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# Diminished Returns The Registered Trapline System in Northern Ontario

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Article abstract

*Traplines have come to be regulated by governments which speaks to colonial dispossession and changing values regarding the land, wildlife, and Indigenous peoples. During the fur trade era, Indigenous trappers became decreasingly autonomous economic actors and further declines occurred in the twentieth century as fur trading became marginalized. In the mid-twentieth century, Ontario and other Canadian jurisdictions embarked on a path of increased regulations of game and the assignment of traplines to First Nation harvesters. This article explores the roots and outcomes of the Registered Trapline System in Northern Ontario, and explores how, since the 1940s, a pattern of fluctuating agency is apparent, with shifting degrees of natural resources management that recently has seen some benefits for Indigenous trappers.*

# Diminished Returns

## The Registered Trapline System in Northern Ontario

by David M. Finch

**N**orthern Ontario stretches east from the Manitoba border to James Bay and the Mattawa area. It is a vast and sparsely populated region with boreal forest and Canadian Shield in its south, and muskeg and coastal tundra to its north. The region's many waterways supported four centuries of fur trade history and perhaps 10,000 years of Indigenous occupation. Traplines (also called trapping territories, hunting territories, and hunting ranges) are the territories that trappers work to obtain furs for commercial purposes. This form of land tenure still exists in northern Canada, used by both Indigenous and non-Indigenous trappers. Indigenous traplines are typically associated with single watersheds and support trappers from one

or more related families, though in some areas community rights may be held by a head trapper.<sup>1</sup> Traplines have come to be regulated by governments and that history speaks to colonial dispossession and changing values regarding the land, wildlife, and Indigenous peoples.

During the fur trade era, Indigenous trappers became decreasingly autonomous economic actors. Following the merger of the Hudson Bay Company (HBC) with its rival, the North West Company northern economies changed significantly.<sup>2</sup> Some groups in the former Rupert's Land saw their control over economic decisions decrease following the establishment of the HBC monopoly in 1821.<sup>3</sup> Further declines occurred in the twentieth century as fur trading

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<sup>1</sup> The head trapper system is still in use in some Ontario communities such as Nibinamik.

<sup>2</sup> See Morris Zaslow, *The Opening of the Canadian North 1870-1914* (Toronto: McClelland and Stewart, 1971).

<sup>3</sup> See chapter 6 of Arthur J. Ray, *Indians in the Fur Trade: Their Role as Trappers, Hunters, and Middlemen in the Lands Southwest of Hudson Bay, 1660-1870* (Toronto: University of Toronto, 1974).

## *Abstract*

*Traplines have come to be regulated by governments which speaks to colonial dispossession and changing values regarding the land, wildlife, and Indigenous peoples. During the fur trade era, Indigenous trappers became decreasingly autonomous economic actors and further declines occurred in the twentieth century as fur trading became marginalized. In the mid-twentieth century, Ontario and other Canadian jurisdictions embarked on a path of increased regulations of game and the assignment of traplines to First Nation harvesters. This article explores the roots and outcomes of the Registered Trapline System in Northern Ontario, and explores how, since the 1940s, a pattern of fluctuating agency is apparent, with shifting degrees of natural resources management that recently has seen some benefits for Indigenous trappers.*

**Résumé:** *Les sentiers de piégeage sont régis par les gouvernements, ce qui témoigne de la dépossession coloniale et de l'évolution des valeurs concernant la terre, la faune et les peuples autochtones. À l'époque du commerce des fourrures, l'autonomie économique des trappeurs autochtones fut fort réduite, et d'autres déclinés se sont produits au XX<sup>e</sup> siècle, alors que la traite des fourrures était marginalisée. Au milieu du XX<sup>e</sup> siècle, l'Ontario et d'autres juridictions canadiennes se sont lancées dans une voie de réglementation accrue du gibier et d'attribution de terrains de piégeage aux récolteurs et pêcheurs des Premières nations. Dans cet article, nous allons explorer les racines et les résultats du système de territoires de trappage enregistrés dans le Nord de l'Ontario. Nous allons aussi voir comment, depuis les années quarante, une fluctuation constante des autorités est apparente, avec une gestion mouvante des ressources naturelles qui ont récemment vu certains avantages pour les trappeurs autochtones.*

became marginalized. During the mid-twentieth century, Ontario and other Canadian jurisdictions embarked on a path of increased regulations of game and the assignment of traplines to First Nation harvesters. This article explores the roots and outcomes of the Registered

Trapline System in Northern Ontario, and explores how, since the 1940s, a pattern of fluctuating agency is apparent, with shifting degrees of natural resources management that recently has seen some (but perhaps not universal) benefits for Indigenous trappers.<sup>4</sup>

