

# CONSERVATION AS COLONIALISM

## *Legacies of Exclusion and Prospects for Inclusion*

This paper explores the potential of Indigenous Protected and Conserved Areas (IPCAs) to address the dominant colonial paradigm in modern-day conservation efforts; therefore, furthering Indigenous-settler reconciliation and helping to achieve the goals of Land Back in what is currently known as Canada. I begin by exploring how the field of conservation has developed from its colonial origins to present conceptions that better recognize the rights of Indigenous Peoples, however, maintain oppressive colonial elements. I subsequently examine this evolution through the history of Rocky Mountains Park and the Banff Indian Days festival. Next, I define and explore the potential benefits and challenges of IPCAs, supported by the case of the Haida Nation's conservation efforts. I conclude that IPCAs are a promising avenue to further reconciliation and Land Back in Canada due to their inherent countering of the colonial conservation paradigm.

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Canadians typically view conservation as an unmitigated moral good. However, a closer look at the history of conservation in Canada reveals a contrary reality of violence, displacement, and hypocrisy. This paper will first define and compare Indigenous conceptions of land alongside colonial and contemporary conservation paradigms, including how remnants of colonial paradigms are still found in current conservation efforts. I particularly focus on the colonial creations of the false nature/culture and work/recreation dichotomies. An exploration of how these conceptions of land conservation are used to justify Indigenous Peoples' displacement and cultural suppression will be demonstrated through the case of the Stoney Nakoda Nation and the creation of Rocky Mountains Park (RMP), and the promotion of the park's objectives through Banff Indian Days. Next, I will identify how conservation efforts that take into account Indigenous land practices and conceptions of land have the potential to be used as a tool for reconciliation and Land Back through examining the case of Indigenous Protected and Conserved Areas (IPCAs) in Haida Gwaii. In this paper, through exploring the cases of the Stoney Nakoda and Haida Nations, I argue that the use of IPCAs for conservation has the potential to help further reconciliation in Canada by actively countering colonial conservation paradigms and practices based in these paradigms.

### **A Historical Exploration of Conservation Paradigm**

A 2018 report for Parks Canada by the Indigenous Circle of Experts (ICE), a group of Indigenous experts and conservationists, provides an in-depth exploration of Indigenous worldviews concerning conservation. To create the report, ICE hosted regional gatherings among Indigenous communities. During these gatherings, Elders and other community members alike shared understandings of land and water as being inseparable from Indigenous "ways of life, identities, values, spiritual practices, [and] knowledge systems."<sup>2</sup> Moreover, humans

are recognized as part of the land, a belief which manifests itself into an "unbreakable and sacred" connection to land.<sup>3</sup> This relational view of humans and land provides a key insight into Indigenous understandings of conservation.

For Indigenous Peoples, conservation entails the maintenance of and renewal of the relationships that have "conserved the lands and waters for thousands of years."<sup>4</sup> The relational quality of Indigenous conservation acts in opposition to settler conceptions of land as a commodity.<sup>5</sup> Indigenous Peoples were unaccustomed to settler conceptions of land as private property. The notion that land could be bought and sold was forcefully imposed upon Indigenous Peoples by settlers.<sup>6</sup> Indigenous Peoples believe that land is not something to take from but rather contains histories, provides basic necessities, and participates in ceremonies.<sup>7</sup> Nowhere are these profound differences in land conceptions more noticeable than when examining the colonial conservation paradigm and the policies inspired by it.

