

Unresolved Legacies:

Aboriginal Food Production Landscapes, Ecosystem Recovery Strategies & Land Use Planning for Conservation of the Garry Oak Ecosystems in South-Western British Columbia¹

In Canada, aboriginal legacies in landscapes and their implications for land use planning for biodiversity conservation remain poorly acknowledged. Similarly, inter-cultural conversations on values about and priorities for biological resources and habitat protection remain under-developed. This essay begins with a rhetorical question. Will it be possible to forge successful ecosystem recovery strategies, to maintain all elements of local biological diversity through land use planning, without far deeper cognizance of the aboriginal legacies in Canadian landscapes? I do not think so. This discussion, from the drier enclaves on the south coast of British Columbia, centres on a federally funded ecosystem recovery team in the first four years of its operation from 1999 to 2003 and the near total lack of outreach to, and engagement with, aboriginal people and First Nations. These were the same years as the final phase of development of Canada's relatively weak *Species At Risk Act* (SARA).² Subsequently much of work in Canada on ecosystem recovery has involved some federal support as related to that legislation.

In 1999, I was one of a several dozen individuals who founded one of Canada's first three ecosystem recovery groups: the Garry Oak Ecosystems Recovery Team (GOERT).³ Garry oak, or Oregon White Oak, *Quercus garryana*, is the oak species in western North America with the broadest distribution and extends from the north side of the Los Angeles Basin to Savary Island to the north-west of Vancouver. Garry oak only becomes an ecosystem dominant from north-western California to south-western British Columbia in drier areas on the eastern sides of coastal mountains. As well as supporting many rare elements that occur in Oregon and California, the northern margins of Garry oak ecosystems in British Columbia also support a curious range of species from other, drier parts of southern parts of the interior of Western Canada. The Canadian occurrences of this ecosystem, typically referred to as Northern Garry Oak Ecosystems, are on south-eastern Vancouver Island and the Gulf Islands with two small occurrences on the mainland of British Columbia. These ecosystems were marked by pronounced summer droughts, shifting oak savannah and woodland, and dry forms of Douglas fir forest and formed complex mosaics with long edges of varying levels of contrast

and habitat richness. In these drier areas, often on better drained sites with south-west aspects, aboriginal burning⁴ was a regular, though spotty, ecological factor. Many sites were managed carefully for food with digging, planting and gath-

Gordon Brent Ingram

ering of scores of tree, shrub and tuber foods. With removal of aboriginals and fire suppression, much of these grasslands and woodlands have converted to Douglas fir forest. Today as remaining sites of this ecosystem have dwindled, there are roughly one hundred species at risk.⁵ The major threat to survival of relatively intact ecosystems and associated species is from suburbanization, invasive species and the suppression of fire.

In this essay, I use aspects of memoir and self-reflection because, as a Canadian environmental planner of Métis heritage, I have first hand experiences that illustrate some still poorly explored tenets of the stakeholder acknowledgement necessary for effective biodiversity conservation. First, effective environmental conservation requires confrontation and 'dropping' of cultural biases and 'baggage' – though this state of grace is rarely achieved. Second, ecosystem recovery strategies require careful stakeholder analysis and recognition of both marginalised groups and associated inequities – and subsequent development of outreach programmes. Third, both biological research and land use planning are cultural processes that advantage some perspectives, practices, and social groups over others. Frameworks for acknowledging and addressing biases and resulting inequities in biology research as a supposedly 'pure' science remain deficient – especially in networks of relatively privileged scientists. Fourth, government agencies in Canada often still reproduce neo-colonial inequities, especially through engagement with aboriginal groups, which are re-codified and re-enforced through decisions about land.