<sup>4</sup> The principal sources for this paper are V. Crichton's *Registered Traplines* (1948) and Lise Hansen's *Indian Trapping Territories and the Development of the Registered Trapline System in Ontario* (1989). Federal and Ontario archives were reviewed for correspondence and other material relevant to trapline regulation. Other materials informed this paper though they may not have been cited directly. The reader is directed to the work of Charles Bishop at Osnaburgh House and Edward S. Rogers at Weagamow Lake, Mistassini, and elsewhere, both active in the decades after the system's introduction. Two generations later Bryan Cummins recorded trapline management and Cree resistance in Attawapiskat. The expansive John Macfie fonds at the Archives of Ontario contain a wealth of detail on trappers in Northwestern Ontario, but rarely comment directly on the system's effects. The author has also drawn upon his own research with elders in Fort Severn. See V. Crichton, "Registered Traplines," *Sylva* 4, no.2 (1948), 3-15; Lise Hansen, *Indian Trapping Territories and the Development of the Registered Trapline System in Ontario*. Historical report (Toronto: Ontario Native Affairs Directorate, 1989); Charles A. Bishop, *The Northern Ojibwa*

## Indigenous Land and Wildlife Management

Traplines are a form of land tenure; the “way land is held or owned by individuals and groups, or the set of relationships legally or customarily defined among people with respect to land.”<sup>5</sup> This reflects the relationship between people and the land, and between individuals and groups. Land tenure systems include formal or informal mechanisms that determine access to and control over natural resources.<sup>6</sup>

Modern and historical traplines in Northern Ontario are modifications of previous Indigenous hunting territories. Before contact with Euro-Canadians, Ontario’s Indigenous peoples occupied ranges or territories with flexible boundaries.<sup>7</sup> Hunting ranges were decentralized and loosely managed, and trapping was done mostly for subsistence. A generalized hunter-gatherer round would limit the risk of seasonal or periodic resource depletion by virtue of mobility. Howev-

er, this pattern became disrupted as trapping intensified during the fur trade. For example, anthropologist Edward S. Rogers has argued that historical traplines were a form of private property that developed from pre-contact ‘hunting areas’ or ‘hunting ranges.’ Hunting groups “return[ed] to the same general area each year but possess[ed] no exclusive rights to the resources. The area [had] no sharply demarcated boundaries.”<sup>8</sup> By emphasizing a core area of land use, Rogers’ model is similar to the modern concept of traditional occupancy.<sup>9</sup>

During the late nineteenth century, land use in Northern Ontario was largely unregulated as Indigenous communities continued to hunt for subsistence and commercial purposes according to their own traditions. Indigenous rights to the land were acknowledged in the various treaties with Canada. For example, Treaty No. 9 stipulated that its “Indian” signatories “shall have the right to pursue their usual vocations of hunting,

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and the Fur Trade: An Historical and Ecological Study (Toronto: Holt, Rinehart, Winston, 1974); Edward S. Rogers, *The Round Lake Ojibwa* (Toronto: Royal Ontario Museum, University of Toronto, 1962); Bryan Cummins, “Only God Can Own The Land”: The Attawapiskat Cree (Toronto: Pearson Education Canada, 2004); John Macfie fonds, C 330, Archives of Ontario; and David Michael Finch, “It Is Only The Beginning: An Ethnohistory of Mid-Twentieth Century Land Tenure in Fort Severn, Ontario” (Masters thesis, Lakehead University, 2013).

<sup>5</sup> David Mitchell, *Assessing and Responding to Land Tenure Issues in Disaster Risk Management: Training Manual*. (Rome: Food and Agriculture Organization of the United Nations, 2011), vii.

<sup>6</sup> Mitchell, *Assessing and Responding*, 2011.

<sup>7</sup> Edward S. Rogers, *The Hunting Group-Hunting Territory Complex among the Mistassini Indians*. National Museums of Canada Bulletin 195, Anthropological Series 63 (Ottawa: National Museums of Canada, 1963), 82.

<sup>8</sup> Rogers, *The Hunting Group-Hunting Territory Complex*, 82.

<sup>9</sup> See Terry N. Tobias, *Chief Kerry’s Moose: Chief Kerry’s Moose: A Guidebook to Land Use and Occupancy Mapping, Research Design and Data Collection* (Vancouver: Union of BC Indian Chiefs and Ecotrust Canada, 2000).

trapping and fishing throughout the tract surrendered,” subject to occasional changes in provincial regulations.<sup>10</sup> Indigenous groups signed on to an existing legal and statutory framework that afforded certain rights, but at the price of the loss of their autonomy. The region was increasingly integrated into various provincial and national Euro-Canadian legal networks, which coincided with changing state management of land and wildlife.

At that time, the Hudson Bay Company (HBC) was the dominant company trading into Northern Ontario, enjoying near-exclusive fur trade rights between 1821 and 1870. In 1869, the HBC relinquished its territory to Britain, which then transferred the land to Canada by an Imperial Order in Council. By 1912, Ontario had assumed its modern borders by annexing lands north of the Albany River. Prior to annexation, the region had been subject only to the few federal game laws; the region lay at the administrative fringes of the province and country alike, remaining largely self-governed with occasional influences from corporate and federal interests.