The colonial conservation paradigm is based on several key assumptions that inherently contradict Indigenous conceptions of land. Author Stan Stevens identifies four key assumptions underscoring this paradigm, first including that protected areas should be "created and governed by states."<sup>8</sup> The second assumption articulates that the goal of these areas should be nature preservation and biodiversity conservation, with the third assumption arguing that these goals can only be achieved if protected areas are uninhabited and their natural resources are unused (as Indigenous Peoples are threats to these objectives).<sup>9</sup> The final assumption entails that "coercive force is legally and morally justified" to remove people in the pursuit of these goals.<sup>10</sup>

Colonial assumptions enshrined in conservation policies, primarily in the form of protected areas, underscore definitions, governance, discourse, and marketing. Protected areas are currently defined, by the Canadian state and the International Union for Conservation of Nature (IUCN) as: "a

clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values."<sup>11</sup> This definition is markedly different from the one put forth by the IUCN in 1969, which defined national parks as places "where one or several ecosystems are not materially altered by human exploitation and occupation," which should be administered by the "highest competent authority of the country."<sup>12</sup> The latter definition strongly reflects the colonial conservation paradigm.<sup>13</sup> Notably, in practice, the paradigm has typically allowed for settler tourism and recreation in protected areas. Such activities include hunting for sport for settlers, despite excluding Indigenous Peoples from using the same land for subsistence and cultural purposes. The colonial conservation paradigm's rationale is rooted in a long history of colonial scientists falsely linking Indigenous populations to environmental degradation. The scientists' erroneous link exemplifies how colonial science can justify policies, such as protected areas, to displace and control Indigenous Peoples.<sup>14</sup>

In recent years the discipline of conservation has begun to move away from these assumptions of the colonial conservation paradigm towards a new conservation paradigm that increasingly recognizes Indigenous Peoples' significance for conservation across the world. This increase in recognition for Indigenous land practices is rooted in a growing body of research that exhibits strong correlations between Indigenous territories and high biodiversity areas across multiple countries.<sup>15</sup> Related research also reveals that many Indigenous Peoples' territories are as (or more) effective than state-created protected areas in preserving biodiversity.<sup>16</sup> Stevens argues that this pattern is a result of the deliberate protection and sustainable use of natural resources, species, and ecosystems by Indigenous Peoples.<sup>17</sup> While Stevens' work is not specific to Indigenous Peoples in Canada, his descriptions of sustainable Indigenous Peoples' land practices align close-

ly with Indigenous conceptions of land in Canada described by King and ICE.

However, despite a global paradigm shift, authors John Shultis and Susan Hefner assert that dominant discourses and models in conservation today still reflect original, exclusionary conservation paradigms.<sup>18</sup> These authors argue that the assumptions embedded within the colonial conservation paradigm has persisted in the form of the nature/culture and work/recreation dichotomies, which identify nature as separate from culture, and work separate from recreation.<sup>19</sup> Parks often perpetuate the conceptualization of nature as untouched by humans except for recreation by implementing restrictions on subsistence hunting and other cultural practices within park boundaries. These policies exhibit how these dichotomies maintain significant influence within modern-day conservation, despite their conflict with Indigenous conceptions of land that conservation projects claim to value.<sup>20</sup> This persistent contradiction results in projects that may tokenize Indigenous Peoples' participation, while upholding these dichotomies that prioritize parks for leisure purposes, among other practices rooted in the colonial paradigm. Such criticisms exhibit the reconciliatory work that remains to be undertaken in conservation.

### **Conservation and Protected Areas as Tools of Colonial Rule**

The two primary mechanisms historically used by conservation efforts to control Indigenous Peoples first include the designation of land as a protected area, followed by the outright removal of Indigenous Peoples from their land, often through violent measures.<sup>21</sup> In North America, Indigenous land displacement by protected areas particularly took place in the late 1800s, as settlers were increasingly moving westward.<sup>22</sup> Second, once parks displaced Indigenous communities, policies such as fishing and hunting regulations further reduced Indigenous Peoples' access to protected land and directly impacted

their abilities to maintain subsistence livelihoods.<sup>23</sup> These practices serve the colonial conservation paradigm by removing as much human influence on nature as possible. However, settlers' allowance to enjoy recreational activities within these parks is a less acknowledged exception to the "pure wilderness" aspect of the paradigm. The first national park established in Canada, Rocky Mountains Park (RMP), exemplifies the unjustified privilege settlers grant themselves in protected areas.<sup>24</sup>