Acknowledging aboriginal legacies in conservation planning

"Reality is not dialectical, colonialism is."
Michael Hardt and Antonio Negri 2000⁶

How do unresolved social conflicts, from the colonial period, effect current perceptions of forest, habitat, disturbance and loss of biological diversity? How do unfinished contests between social groups, embodied in institutional frameworks, compromise efforts to identify and protect ecosystems and species at risk of disappearance? Many legal aspects of the colonial period from 1847 to 1871 and the neo-colonial policies associated with them remain unresolved and are being revisited. In south-western British Columbia, some First

Nations were offered and agreed to the ‘Douglas Treaties’ of the 1850s only to have them poorly honoured by government agencies. For example, aboriginal food gathering ‘fields’, typically in Garry oak ecosystems, were to be protected for aboriginal use, but the guideline from Whitehall was never applied consistently. Instead of viewing these ecological mosaics of fields as complex cultural landscapes, three simplistic categories oriented to the imperial economy: forest, woodland and meadows; were applied, at the expense of recognizing the complex relationships between human beings and ecological processes.

As these ecosystems have dwindled, two divergent viewpoints on the drier areas around the Strait of Georgia have begun to emerge. A dominant view, somewhat neo-colonial in origin, is of relatively static sets of woodland, forest and grassland with aboriginal impacts being relatively superfluous and limited to a small number of sites. A second more postcolonial view is holding increasing currency. This second perspective emphasizes dynamic mosaics⁷ of savannah, woodland and ancient coniferous forests dominated by Douglas fir, *Pseudotsuga menziesii*, that have, for several thousand years more, been transformed by human forces.⁸

In the supposedly postcolonial present, unresolved colonial legacies have direct and indirect impacts on particular kinds of perceptions, realities, scientific research (including hypothesis development, analysis and conclusions), funding programmes, and even the paradigms on which ecosystem management and land use planning are based. But exactly how do unresolved social conflicts, from the colonial period, effect current perceptions of forest, habitat, disturbance and loss of biological diversity? How do colonial legacies embodied in institutional frameworks for environmental research and land management compromise (if at all) efforts to identify and protect ecosystems and species at risk of disappearance? How are practices for objectivity in development of environmental histories impoverished and enriched by the privileging of particular historical interpretations – that undermine the claims of still marginalized groups?

**Fields or forests?
The politics of divergent environmental histories in ecosystem recovery**

The initiatives for more comprehensive protection and restoration of Garry oak landscapes in Canada are impaired by blinders that minimize acknowledgement of the diversity of ecological roles of aboriginal communities. This lack of clarity is rooted in an avoidance of social and specifically inter-cultural relationships, and history in general, and an over-emphasis on biophysical descriptors. Today, neo-colonial perspectives are almost entirely based on the views of non-aboriginal scientists, technicians and bureaucrats, are being challenged. As more First Nations in British Columbia are taking an interest in their traditional relationships to Garry oak ecosystems, the politics of ecosystem management become increasingly volatile. Today, First Nations, who did



not sign treaties in the 1850s, are often engaging in treaty negotiations and assertion of rights over traditional resources. For communities that did sign treaties, a Supreme Court of Canada ruling in favour of the Tsartlip Nation in late 2006 expanded the basis to revisit aboriginal rights around traditional food production and the 'fields' under the terms of both the treaties and colonial policy.

GOERT's lapse around outreach to First Nations contributed to a lack of acknowledgement, on Vancouver Island and the Gulf Island, of the growing volatility of land ownership and management during a period of extensive urbanization and inflation of values. In terms of supposedly apolitical technical decisions, there was a tension between more conventional forms of science and traditional knowledge. In this increasingly politicized context for use of environmental histories, information denatured human beings was privileged. These contests go well beyond critiques of romantic notions of the so-called 'ecological Indian', where supposedly 'noble savages' were always in harmony with their ecosystems.⁹ And this dichotomy has become untenable as First Nations have shown themselves just as able to express a diverse range of environmental relationships as other communities and government jurisdictions in Canada. British Columbia's ecosystems remain, very much, part of landscapes of (un)lawful conflict¹⁰ which contributes to an uncertainty which has encourage unsustainable practices by non-aboriginal economic interests. In response, the shift from the neo-colonial to the postcolonial in British Columbia has seen a push for more critical forms of analysis of both stakeholders and social conflicts.

