony in Haida Gwaii on June 21, 2011. I am grateful to my good friend and fellow academic, Dr. Geoff Horner, for providing food and lodgings as well as introducing me to Jaalen and Gwaai Edenshaw.³⁴⁰ I was able to learn firsthand the significance of the Two Brothers Pole and connect with the families of the carvers. At the ceremony, I was invited by Guujaaw to speak – a huge honour – but also an opportunity to relay publicly and in front of

³³⁷ Ibid.

³³⁸ Bill Fisher. 2011. "Email to author," June 9.

³³⁹ Ibid.

³⁴⁰ Geoffrey Allen Horner, "Caminando Y Miando: A Reflection on Academic Practice" (PhD dissertation, University of British Columbia, 2013).

Superintendent Fenton why the trip across the river was so important. I acknowledged the three matriarchs of the John Moberly descendants, Ida Pelletier, Shirley Angus, and Lena Ouellet, and thanked the Haida for honouring us. I also asked for support in getting Parks to provide a permit to cross the Athabasca River.

When I returned to Vancouver, I relayed the same message in letters to the local papers, *The Fitzhugh* in Jasper, and *The Observer* in Haida Gwaii. This letter was published the last week of June 2011:

I am writing this letter to acknowledge and thank the people who welcomed me to Haida Gwaii when I visited from June 18 to 22. I am also asking for help in convincing the Jasper National Park administration to support a planned visit to the John Moberly site by Haida visitors and John Moberly descendants. I attended the pole leaving ceremony on June 21 after working for the past year to develop a relationship between my extended family (descendants of John Moberly) and the Haida people. I was honoured to be called on to speak and I made sure to acknowledge the Elders I represented, my mom Lena Ouellet, and my aunts Ida Pelletier and Shirley Angus. Together they are the matriarchs of the John Moberly descendants. I also talked about the warm welcome I had received and how grateful I was to have met the people associated with the Two Brothers Totem Pole. They made the trip so special and memorable, visiting with me, feeding me and sharing their culture with me. I look forward to seeing some of you in the town of Jasper, where my great Grandfather John Moberly had his trap line, which provided the resources to care for my grandmother Caroline Plante (Moberly), who was born in the park in 1900. This land still provides for many other families today.

The Two Brothers Totem Pole has resulted in Parks Canada working with Aboriginal groups to organize associated activities in and around Jasper. However, not all of the Elders of the descendants of John Moberly have been involved or informed of these activities. They have been organizing their own event; a site visit to the John Moberly homestead with the Haida visitors. Parks Canada has not been involved in the planning of this event but, for a time, they agreed to help us with transportation. However, this offer was rescinded when the matter was brought to a meeting of the Upper Athabasca Elders Council. It has been stated by Parks that the Elders organizing this visit must get a permit to cross the Athabasca River and they will not be given one unless the Upper Athabasca Elders Council requests it. This has put the Elders who are organizing this visit (Lena Ouellet and Shirley Angus) in an unfair position because people who are recognized as Elders on the Upper Athabasca Elders Council are not seen as Elders by the descendants of John Moberly. In effect, the younger generation is privileged over Elders and this is not our way of doing things. Bureaucratic inventions of how our family works have prevented our Elders from doing what is their right and what has always been done on the John Moberly homestead; to welcome Aboriginal visitors and develop new relationships with them.

We encourage the public to contact Parks to rectify this situation. The descendants of John Moberly will cover all costs if necessary; our Elders are asking that a permit be granted so that we may honor our Haida visitors on our homeland. The pole should represent a new era in Jasper where cultural traditions can continue and flourish. This will benefit everyone. We have worked hard to keep good relations with the people of Jasper and ask for their assistance in making this important visit possible.

Rick Ouellet,

*Descendant of John Moberly*³⁴¹

I believe this letter had the desired effect. Shortly after it appeared, Lena Ouellet received keys to unlock the gate that provided river access. We arranged for a rafting company from Grande Cache to take us across and publicly invited John Moberly descendants to join us, although none took us up on the opportunity. It was as if a collective fever had broken and clearer heads began to prevail. While Parks reluctantly allowed us to host our own event, it never again recognized the Council of Elders.

Despite ongoing tension and grandstanding within the family, the pole raising was done in the way Parks had intended. The ceremonial aspect did not include descendant families, even though we have our own traditions that could have been incorporated. The new group was tasked with pulling the rope that lifted the pole. They wore matching shirts with their logos and fit in well with the event. Afterward, a long list of Aboriginal groups was invited to speak and exchange gifts with the Haida. Many spoke of their claim to the park. They talked about areas they lived in and how this was land that at one point had belonged to them. As I watched, I began to understand why we had not been provided an opportunity to speak. The descendant families have a real and compelling claim to greater recognition than they are currently receiving. The story outlined in this work illustrates the unanswered questions and legal imbalances that

³⁴¹ Rick Ouellet, "Totem Pole Should Represent a New Era in Jasper," *The Fitzhugh*, June 30, 2011.

remain unresolved. The only participation from our families came from Emile Moberly, unilingual Cree speaker, Elder, and son of Adolphus Moberly. He sang a song that his grandfather Ewan Moberly sang as he left his homestead in 1911. To those who were familiar with the story it was very touching, although no further explanation was provided at the event. It was the perfect example of Parks' way of working with us. The hard parts of the story remained hidden from view.



6.1 Lena Ouellet and Guujaaw, July 13, 2011

© Rick Ouellet

It would be appropriate to say that the best and last day in the life of the Council of Elders of the Descendants of Jasper Park occurred on July 15, 2011. The Council of Elders was seven years and two months old. It had accomplished much, but its legacy will be the connection to the Haida and the lessons learned through the process of

organizing a ceremony between families. The ceremony also marked an evolution among the descendants of John Moberly. Those who joined the ceremony are forever linked to our ancestors who welcomed and created relationships with visitors. While the Haida were first contacted through the Council of Elders, our meeting quickly shifted to one between families. It was historic – the first time in more than a century that ceremony, trading, and gift exchanges occurred on our territory.