RMP was formed on historically contested First Nations territory in 1887 in an initial effort by the Canadian state to secure the land surrounding several hot springs near what is now known as Banff.<sup>25</sup> Over the course of the park's initial formation and growth, motivations evolved from an initial desire to grow tourism and control First Nations movement to also focus on wildlife conservation efforts.<sup>26</sup> These hot springs, in particular, had cultural significance to the Stoney Nakoda Nation, who utilized the springs and areas around the hot springs for marriage ceremonies and gathering of medicinal herbs, among other practices.<sup>27</sup> The surrounding mountains were also used for subsistence hunting, trapping, and fishing, which became forbidden in 1890 after a biologist commissioned by the government declared Indigenous hunters to blame for a lack of big game wildlife in the area.<sup>28</sup> Park authorities treated First Nations as a threat to the conservation of the park's wildlife; however, a later sports code of etiquette for RMP stated that big game were to be used as trophies for sportsmen and not hunted for food.<sup>29</sup> The permissibility of settler sport hunting alongside the restriction of Indigenous subsistence hunting exemplifies the hypocrisy ingrained in the colonial conservation paradigm, where nature was not to be altered by humans, except for settler recreation.

The narratives and policies of preserving the park's "wilderness" by pursuing conservation efforts also extended to the Stoney Nakoda Nation and other First Nations in the region. These narratives are ex-

hibited in the Banff Indian Days festival, where First Nations (majority Nakoda) Peoples were invited to RMP for a three to five-day cultural spectacle once a year.<sup>30</sup> During Banff Indian Days, First Nations Peoples would set up teepees, wear "traditional" clothing, and perform how "real Indians lived 100 years ago" (a prominent marketing slogan for the Banff Indian Days).<sup>31</sup> These events marketed the First Nations communities of the area as part of the park's "wilderness", despite these Peoples reality of having their activities and movements at the time highly restricted through policies like the pass system. The pass system required Indigenous people to obtain a pass from their Indian Agent to leave their reserve for any reason, for fear that they were threats to the park's wildlife, among other motivations of control.<sup>32</sup>



The events romanticized the narratives of the vanishing wilderness and "vanishing Indians," using narratives of disappearance to further market RMP and Banff Indian Days, despite the creation of the park itself being responsible for the reduction in traditional First Nations practices in the area.<sup>33</sup> First Nations Peoples were often compared to animals by park administrators, Indian Days organizers, and tourists partici-

pating in the Indian Days. Such comparisons manifested themselves in the discourse surrounding hunting policies. These discourses compared First Nations Peoples to predatory animals, marketed First Nations Peoples as part of nature for the Indian Days, and in tourist photography where taking photos of First Nations Peoples was frequently compared to hunting.<sup>34</sup> Because of their significant marketing value for the event, organizers strictly enforced behavioural standards for First Nations participants.<sup>35</sup> However, despite the organizers and park administrators' attempts to exert control over the Stoney Nakoda and other First Nations participants, these Nations, as well as individual participants, found ways to assert their agency within the confines of the event and park restrictions. Stoney Nakoda people continued to hunt in the park, challenged stereotypes in Banff Indian Days, and used the events to maintain otherwise banned cultural traditions, earn money, and assert territorial claims.<sup>36</sup>

Although the Banff Indian Days exact format has changed over the years, the founding narratives persisted until the final Banff Indian Days in 1978.<sup>37</sup> As of April 2020, RMP, now known as Banff National Park, prohibits subsistence hunting, and Parks Canada maintains legal ownership of the hot springs that drove the formation of RMP.<sup>38</sup> This case exhibits how, along with residential schools and other injustices to Indigenous Peoples, histories of conservation and protected areas are not as far in the past as many Canadians would like to believe if we can consider them in the past at all. As discussed in Section II, remnants of the colonial paradigm used to justify protected area policies that restrict traditional Indigenous practices (along with certain policies enacted by original park administrators themselves) are still prevalent in many conservation efforts across Canada today. The colonial paradigm's continued presence within conservation policies allows for the continued exclusion of Indigenous Peoples from maintaining their relationships with the land.