Divergent notions of stakeholder analysis in biodiversity conservation

At the core of any postcolonial form of ecosystem recovery is acknowledgement of a range of notions of stakeholders and entitlements. For over two decades, Canadian courts have been active, clarifying and often including marginalized stakeholders. But biologists and land use planners in Canada have often been adverse to both interpreting legal rulings to fully acknowledge First Nations and to explore their ethical responsibilities. The most celebrated of the decisions on aboriginal land use, with implications on contemporary decision-making and policy, was the series of decisions around *Delgamuukw versus British Columbia*¹¹ throughout the 1990s. If there was a single event in the early 'postcolonial' period in western Canada, to codify new modes of both stakeholder analysis and negotiation between First Nations and land use agencies (including those involved with biodiversity conservation), it was the 1997 *Delgamuukw* decision. Aboriginal communities regained their rights to be considered in decisions made on lands that they traditionally managed. But even with the legal trajectory established, there was exceptional and sometimes pernicious resistance to engagement with aboriginals as stakeholders. In contrast to the remarkable First Nations-initiated biodiversity conservation efforts on the British Columbia coast throughout the 1990s,¹²

GOERT effectively functioned to reverse the trend towards deeper acknowledgement of aboriginal legacies. Policy-making in GOERT was conducted solely by non-aboriginal scientists and planners, nearly all of whom were of European heritages. A significant group of these individuals also worked under short-term contracts, typically paid by the federal government and GOERT through nongovernmental organizations, with conflict-of-interest between research objectivity and governmental policy. GOERT effectively became a vehicle to retrench the unquestioned position of non-aboriginal scientists and planners – almost in reaction to a series of court decisions that continue to require greater consultation and that in the long-term query the privileging of certain forms of science over history and traditional knowledge.

In addition to experts: scientists and conservation planners; GOERT included representatives from a wide range of federal, provincial, municipal, and non-governmental agencies and organizations. But in the critical period of 'Team' development, there was never any serious effort to inform or involve aboriginal groups, particularly First Nations. In terms of soliciting public input, there was only a brief presentation from the Stó:lō Nation of the Fraser Valley, a community with creation stories located in a tiny Garry oak woodland on Sumas Mountain, that sometimes uses its cultural claim to clash with the neighbouring Yale Nation over another tiny oak site on the Fraser River. What was exceptional about GOERT's lack of formal, political engagement with First Nations was the fact that a number of established Indian Reserves have significant remaining habitat of Garry oak ecosystems. And many more other areas had been either discussed in recent treaty negotiations or are relevant to full implementation of the few treaties signed in the mid-nineteenth century. While there was great deal of talk about traditional knowledge with informants consulted, aboriginals were never formally 'brought to the table' in decision-making and were rarely paid as experts (even after GOERT started to receive hundreds of thousands of dollars of federal funding each year). While I appeared to be the only member of GOERT with any aboriginal heritage, I was often more concerned about asserting basic principles of environmental planning around comprehensiveness, stakeholder analysis and acknowledgement, mapping, strategic thinking, and spatial planning. I naively thought that given recent court victories that technically competent and legally cognizant conservation would soon somehow 'require' engaging with First Nations. Instead, a strategy for outreach to First Nations was infrequently discussed and was consistently postponed. I became more and more concerned about the situation until I left the group after nearly four years. My departure was without confrontation – a strategy which I now regret.

I found my role as one of the environmental planners participating in GOERT to be difficult because growing up on the edge of the Tsartlip Indian Reserve on south-eastern Vancouver Island in a cultural landscape with Garry oak

ecosystems, I witnessed a great deal of stewardship of these landscapes. GOERT's supposedly objective scientific perspectives, at least the ones that dominated and were operational, effectively negated my first hand experiences.