6.2 Lena Ouellet, Wanda Shepard, Shirley Angus, Guujaaw, Jaalen Edenshaw, Gwaii Edenshaw July 15, 2011

© Rick Ouellet



6.3 Visitors and Hosts at the John Moberly Homestead July 15, 2011 ©Rick Ouellet



**6.4 John Moberly's granddaughters Lena Ouellet and Shirley Angus at his Homestead
©Rick Ouellet**

Chapter Seven

Conclusion

I have presented this case study as a contribution to literature concerning Canada's long and evolving relationship with Indigenous groups. My particular focus has been on issues concerning Métis people, identity, and rights. While representations of Métis identity remain ambiguous in Canada, Métis rights have emerged through the *Powley* (2004) case, although a clear formula for locating and providing rights remains elusive. One of the key issues is the longstanding question, "Who are the Métis"? I address this question in light of attempts by academics such as Chris Andersen to narrowly define the necessary features of groups seeking recognition as Métis peoples.

From my perspective, Métis identity and rights in the Jasper area can be claimed by anyone who is a descendant of Indigenous peoples who were forcibly removed from the Upper Athabasca River Valley between before 1911. This is true for the Moberly, Findlay, and Joachim families evicted by order of the Privy Council in 1910. Their encounters with colonial authorities resulted in an imposed identity as "Breeds," which, in terms of recognition and rights discourse, is akin to the terms Half-Breed or Métis. This identity is an important aspect of my perspective, because it was the government who established the families' identity before acting against them, first through differential treatment compared to their non-indigenous neighbour at Jasper, Louis Swift, and later through colonial imposition on their lives after leaving Jasper National Park. There was no consideration of their connection to Red River at that time or any

record of their participation in the nineteenth-century nationalism that Andersen associates with Métis peoplehood or, for that matter, any Métis nationalism past or present.

I regard such discourse concerning the prerequisites for Métis identity as the bases of my disagreement with Andersen concerning the recognition of Métis in Canada. If colonial authorities identified groups as Métis, Breeds, or Half-Breeds upon encroaching on and taking over the lands these groups occupied, then these groups have a claim to the rights associated with Métis peoples. In addition, I believe that Métis occupy the liminal space between the hard boundaries of identity that shifted and emerged during the fur trade. The movement of populations during this period created many nuanced expressions within small-scale societies that in turn contributed to local histories. Andersen's view that Métis people are linked to the nationalism that stemmed from Red River in the nineteenth century ignores the regional agency of Métis ethnogenesis. It is also Eurocentric in that it assumes that a nationalistic pride as Métis is a necessary cultural feature.

What is difficult to determine is the sense of identity that the residents of the Upper Athabasca and surrounding region felt. The narrow categorization of Indigenous identities in the region, including Métis, does not reflect the tremendous amount of mixing that took place among a wide range of cultures. This mixing includes the influence of Iroquois who were well-versed in alliance building and had already converted to Catholicism. In many ways, the overarching cultural aspect that linked these groups was peaceful relations and the ability to maintain such relationships over time. Respect and ways of building alliances and partnerships were key features that

included blending of lifeways. The vast changes in mobility patterns that came with the fur trade provided the impetus for the particular cultural expressions that occurred. However, the identity created through these relationships was very fluid. Illuminating the features that made this community Métis will also reveal counterpoints. In essence, the Métis identity of the evicted families largely exists from the imposed category of Half-Breed that came with the first government contact.

First contact between the Moberly, Findlay, and Joachim families living in the Upper Athabasca came with a notice that they were to be evicted from the area. Although, archival documents reveal a well-established method of removing communities, while claiming conservation as the reason. The eviction came by way of an Order of the Privy Council, which included compensation for improvements made to the land they occupied. The oral promises made by forestry Superintendent McLaggen were never acknowledged by government officials, and McLaggen himself left the area shortly after removing the Métis residents. The difference in treatment for the Indigenous residents as compared to Louis Swift is clearly evident in archival documents, especially as this was carried out after the establishment of a R. N. W. M. Police detachment on his homestead.

The post-eviction life of Ewan Moberly reveals continual harassment by government officials, but more importantly for his descendants, his belief that he had been given assurances that he could live outside of the park limits without interference from authorities. This belief established a central aspect of the internal narrative of the Cree-speaking community, who avoided authorities through the use of patrons. In this way, outstanding issues stemming from the eviction in 1910-11 have become a feature

of the identity of the community. The evictions represent an essential piece of history. If reconciliation is to happen with these evicted families, a clear acknowledgement of mistreatment must also be given. The eviction story must include both available documentation and oral history. Without both, the historic wound will continue to fester among those descendants who remain aware of the story.

Ewan Moberly never took scrip or acknowledged any deferment to the government after leaving the park. Even as he spearheaded a claim for compensation and ultimately to be left alone, he did not identify as Indigenous but based his claim for justice on landownership. If the development of Métis rights is to adequately create a platform for people with outstanding claims resulting from colonial activities, these features that highlight the fluid nature of identity must be incorporated. The current state of Métis recognition relies on an individual having ties to a historic community, identifying as Métis, and being seen as such by the contemporary community. In the case of the upper Athabasca the current model creates problems.

The creation of the Mountain Métis raises questions when examining the development of Métis rights in the area. Because the group only includes some of the evicted families in their narrative, it does not represent all the Métis families. This limitation raises the question of who are the contemporary Métis that are able to provide recognition to those seeking Métis rights. Are groups that are organized with offices and provincial funding the bodies that should be tasked with doing so? If so, can these groups also block access to Métis rights for those who are politically distant from them? Are Moberly descendants who continue to live as contemporary Métis, yet

remain averse to local Métis organizations, blocked from becoming rights-bearing Métis?