### Conservation, Reconciliation, and Land Back

The Truth and Reconciliation Commission states, "Reconciliation is not about 'closing a sad chapter of Canada's past,' but about opening new healing pathways of reconciliation that are forged in truth and justice."<sup>39</sup> Following this mindset in reconciliation efforts entails that the history of conservation and protected areas by the Canadian state be acknowledged and used to motivate justice in protected areas and the field of conservation. Concerning protected areas, ICE asserts in their 2018 report that for meaningful reconciliation to occur: there must be space for Indigenous Nations to assert their nationhood and sovereignty in their traditional lands, Indigenous Peoples be allowed to participate in cultural practices in these areas without having to ask for permission, and Indigenous knowledge systems be engaged with by conservation scientists, among other suggestions.<sup>40</sup> These suggestions align with the barriers to Indigenous participation in protected areas articulated by Shultis and Heffner, in the forms of the nature/culture and work/recreation dichotomies. While reconciliation is a highly personal process, The Indigenous Circle of Experts proposes that Canada can best pursue the principles of reconciliation within protected areas and the field of conservation through Indigenous Protected and Conserved Areas (IPCAs).

The Indigenous Circle of Experts defines IPCAs as "lands and waters where Indigenous governments have the primary role in protecting and conserving ecosystems through Indigenous laws, governance and knowledge systems."<sup>41</sup> IPCAs can and are managed in diverse ways, including Indigenous government-Crown government partnerships, Indigenous government-non government partnerships, hybrid partnerships with multiple partners, and sole Indigenous governance.<sup>42</sup> However, regardless of the management strategy, they share the essential elements of being Indigenous-led, representing a long-term commitment to conservation, and elevating Indigenous

rights and responsibilities.<sup>43</sup> In their 2018 report, ICE recommends that IPCAs: promote respect for Indigenous knowledge systems, respect protocols and ceremony, support the revitalization of Indigenous languages, conserve cultural keystone species, protect food security, and adopt holistic approaches to governance and planning.<sup>44</sup> The respect for Indigenous rights, knowledge systems, and cultures intrinsic to IPCAs often allows IPCAs to overcome the nature/culture and work/recreation dichotomies rooted in the colonial conservation paradigm.

The concept of reconciliation itself is controversial, with many Indigenous land defenders and allies using the phrase “reconciliation is dead” as they protect their land from extractive and destructive colonial projects.<sup>45</sup> In a 2020 opinion piece in *the Globe and Mail*, Anishinaabe journalist Tanya Talaga argues that reconciliation never truly existed, as the Canadian state has never treated Indigenous Nations as equal partners and has at best used “reconciliation” as a political slogan.<sup>46</sup> In the place of calls for reconciliation, many activists have turned their focus to the Land Back movement, which calls for land to be returned to Indigenous Nations and a “nourishing” of Indigenous relationships to land.<sup>47</sup> Specific demands of this movement include: the dismantling of colonial white supremacist structures such as Parks Canada, the return of public lands to Indigenous nation, and implementing true free, prior, and informed consent regarding land development.<sup>48</sup> Although the return of land to Indigenous Nations should not be conditional on using the land in a way that is acceptable to the settler-colonial state, Canadian state-sanctioned IPCAs can be a tool to further the goals of the Land Back movement, provided that they are solely managed by Indigenous Nations and contribute to the dismantling of colonial conservation institutions.