The original, 2003 version of this essay conveyed a great deal of anger. That style worked for a conference on forests under the British Empire but back home came across as maladjusted in the feel-good vibes of Canada's West Coast. I avoided the file on this essay until I taught a graduate seminar at the largest state university in Virginia in 2006 entitled, Biodiversity Conservation, Local Communities and Sustainable Development. In Virginia, there is not the uncomfortable immediacy around marginalization of aboriginal communities since there are so few people left. Instead, there is a kind of 'space' that results from the clarity of genocide. In the seminar, we covered the maturing social critiques of biodiversity conservation such as Arturo Escobar's 1998 classic, "Whose Knowledge, Whose Nature?"¹³, Mac Chapin's 2004 chronicle of growing resistance to the biases of non-governmental organizations¹⁴, and Mark Dowie's 2006 manifesto on 'conservation refugees' pushed out of national parks and biodiversity projects¹⁵. And soon enough, I gave an hour PowerPoint presentation on GOERT and stakeholder analysis for social marginalization. The presentation was surreal: a bit like giving a lecture on effective techniques for greenwashing. One doctoral student forcefully queried how I could have let that kind of social marginalization continue (and then feel like I could teach that seminar). I did not have a good answer. This essay is my fuller response to her.

Some reasons for GOERT's failure to engage with First Nations from 1999 to 2003

In the late 2006 seminar, I explained why I believed that an initiative supposedly committed, and legally required, to involve and consider all major stakeholders had effectively excluded aboriginal organizations and First Nations (and the financial resources that it administered).

1. In British Columbia, there are divergent environmental and social historical narratives – and people are often attached to their ethnically related cultures.
2. In British Columbia, there are still major gaps in historical information for ecosystem management and restoration.
3. In British Columbia, cultural landscapes remain poorly identified and mapped.
4. Around the Strait of George and Puget Sound, the current dependence of Salish¹⁶ peoples on traditional species and associated landscapes largely remain unclear – to non-Salish peoples.
5. Some non-Salish scientists, planners and advocates do not appreciate the priorities of local First Nations for conservation of biodiversity on cultural landscapes.
6. The information on stakeholders and social histories was not sufficiently 'spatialized' (was not in hardcopy or digital map form) to be integrated into conservation planning.
7. The threats to the biodiversity of northern Garry Oak



ecosystems have been considered so severe that there was little interest (by non-aboriginal people) in the different knowledge, history, and priorities of different stakeholders.

8. Members of the GOERT steering committee were under pressure to use the framework to mobilize funds for their agencies, NGOs and consulting groups – distracting them from recognizing less aggressive stakeholders.

9. Biodiversity conservation was still a racialized term that was not articulated in terms of the experience of Salish communities. Thus, GOERT did not seem relevant to native governments – except around land claims and treaty issues.

10. Salish First Nations with histories of involvement in Garry oak ecosystems, some with some of the most strategic remaining GOE sites within their Indian Reserves, were often too preoccupied with other legal issues to have time to participate in a group dominated by biologists (many of whom who were preoccupied with finding paying research contracts). And no Salish biologists attended meetings (nor were invited to).

But after recalling hundreds of hours of GOERT meetings, I think that these explanations are overly rational and inappropriately kind.

Conclusions

I believe that GOERT's sophisticated way of ignoring aboriginals and First Nations was in no small part a reaction to the demands for huge changes in administrative practices brought about by the *Delgamuukw* decisions in the year before this organization was formed. The lack of any formal effort to involve native governments and experts, fed into a notion that while 'Delgamuukw' gave aboriginals the option of insisting on input into decisions about traditional lands, most 'Indians' have no interest (especially if they were denied information on meeting directly relevant in terms of policy development and funding opportunities).

It would be rhetorical to argue that the biodiversity conservation strategies for northern Garry oak ecosystems, currently funded by the Government of Canada, represent a new, reinvented form of neo-colonialism. Certain contemporary political theory, such as Hardt and Negri's paradigmatic, *Empire* suggests that the opportunities to appropriate biological resources from aboriginal communities, that marked the shift from colonialism to neo-colonialism in British Columbia, can be replicated indefinitely¹⁷ — as long as those biological resources continue to exist). The alternative, the remedies, will be rooted in carefully examining the mechanics of marginalization through critical forms of stakeholder analysis, organizational development and resulting decision-making. But these developments could be decades away. Instead, more First Nations in British Columbia may choose to engage in their own initiatives for conservation and recovery of biodiversity diversity and traditional sites inviting non-aboriginals to work with them when there is enough 'space' and safety for the beginnings of some authentic exchanges.

¹ The discussion was originally presented at the International Conference on the Forest and Environmental History of the British Empire and Commonwealth, March 19-21st 2003 at the University of Sussex, Falmer, Brighton UK.