Current access to Parks through regular meetings is facilitated by archaeological and documentary evidence that confirms our story – that we were there and were evicted through a process that welcomed non-Indigenous settlement at the expense of the Indigenous families that occupied desirable land. Métis rights need to address such historic malfeasance as a matter of justice and not become watered down by strict tests of Métis identity. In the case of the Upper Athabasca, issues of Métis identity and the unrecognized rights that emerged as government officials removed the families and engaged in mistreatment based on an imposed Half-Breed identity remain outstanding.

The eviction story provides compelling evidence, and Parks has little choice but to meet with descendants on some level. However, the way that this relationship has evolved reveals the distance between the emergence of Métis rights and the way those rights are eliminated at the micro-bureaucratic level. In the case of contemporary descendants of the evicted families, Parks has copies of the documents provided in this study yet continues to present the history of the descendant families in a way that hides the racially-motivated actions that saw Indigenous residents removed, while Louis Swift remained. The evidence reveals intentional malfeasance by the crown. Making Swift a crown authority, allowing his claim to advance while denying that of the “Half-Breeds,” and hiding the story for fear of public reprisal, indicates that the evicted families were mistreated and still have unresolved claims in the park. However, as these claims were negotiated after 2004, contemporary bureaucrats in the Jasper Field Unit engaged in a process of formalizing fluid concepts of identity and governance. As Miller

(2003) reveals, this process of “death by accountants” is common and global.³⁴² Close analysis of contemporary relationships between Métis groups and micro-level government agencies reveals the problems that come with imposing a Métis Identity that is stagnant. The lack of fluidity that “Métis” has come to represent in places such as Jasper National Park allows for ethnocide. The response to ethnocide and issues that result from identity manipulation are an important feature of the Métis society illuminated in this study. One of the key responses that has a long history among the community is the preference for remaining nameless.

The maintenance of namelessness is an interesting feature of this community. It is a longstanding strategy most eloquently displayed to me during the early meetings of Elders belonging to the Council of Elders of the Descendants of Jasper Park, who, at that time, were children and grandchildren of the evicted families. As I struggled to capture their thoughts in English, the back-and-forth revealed much about this particular cultural expression. Many stories were tragic. Family histories document the sharp decline from what barristers Short and Cross described as “Native Aristocracy”³⁴³ to severe marginalization and relegation to the lowest rungs of encroaching Canadian society. All the stories, however, are tempered with resistance and the ability to subsist on the edges of power wielded by authorities often regarded as immoral, unintelligent, and humourless. The stories also included the many instances where alliances with patrons resulted in freedom from authorities. For example, this Indigenous society is one of the few in Canada that did not witness the forced removal of children to

³⁴² Bruce Miller, *Invisible Indigenes*.

³⁴³ Short, W. M., and C. W. Cross. 1916. “Letter to the Department of the Interior from Barristers W. M. Short and C. W. Cross.” Library and Archives Canada, RG 84 A-2-a VOL1471 File J16 pt2.

residential schools, made possible through alliances with Archbishop O’Leary and parish Priest, Father Beaudry, who told R. H. Palmer that he believed the Métis version of the eviction story.³⁴⁴ It was also revealed to me, through history telling at an Elders meeting, that Madeline Moberly had loaned the Catholic diocese in Edmonton \$5000.00 in 1918 to build a church in Jasper. She obtained the money from the estate of her husband, Ewan Moberly, who had withdrawn it from the bank shortly before his death.

This history of rejecting categorization in exchange for freedom from authorities makes it necessary to include avoidance of colonial intrusion as an important aspect in the construction and understanding of Métis identity in the Upper Athabasca. Localized Métis systems of governance, decision-making, and respect developed to maintain internal cohesion. The community did not consider outside concepts of identity important and focused on relationships that aided their freedom. From the perspective of Felix Plante, Indigenous identities are associated with negotiated agreements that are honoured by the government, and this has yet to happen to us.

7.1 Elders organize

The 2004 organization of family Elders into the Council of Elders of the Descendants of Jasper Park marked a shift in the willingness of the community to engage with government officials. Initially the relationship was productive. Consensus decision-making took place at Elders meetings and each family represented their own historic homestead. Issues were discussed thoroughly in Cree, and after decisions were

³⁴⁴ Palmer, R. H. 1922. “R. H. Palmer Report.” Library and Archives Canada, Library and Archives Canada, RG 84 A-2-a VOL1471 File J16 pt2

made I translated the words of the Elders into English and provided them to Parks. By all accounts this method of working partnership was very successful; Superintendent Ron Hopper recalled how impressed his ministry was with our way of working together. Then Minister of the Environment Stéphane Dion wrote a letter (included in my 2005 MA Thesis) acknowledging this fact in 2005. While we agreed on the need to negotiate the way our history is depicted in the park and to strive for a better presence that more accurately spoke to our time in the Upper Athabasca River Valley, we disagreed on the story of the eviction. This disagreement eventually began to break down the systems of respect that had made initial meetings productive.

Disagreement over the eviction narrative centred on the existence of unrecognized rights. Even though Parks has copies of the documents presented in this research, they have avoided changing their version of the eviction story and the glaring difference in treatment between the Moberly, Joachim, and Findlay families and that of Louis Swift. The reason for their avoidance of the eviction issue came to the surface once the more urgent issue of the Kinder Morgan pipeline construction became a priority. It was then that we learned how very limited our ability to negotiate with Parks really was, and that the systems of respect were not maintained once outside interests were involved. The letter from the Department of Justice, by way of Superintendent Hopper, laid out the government perspective. Any rights that resulted in a true partnership would have to be won through the courts, something that is not currently within our ability to fund. This moment in our relationship with Parks marked a dramatic shift. No longer were meetings productive. Things slowed to a crawl, and

Parks began meeting with and talking to family members outside of formal settings, while at the same time questioning the ability of the families to speak as one.