Despite globally shifting attitudes on conservation, IPCAs still face obstacles in challenging existing conservation efforts and land governance. The Canadian state currently manages resources and nature by

categorizing natural resources into distinct silos, separating resources and land from water, creating distinct governance strategies for different geographical elements.<sup>49</sup> Their strategy directly opposes Indigenous holistic conceptions of land and water, integral to the Indigenous conservation strategy discussed in Section II. Variation in treaties and land claim agreements pose another challenge by providing incentives and opportunities to create IPCAs for certain Nations, and disincentives for others.<sup>50</sup> The lack of treaties and resulting modern treaty process in British Columbia and Northern Canada allows for and encourages greater Indigenous involvement in decision-making. In contrast, Nations with historical treaties may lack similar incentives to collaborate with the Canadian state.<sup>51</sup> Other challenges include the Canadian state’s assertion of its sovereignty at the expense of Indigenous Nations, inconsistent existing reporting and monitoring mechanisms, and the maintenance of the colonial conservation paradigm itself.<sup>52</sup> These challenges pose threats to reconciliation efforts through conservation, as many of these challenges maintain the status quo of the colonial conservation paradigm responsible for the upholding of policies that suppress Indigenous cultural practices.

Both the benefits of and the challenges facing IPCAs are highlighted in the case concerning the Haida Nation. As of 2018, the Haida Nation collaboratively managed eighteen protected areas (referred to as Haida Heritage Sites) on the islands of Haida Gwaii with the Government of British Columbia according to Haida Stewardship Law, with seven areas established before modern agreements with little Haida involvement, and eleven established as modern government-to-government agreements.<sup>53</sup> The establishment of the eleven new modern Heritage Sites resolved threats to culturally significant old-growth forests in the form of resource extraction, aiding in preserving both terrestrial and marine biodiversity.<sup>54</sup> These protected areas also allow all Haida citizens (individuals with Haida

ancestry) to retain their right to access the resources of Haida Gwaii for “cultural reasons, and for food or commerce consistent with the Laws of Nature as reflected in the laws of the Haida Nation.”<sup>55</sup> However, the establishment of these areas was not without challenges. This case is also one where Haida Gwaii is not under a historical treaty, incentivizing collaboration amongst the involved parties as theorized by Zurba et al.<sup>56</sup> It is essential to note that even where this collaboration was incentivized, negotiation of these areas took nearly three years, and involved court cases, local activism and resistance, and radical strategy by the Haida Nation.<sup>57</sup> Despite the resolution of these negotiations and the establishment of protected areas, balancing interests between the Haida Nation, resource extractors, and the British Columbia government through the co-management process remains an ongoing challenge.

## Conclusion

This paper has explored the colonial conservation paradigm, its contradictions with Indigenous conceptions of land and water, and how conservation has evolved beyond colonial assumptions. However, the field of conservation still largely adheres to nature/culture and work/recreation dichotomies, resulting in the maintenance of policies rooted in the colonial conservation paradigm, such as requiring permits for cultural practices and prohibiting hunting and trapping in protected areas. Despite increased recognition of Indigenous Peoples’ contributions to biodiversity preservation, these maintained barriers to Indigenous Peoples’ participation in cultural activities in protected areas, and Indigenous conceptions of conservation, illustrate a need for reconciliation. The need for reconciliation by and with the field of conservation is also exhibited by the case concerning the Stoney Nakoda Nation and RMP, which illustrates how the colonial conservation paradigm has been used to displace and suppress Indigenous Peoples and their traditions. I have argued that progress towards reconciliation and Land Back can occur by establishing IPCAs to counter the

colonial conservation paradigm and resulting practices actively and materially return land to Indigenous nations. The case of the Haida Nation’s establishment and leadership of eighteen protected areas exemplifies successful countering of the colonial conservation paradigm and its practices, allowing all Haida citizens full use of the islands’ resources for cultural purposes regardless of protected areas. Despite the challenges facing implementation and maintenance of IPCAs, IPCAs still offer a promising avenue for reconciliation and Land Back in Canada, given the history of conservation and protected areas as a tool of colonial rule.



## Endnotes

- 1 While this paper focuses on cases of First Nations, similar experiences under colonial conservation apply to Inuit, although in the distinct context of Northern history and geography. While the Métis Nation is affected by the colonial conservation paradigm, the history of the Métis Nation and protected area policies is less documented than for First Nations and Inuit. Therefore, this paper will use the term Indigenous when otherwise unspecified by the literature and for broad references and use the names of specific Nations wherever possible.
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