² http://www.sararegistry.gc.ca/the_act/default_e.cfm

³ <http://www.goert.ca/>

The discussion of GOERT in this essay, along with its decision-making structure and policies is limited, to its inception in 1999 through mid-2003. Based on informal contact with friends and colleagues, I believe that most of the founding participants in GOERT are no longer involved in the organization.

⁴ White, R. 1999. Indian land use and environmental change Island County, Washington: A case study. In *Indians, Fire, and the Land in the Pacific Northwest*. Robert Boyd (ed.), Corvallis, Oregon: Oregon State University Press. 34 – 49.

⁵ <http://www.goert.ca/orphs/welcome.htm>

⁶ Hardt, Michael and Antonio Negri. 2000. *Empire*. Cambridge, Massachusetts: Harvard University Press. p. 128

⁷ Ingram, G. B. 2002. Thinking like a dynamic mosaic: The relevance of landscape ecology to setting goals for biodiversity conservation & restoration for northern Garry oak ecosystems. *Conference Proceedings: Restoring Garry Oak Ecosystems – Progress and Prognosis*, University of Victoria April 2002, 96 – 108; Ingram, G. B. 2002. Thinking like a dynamic mosaic: Towards a strategy for conserving northern Garry oak ecosystems * part 1. *Menziesia* (Journal of the British Columbia Native Plant Society). 7 (1): 8 – 11; Ingram, G. B. 2002. Thinking like a dynamic mosaic: Conservation planning for the plant species at risk in northern Garry oak landscapes in BC, * part 2. *Menziesia* 7 (2): 8 - 12.

⁸ Pellatt, M. G., R. J. Hebda and R. W. Mathewes. 2001. High-resolution Holocene vegetation history and climate from Hole 1934B, ODP leg 165S, Saanich Inlet, Canada. *Marine Geology* 174: 211 – 226.

⁹ Kreech, Shepard. 1999. *The Ecological Indian: Myth and History*. New York: W. W. Norton & Company. pp. 106, 116 – 117, 114, 101 – 122.

¹⁰ Ingram, G. B. 1995A. Landscapes of (un)lawful chaos: Conflicts around temperate rain forest and biological diversity in Pacific Canada. *RECIEL: Review of European Community & International Environmental Law* 4(3): 242 – 249

¹¹ Throughout much of the 1990s, the various phases of the court proceedings for *Delgamuukw versus British Columbia* dominated questions of aboriginal control of lands and biological resources in Western Canada. For some of the initial lists of the studies, particularly around the 1997 *Delgamuukw versus British Columbia* decision, that confirmed the basis for ongoing ecosystem management by aboriginals, see the following web sites:

<http://www.legalcasedocs.com/120/243/661.html>;

<http://scc.lexum.umontreal.ca/en/1997/1997rcs3-1010/1997rcs3-1010.html>; and

<http://www.usask.ca/nativelaw/Delgamuukw.html>.

¹² Ingram, G. B. 1995B. Conserving habitat and biological diversity: A study of obstacles on Gwaii Haanas, British Columbia. *Forest and Conservation History* (North Carolina) 39(2): 77 – 89; Ingram, G. B. 1995. Reclaiming territory through conservation areas: Gwaii Haanas, Haida Gwaii, 1851-1993. *UnderCurrents Politics of Natural Space* issue: 42 - 48.

¹³ Escobar, Arturo. 1998. Whose knowledge, whose nature: Biodiversity, conservation and the political ecology of social movements. *Journal of Political Ecology* 5: 53 – 82.

¹⁴ Mac Chapin. 2004. A Challenge to Conservationists. *World Watch* (November / December 2004): 17 – 31.

¹⁵ Dowie, Mark. 2006. Enemies of conservation. *Range Magazine* (Summer 2006): 24 – 27.

¹⁶ In British Columbia, peoples around the Strait of George (and the Puget Sound of Washington State) who speak languages in the Salish linguistic group (a group that extends hundreds of kilometers east and south) are sometimes referred to as 'Salish'.

¹⁷ Hardt and Negri 2000. pp. 190 - 201, 384.