Superintendent Hopper retired followed the Kinder Morgan construction leaving a legacy of closing opportunities, especially to outside interests. His replacement, Greg Fenton, continues this approach. Initially Fenton wanted the Elders to meet with other groups claiming a connection to the Upper Athabasca. A sustained effort resulted in the continuation the meetings between the Elders Council and Parks. However, the meetings had changed in tone, and Parks consistently tried to identify and include all the possible Elders of the descendant families. The shift also occurred as the role of Elder changed to include non-Cree speaking descendants of the succeeding generation. The specific changes that are of interest to this study are threefold. First, the abandoning of culturally-based consensus decision-making in favour of majority rule; second, the creation of a Communications Committee whose function was to manage access and input from evicted families to micro-level officials at Jasper, while also allowing Park officials to speak on behalf of the families to outside interests; and three, the omission of the eviction narrative through the elevation to Elders of a younger generation who do not know the story, even though they are not seem as Elders by their own families. These changes have eliminated the ability for the community to govern itself when working with Parks. The significance of these changes relate directly to recreating and reframing the identity of the community to diminish their ability to discuss outstanding rights at Jasper.

Despite these changes, the few Cree-speakers who attend meetings do not begrudge the current situation. The Elders are perfectly comfortable and able to persist

within a fluid framework regardless of authoritative attempts to undermine them. Once systems of respect and consensus-decision making waned, and the function of meetings changed, and these changes simply became part of the Cree narrative. Meetings are happening, yet they are more get-togethers than a place to address outstanding issues. Parks is being nice and friendly, but nothing of substance is discussed. Rather than ending the long-standing grievance concerning eviction, Parks has only managed to provide another chapter in the contemporary Cree narrative that has long discussed the evolving colonial approach to our society.³⁴⁵

7.2 A Legacy Fades

The current state of relations between evicted Métis families and Jasper National Park has returned to one of limited engagement and manipulation of the ethnohistory presented in the park. This stasis has meant a resurgence of Métis groups that have government recognition. The Mountain Métis, in particular, began to rebrand their public presence by removing the harsher aspects of the eviction to the point of working against their own history in order to obtain favour from park officials. While this approach should not be a requirement for accessing resources, it seems to be a successful strategy as park officials adopt an approach that marginalizes groups that do not follow a pre-ordained narrative. In 2011, Parks Canada announced funding to enhance its relationship with Métis groups:

This funding of \$4.25 million over 5 years allows Parks Canada to work with Métis communities and organizations to implement approximately 18 projects that celebrate Métis history and culture while at the same time build on our ongoing relationships with Métis communities. They also help preserve Métis history and culture and increase Canadians' awareness of this important aspect of our heritage through public education

³⁴⁵ Lena Ouellet. 2015. Interview with author.

programs at these national parks and national historic sites in western and northern Canada.³⁴⁶

The “Métis of the Upper Athabasca Valley” were provided \$541,100. “The objective of this project is to proactively enhance the relationship between the Park and the Métis who have historic ties to the area through a program of activities.”³⁴⁷ Staff working on the Aboriginal file in the Jasper National Park Field Unit chooses program activities, using this fund to hire non-Indigenous personnel who manage the relationship with the unrecognized groups and privilege those whose story is uncontroversial. At the same time, Parks promotes a commitment to reconciliation activity.

It has taken over a century for Parks Canada and Aboriginal peoples to come to terms with that history of dispossession and to take steps to reconcile with the past. For some, reconciliation has required formal ceremonies, sweat lodges, songs, offerings and prayers of forgiveness that have allowed both the park and the communities to join together again. For others, renewed trust has developed from the Jasper Aboriginal Forum created in a spirit of healing and reconciliation. The forum is helping to reintegrate dialogue, sharing and gathering of all Indigenous peoples with past links to the park.³⁴⁸

Attempts at conducting such ceremonies with all groups that have claims in Jasper have not been successful, although this does not appear on the Parks Canada Website. Despite the public narrative, the success of Jasper National Park in reconciling with Aboriginal partners is very limited. Incorporating Aboriginal people into existing management structures rather than seeking a collaborative process obscures the

³⁴⁶ Parks Canada. “Parks Canada Works with Métis Groups in Western and Northern Canada to Preserve and Celebrate their Rich Heritage.” Accessed February 2, 2015. http://www.pc.gc.ca/APPS/CP-NR/release_e.asp?bgid=1496&andor1=bgq.

³⁴⁷ Parks Canada, “Working Together: Our Stories Best Practices and Lessons Learned in Aboriginal Engagement,” February 16, 2015. <http://www.pc.gc.ca/eng/agen/aa/te-wt/chap01.aspxx>.

³⁴⁸ Ibid.

³⁴⁸ Ibid.

political and economic dimensions of the marginalization of Aboriginal groups and, as a result, reinforces existing inequalities.

While the meetings with the Council of Elders of the Descendants of Jasper Park seemed like an important step for the evicted families reclaiming access to Jasper Park to develop and protect heritage sites after 2004, it did not last long. After the demise of the Council of Elders of the Descendants of Jasper Park in 2011, the MNA began to re-establish its presence in Jasper. On June 20, 2015, Audrey Poitras was invited to provide the keynote address at the Jasper Aboriginal Days celebration. “Our ancestors shared this land, its resources, our medicines, our water routes and our traditional skills. The strength and the wisdom of our ancestors was key to the development of the Canada that we know now.”³⁴⁹ This speech is an excellent example of Parks using an altered version of ethnohistory to frame Métis identity and marginalize the existing outstanding rights in the area of evicted Métis families.

The Upper Athabasca Valley Elders Council Communications Committee has continued to do the dirty work of micro-level Parks authorities. In 2013, the lack of activity concerning Métis claims in Jasper compelled Elder Lena Ouellet to once again attend a meeting representing the John Moberly family. Her concern was the elevation of younger descendants to Elders, who then used their numbers to advance the wishes of Parks. At the fall 2014 meeting, Ouellet demanded that the younger Elders defer to senior Elders and learn from them the protocols relating to decision-making and respect. She also appointed herself to the Communications Committee and sought to restore the traction that had existed in the years after 2004. However, her work was

³⁴⁹ Nicole Veeman, “Jasper celebrates National Aboriginal Day,” *The Fitzhugh*, June 30, 2001.

abruptly stopped when she received a letter from the Upper Athabasca Valley Elders Council communications Committee on June 27, 2015. The letter advised that during the May 10, 2015 Meeting, one that she was not able to attend, "...a decision was made to remove you as a member of the Communications Committee...the decision was necessitated because of your non-participation."³⁵⁰ The accusation of non-participation is misleading as the next paragraph outlines the real issue: "The members of UAVEC have also been made aware that you have been taking liberties in contacting Jasper National Park and other government officials...at no time was any of your correspondence...approved by UAVEC. We ask that you cease and desist any and all communication."³⁵¹ The true role of the new group, recognized as representing the evicted families, is evident. The fact that Lena Ouellet is an Elder of the John Moberly Descendants and, as such, should have a voice in any group representing this family is completely ignored. The letter concludes, "Jasper National Park officials as well as other Government officials have been notified that you in no way represent UAVEC and IN FACT (emphasis original to letter) none of your thought, opinions or concerns are a reflection of UAVEC."³⁵² This recent letter demonstrates that the shift to the Upper Athabasca Elders Council removed the way decisions are made and eliminated the protocols of respect. As a result, the culture represented by the UAVEC is not present among the membership working with Parks. The group exists to marginalize and threaten members who challenge the authority of Parks Canada to define existing rights for Métis in Jasper.

³⁵⁰Upper Athabasca Valley Elders Council. 2015. "Letter to Lena Ouellet." June 27. Private collection of Lena Ouellet.

³⁵¹ Ibid.

³⁵² Ibid.

The manipulation of the identity of the evicted families as they exist through the recognition of Parks Canada has eliminated rights discourse. This “evolution” of the Elders group came during a major moment of commemorative heritage at Jasper. The raising of a Haida totem pole in the park required buy-in and significant contribution from Indigenous groups that had claims and histories in the Upper Athabasca. On the one hand, this event forced Parks to further its relationship with groups that had a very limited presence in Jasper, and on the other, it challenged Parks willingness to publicly admit that a troubled history exists for this Métis group. The use of pre-existing management structures to incorporate Indigenous perspectives on this event quickly alienated many groups, including the Council of Elders of the Descendants of Jasper Park. The subsequent change to the Upper Athabasca Valley Elders Council relied on officials providing access to participation in the commemoration of the Two Brothers Pole in Jasper. The control of a commemoration that responded to visitor experience had become the focus of the relationship, and the Elders group became preoccupied with maintaining their access to authorities rather than pursuing redress to instances of historic injustice.

7.3 A way forward

The heavy toll that small Indigenous groups pay as a requirement for acquiring access to local authorities is troubling. However, as local Métis societies continue to gain traction in Canadian society they will benefit from alliances with Indigenous thinkers and theory. In my view, such alliances represent the best chance for advancing hidden histories of small-scale Métis societies. The experience of the John Moberly family

working with the Haida provides an excellent example of a way forward. The initial objective had been to work out protocol and respectful relations with the Haida during the raising of the Two Brothers Totem pole in Jasper. However, we quickly realized that the Haida had a different approach to dealing with Government officials. We learned the value of proactive alliance building. The pole raising was only a small part of our new objective. The importance of the ceremony on John Moberly's homestead will resonate for generations, because we are the keepers of this history and our objective is to expand awareness beyond the confines of meetings with Parks. Our story is a human story, one of peace and mutual benefit, and that story can continue as long as we maintain our way of doing things. This new understanding of our history and role in preserving and promoting it is one of the significant takeaways from this event.

Another aspect of Indigenous theory I encountered through my discussion with Haida friends is the importance of creating solutions, rather than waiting for them. Participating in binary discussions that lead to yes or no actions without considering alternatives is a common approach at meetings and a common feature of our relationship with Parks once the outside became privy to our work. Our ability to navigate the very tense days prior to the pole raising were aided by discussions with Guujaaw. The discussions were not advisory, but rather they informed us of Haida approaches to the government/Indigenous relationships, in particular, embracing public perceptions that have the ability to push local authorities once they are exposed as being misguided. The power that comes from this perspective lies in the ability to build alliances that agree with your objective.

Indigenous theory, as developed by Glen Coulthard in *Red Skin, White Masks*, is also valuable in identifying and assessing ways to reconcile relationships between Indigenous communities and the state. “Today this processes will and must continue to involve some form of critical individual and collective self-recognition on the part of Indigenous societies....”³⁵³ I believe this is a key component in creating a relationship at Jasper that manages the historic parcels of land in a way that resonates with descendants. Once this is achieved, “...the understanding that our cultural practices have much to offer regarding the establishment of relationships within and between peoples and the natural world built on principles of reciprocity and respectful coexistence.”³⁵⁴

I believe this approach can also facilitate a way forward and serve to unblock the stagnation that has slowed the relationship in recent years. Backroom negotiations that result in a singular narrative or activity designed to represent all descendants of evicted families are misguided. Transparency and public discourse are the way forward for my society. This fascinating history at Jasper is a Canadian story and should not be rewritten for the sake of meeting the limited abilities of local management. Like other Métis and Indigenous groups with similar struggles, we are not going away and will not stop retelling our story, because it makes us who we are, and we are proud of our resilience and willingness to engage in good relations.

³⁵³ Coulthard, *Red Skin, White Masks*, 48.

³⁵⁴ Ibid.

Daniels v. Canada

On April 14, 2016, the Supreme Court of Canada rendered its Judgement of the *Daniels v. Canada* (Indian Affairs and Northern Development) case.³⁵⁵ It affirmed that the responsibility for Métis and non-status Indians are included in Section 91 (24) of the Constitution Act, “Indians and Lands reserved for Indians”.³⁵⁶ The ruling found that the term “Indians” as it applies to s. 91 “is a broad term referring to all Indigenous peoples in Canada, including non-status Indians and Métis.”³⁵⁷ The decision also addresses the issue of Identity. “There is no consensus on who is considered Métis or a non-status Indian, nor need there be...Some closely identify with their Indian heritage, while others feel that the term Métis is more reflective of their mixed origins”.³⁵⁸

It is interesting that the Aseniwuche Winewak Nation of Canada (AWN) submitted an oral argument indicating that “excluding non-status Indians from the first declaration would send them “back to the drawing board.””³⁵⁹ As one of the groups emerging from the extensive mixing of cultures in the Upper Athabasca, they fall into the category of non-status which have never been recognized. The particular twists in local history also created the Mountain Metis and families represented through Elders Councils. The *Daniels* case provides an opportunity to allow for these competing groups to begin working toward mutual alliance.

³⁵⁵ Judgements of the Supreme Court of Canada. “*Daniels v. Canada* (Indian Affairs and Northern Development).” <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/15858/index.do>.

³⁵⁶ *Daniels v. Canada* (Indian Affairs and Northern Development). (2016). SCC 12. (3). <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/15858/index.do>

³⁵⁷ *Ibid.*, (6)

³⁵⁸ *Ibid.*, (17,18)

³⁵⁹ *Ibid.*, (20)

The Canadian government in the 20th century relied on an approach that sought to narrowly define the rights of Indigenous peoples. This approach in turn created the conditions for front-line government agencies, such as the Jasper National Park Field Unit, to control and define government-Indigenous relations, especially among groups whose rights were unclear due to their identification as Métis or non-status Indians. The result, in the case of Jasper Park, has been a muting of known history and complex relations.

One of the outcomes of the Daniels ruling may be a shift in these underlying attempts to narrowly define how governments engage with Métis groups. The *Powley* decision, which included the requirement to be accepted by the contemporary Métis community, is an example of the restrictions placed on Métis recognition. The *Daniels* Judgement addresses this aspect of *Powley* and determines that:

The criteria in *Powley* were developed specifically for purposes of applying s. 35, which is about protecting historic community-held rights: para. 13. That is why acceptance by the community was found to be, for purposes of who is included as Métis under s. 35, a prerequisite to holding those rights.

This clarification represents a significant shift in Métis-government relations. The benefit of *Powley* to groups such as the Métis in the Jasper Grande Cache region, was the ending of the ambiguity over the existence of Métis rights. *Powley* was a key factor in the creation of The Council of Elders of the Descendants of Jasper Park, although the particular circumstance of their relationship with the local authorities at Jasper was not addressed by the *Powley* decision. The *Daniels* decision clearly addresses the role of the federal government in holding the responsibility for Métis who have been unable to access a functional relationship with government officials, such as those descendant

from the upper Athabasca river valley. In particular the concerns over the aspect of the Powley decision that required community acceptance:

Section 91(24) serves a very different constitutional purpose. It is about the federal government's relationship with Canada's Aboriginal peoples. This includes people who may no longer be accepted by their communities because they were separated from them as a result, for example, of government policies such as Indian Residential Schools. There is no principled reason for presumptively and arbitrarily excluding them from Parliament's protective authority on the basis of a "community acceptance" test.³⁶⁰

As local bureaucracy evolves at Jasper, there is hope that the Aboriginal file will begin to respond to the new obligations laid out by *Daniels v. Canada*. A renewed relationship with the Métis at Jasper is more likely to occur with an inclusive approach. The rights that are outstanding for Métis and non-status Indians at Jasper should include, management of historic sites and a move to develop depictions of the human history in a way that is inclusive of the significant archival documentation, including the treatment of the Moberly, Findlay and Joachim Families. This does not mean a separate relationship, but rather, a template for engaging with the micro-bureaucracy in the co-management of known historic sites. The relationship between indigenous descendants at Jasper and the front line government bureaucracy should reflect the intent of *Daniels*.

The changing relationship between Canada and Indigenous groups is largely negotiated through relationships at the local micro-bureaucracy. It is imperative that lofty declarations from the Supreme Court find their way to the front line of the relationship.

³⁶⁰ Ibid., (49)

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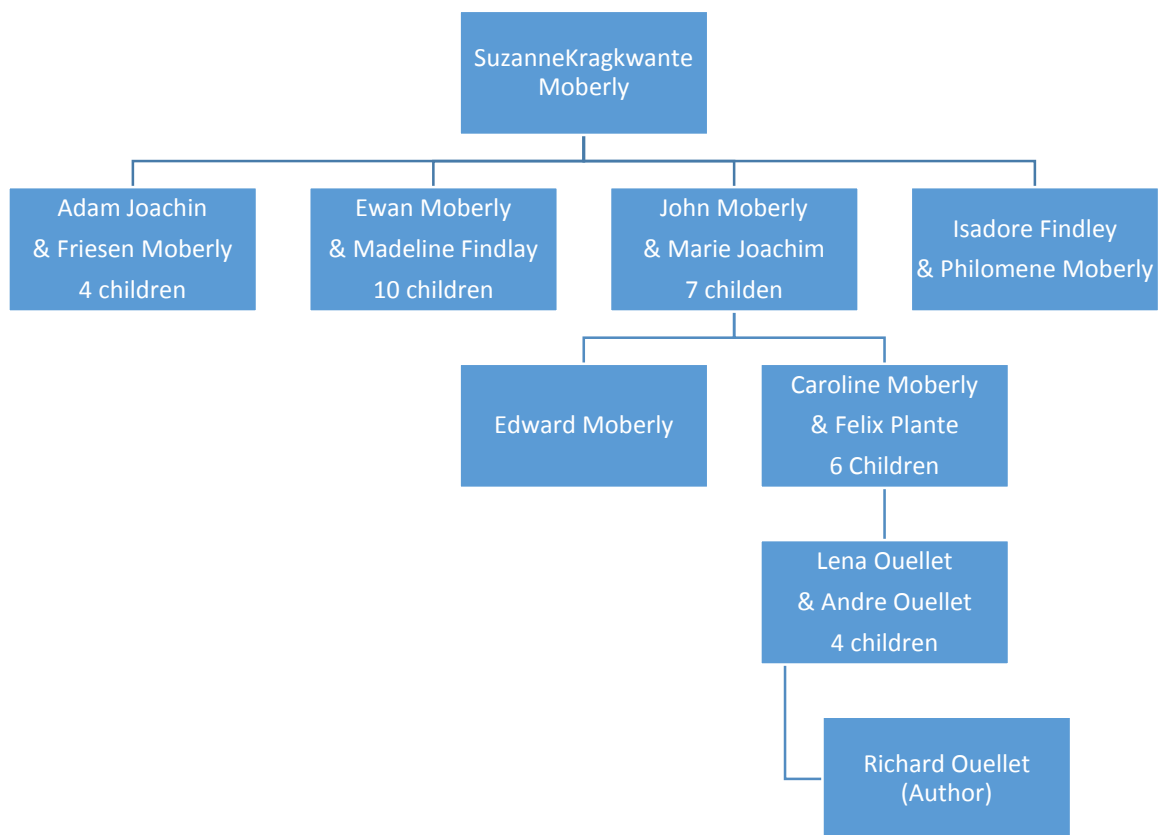
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Four Metis Families at Jasper (1909)



Oral History Report

Six Elders represented *The Council of Elder of the Descendants of Jasper Park* in the oral history gathered for this report. The information contained in the Leadership & Governance, History, and Recommendation sections of this report is representative of the collective voice of *The Council of Elders of the Descendants of Jasper Park*. The following excerpts are taken from extensive oral interviews conducted by translator Lena Ouellet, in Cree and translated to English for the purpose of this report, with six Elders who were chosen to speak on behalf of the other Elders.

Q. Who were Adam and William?

A. Emcie Moberly: Adam was my dad, he died April 1st 1959.

A. Mike Moberly: William was my uncle, my dad Adolphus Moberly's younger brother. My dad died when I was 13 and the stories I know were told by my aunt Adelaide who lived to the age of 104 and was born in the area known today as Jasper Park. William died in 1945. He was married three times and has 1 living daughter Victoria Moberly.

A. Emile Moberly: My dad was Adolphus Moberly, William Moberly is my dad's younger brother they also had 8 other brothers and sisters.

A. Charlie Delorme: Adam is my Grandfather, my mom's dad; William was my Grandmother's older brother.

A. Jane MacDonald: Adam and my Grandfather are first cousins. My husband Frank is William's nephew. William's last wife was my great aunt.

A. Helen Hallock: Adam is my Grandfather. William is Adams brother-in-law. At Adam's site there are three of his sons buried there. The graves were close to the house.

Q. How did they end up living in Jasper?

A. Mike: They lived in the Jasper area because it is nice and there are lots of animals for food and good trapping.

A. Emile: Because that's where my great-Grandmother Suzanne Kwaragkwante Moberly raised her children Laloose, Ewan, John and Alex.

A. Charlie: Nice place, good trapping, good hunting, lots of berries.

A. Jane: The hunting and trapping was good and they could make and obtain everything they need to have a good life.

Q. What was their life at Jasper like, what kinds of things/work did they do?

A. Emcie: Adam was guiding, trapping and hunting.

A. Emile: They trapped a lot and hunted a lot. Everyone was self-sufficient. Latter they guided in the area. They farmed and had numerous cattle and horses.

A. Helen: Trapping, hunting, they made their own clothing and they used every part of the animal. They also farmed and had numerous cattle and horses.

Q. Why did they move?

A. Emcie: They were evicted from the new park.

A. Emile: They were told to leave after negotiating with the government and moved.

A. Charlie: They were kicked out by the government.

A. Jane: I heard that they were kicked out.

A. Helen: The white man wanted the land because it was nice. They got kicked out, their guns were sealed and they were forced to move.

Q. What did you think of the pipeline going through the sites in 1952?

A. Mike and Emcie: I did not know about it.

A. Charlie: I think they may have hit some of the graves then and did not say anything, maybe that's why we were not told.

Q. Did anyone tell the families when it was built?

A. Emcie: Nobody told my family at that time, although my dad (Adam Joachim) was still living.

A. Mike: As far as I know none of the families were told about the pipeline.

A. Emile: Nobody was told.

A. Charlie: I don't remember anybody being told about the pipeline.

A. Jane: I never heard if anyone was told, also at that time (1952) everyone spoke only Cree so they would not understand in any case.

A. Helen: Nobody was told about the pipeline in 1952. There were only Cree speakers at that time (1952).

Q. What do you think of the pipeline going through the sites now?

A. Emcie: I don't like it especially because three of my brothers are buried there and I am concerned that they find and preserve the graves before they dig the pipeline. This is very important to me.

A. Mike: I don't like further disturbing the sites, but I don't think it can be stopped. I would like to see the graves and building sites protected. The stake marking the pipeline shows that it would go right through William's house, the line should miss the buildings and graves, this is very important.

A. Emile: I don't like the pipeline going through the sites, but if it has to happen the cabins should be rebuilt and graves identified and the pipeline moved so it does not disturb them. I feel strongly that the cabins should be rebuilt so a healing could happen for the older people who remember those that lived there, also future generation could learn the story and have healing and strength from their heritage.

A. Charlie: I don't like the pipeline going through, but it will probably happen. I would like them to avoid the buildings and graves. I would like to see them use the machine (GRP) to find the sites. I know that three of my uncles are buried in the area. The line is planned to go through William's site, but they can bend anything nowadays so they could avoid further hurt to us. My Grandfather also had two houses, and a least three graves.

A. Jane: I don't like how they did it in 1952 when they did not care if they disturbed houses or graves. If they are going to do it now these things need to be taken care of in a respectful way. They need to make sure the pipeline goes around the houses and graves and they need to compensate by paying for rebuilding the cabins. They need to recognize our concerns because we are the people with the stories told by the people who lived at the sites.

A. Helen: I don't like the pipeline going through, but it cannot be stopped. Kinder Morgan needs to work with us. My fear is that the graves of my uncles were disturbed in 1952. Kinder Morgan needs to help us find the grave sites.

Q. What would you recommend Kinder Morgan do to compensate for disturbing the sites?

A. Emcie: I want Kinder Morgan to look for the graves from the east end of my dad's property to the west end of William Moberly's property, I would also like to have my dad's and the other houses built for our family's and for visitors to the park to know that we lived there and this would allow the oral history to be told.

A. Mike: All the cabins should be rebuilt, especially Adams and William's and Adolphus, they should also use the machine (GPR) to find all the graves.

A. Charlie: The cabins have to be rebuilt and the whole area must be surveyed with the machine (GPR) with some of the Elders directing survey on the sites.

A. Helen: They definitely need to rebuild the cabins, the hurt has been there since 1952 and they need to compensate so we can heal, much like the way Parks is working with us. It would not only heal us but heal our children and future generations.

Q. Anything else you would like to add?

A. Emcie: There are still four of Adam Joachim's daughters living and many Grandchildren and great Grandchildren that could help with reconstructing the site. I think the families should help rebuild and I would go as a consultant.

A. Mike: The younger generation should help with the reconstruction of the buildings.

A. Charlie: I would like to see the cabins rebuilt with the young people under the direction of the Elders. I for one know how to dovetail and construct cabins and would be willing to show the young people how to do it.

Jane: I would be very happy to see that there are listening to us and that they are helping us, I would very much like to see this long hurt finally healed. The people born there are gone and the descendants can start healing.

Compensation

As the words of the interviewed Elders indicate, the community of descendants of the sites is proposing a partnership with Kinder Morgan. The elder's will agree to permit the use of the Adam Joachim and William Moberly sites if Kinder Morgan agrees to fund the reconstruction of one cabin on each of the three sites – Adam Joachim, William Moberly and Adolphus Moberly sites - built in the traditional style under the direction of Elders by descendants of the Joachim and Moberly families. Kinder Morgan is also encouraged to promote the partnership as an example of working respectfully with Aboriginal people.

In order to facilitate this proposal some work will have to be done between The Council of Elders, Parks Canada and Kinder Morgan, however, the Ewan Moberly site was constructed with similar collaboration and the Elders hope to employ that formula in the reconstruction of the other sites associated with their community. They are prepared to adhere to the proper channels required when undertaking such a project within a National Park and would like to have the ability to offer non-government funding when negotiating the reconstruction of their ancestral cabins. Kinder Morgan will be a financial partner, thus recognizing the importance of the sites and creating residual benefits to the Aboriginal community, the Park, and to visitors to the Park. As well, the area is a proposed site for educational purposes, for school groups and with the intended collaboration, the history can be shared with others and continue to be passed down to future generations.

Appendix C

October, 2010 Membership

Upper Athabasca Valley Elders Council:

Linda Countryman (Elder) / Descendant of Ewan Moberly
Charlie Delorme (Elder) / Descendant of Adam Joachim
Mary Delorme (Wife of Walter Delorme, Elder)
Ray Delorme (Son of Walter Delorme, Elder)
Dale Desjarlais (Elder) / Descendant of John Moberly
Marcella Grainger (Elder) / Descendant of John Moberly
Dusty Groat (Elder) / Descendant of Ewan Moberly
Ken Groat (Elder) / Descendant of Ewan Moberly
Wendy Groat (Elder) / Descendant of Ewan Moberly
Helen Hallock (Elder) / Descendant of Adam Joachim
Hilda Hallock / Cree Translation, Descendant of Adam Joachim
Josephine Leavitt (Elder) / Descendant of John Moberly
Emil Moberly (Elder) / Descendant of Adolfus Moberly
Ida Pelletier (Elder) / Descendant of John Moberly
Ron Pelletier / Descendant of John Moberly
Robert Plante (Elder) / Descendant of John Moberly
Michele Plante (Elder) / Descendant of John Moberly

Among elders of the Upper Athabasca Elders Council in October 2010, only Charlie Delorme, Helen Hallock, Emil Moberly and Ida Pelletier would be considered elders by The Council of Elders of the Descendants of Jasper Park.

October, 2010 Membership

The Council of Elders of the Descendants of Jasper Park

Shirley Angus (Elder) / Descendant of John Moberly
Lena Ouellet (Elder) / Descendant of John Moberly
Gloria Findlay (Elder) / Descendant of Isadore Findlay
Alfred Findlay (Elder) / Descendant of Isadore Findlay
Richard Ouellet / Descendant of John Moberly
Robbie Ouellet / Descendant of John Moberly
Jackie Bertoncini / Descendant of John Moberly