### The Modern Era: Changing Values, Changing Laws

In his discussion of the later stages of the fur trade, Arthur J. Ray describes

the increasing external control of Indigenous fortunes. He parsed this into phases beginning with the foundations for government involvement (1870-1885), the reorganization of the Fur Trade (1886-1913), industry responses due to fluctuating fur demand between First and Second World Wars (1920-1945), and finally a period of decline to the present.<sup>11</sup> Ray observes that the previous mutually dependent relationship of Indigenous people and the Hudson’s Bay Company was strained to breaking. An increasingly centralized fur industry occurred just as First Nations trappers witnessed declines in demand and periodic declines in furbearer populations.<sup>12</sup> Northern resource development shifted to other long-term industries like mining and timber. This cycle of transition between economic staples was framed by Harold Innis as being a “cyclonic” shift as resource-producing regional economies transitioned to new conditions.<sup>13</sup> While rich in resources, hinterland regions were relatively poor in socioeconomic capital and vulnerable to external changes. At the same time, land use became increasingly bureaucratized and further disenfranchised First Nations.

Canadian wildlife law increasingly limited subsistence users of the landscape through the twentieth century. Tina Loo has observed that Canadian wildlife law

<sup>10</sup> Government of Canada, *The James Bay Treaty: Treaty Number Nine* (Ottawa: Queen’s Printer, 1964).

<sup>11</sup> See Arthur J. Ray, *The Canadian Fur Trade in the Industrial Era* (Toronto: University of Toronto Press, 1990).

<sup>12</sup> Ray, *The Canadian Fur Trade in the Industrial Age*, 199-221.

<sup>13</sup> Harold Innis, *The Fur Trade in Canada: An Introduction to Canadian Economic History*, Revised





Trappers Joe Gordon and Andrew Bannon checking their trapline. Thunder Bay Historical Museum Society, 979.1.637

gradually shifted its focus away from subsistence and commercial harvesting. The customary use of wildlife was marginalized as southern Canadian values were imposed upon rural and Indigenous Canadians, in what Loo considered a “colonization of rural Canada.”<sup>14</sup> Later still, the regulatory focus changed to the creation of parks and protected areas. In these spaces consumptive use by recreational hunters and fishers was encouraged and subsistence use by local people was restricted. This created an imbalance in access to common resources based on class and ethnicity. Conservation and consumption exist to this day as compet-

ing forces in government mandates.<sup>15</sup> Ontario’s wildlife management system changed in parallel with broader Canadian trends. The province expanded its provincial authority over wildlife harvesting. Thanks to the pre-Confederation Game Laws, Ontario had a legal basis for closed seasons for game animals and furbearers. In 1867, the *British North America Act* granted the provinces jurisdiction over the land and natural resources within their borders, including game and fur-bearing animals. Changes to provincial legislation in 1892 reaffirmed treaty rights by stating that provincial game laws did not apply to Indigenous people and exempted them from season closures and certain licensing requirements.<sup>16</sup> These exemptions for Indigenous people were gradually reduced. For example, the *On-*

Edition (Toronto: University of Toronto Press, 1999).

<sup>14</sup> Tina Loo, *States of Nature: Conserving Canada’s Wildlife in the Twentieth Century* (Vancouver: UBC Press, 2006), 6.

<sup>15</sup> There were exceptions to this pattern of disenfranchisement. Before the Second World War, for example, the HBC was involved in establishing beaver preserves in Quebec and Ontario, promoting sustainable harvests through the application of scientific principles to wildlife management. The program was successful, in part because of its emphasis on decentralized control and the incorporation of local Cree knowledge. See Loo, *States of Nature*, 93-120.

<sup>16</sup> David Calverly, “‘When the Need for It No Longer Existed’: Declining Wildlife and Native Hunting Rights in Ontario, 1791-1898,” in J.L. Manore and D.G. Miner, ed., *The Culture of Hunting in Canada* (Vancouver: UBC Press, 2007), 105-120.

*tario Game and Fisheries Amendment Act* (1916) made them subject to game laws, though it did not designate trapline areas as was considered.

## The Ontario Registered Trapline System

Following the Second World War, these measures were extended across the entire province. At this time, a close relationship existed between the federal Department of Indian Affairs (DIA) and the Ontario Department of Game and Fisheries (later the Ministry of Natural Resources [MNR]). The two parties negotiated amendments to regulations concerning Indigenous trappers. However, the latter did not necessarily trust provincial game wardens due to a history of confrontation. Rogers attributed this as a reaction to the province's former policy of enforcement of "game law."<sup>17</sup> In 1946-47, the government of Ontario issued new game regulations that included the creation of the Registered Trapline System.<sup>18</sup> This system was implemented first in the south portion of the province and extended in 1948 to the north. Under the new system, trapline areas were established that were based on watersheds,

as opposed to the township system used in the south. These traplines were usually registered to individual trappers or (more rarely) head trappers.

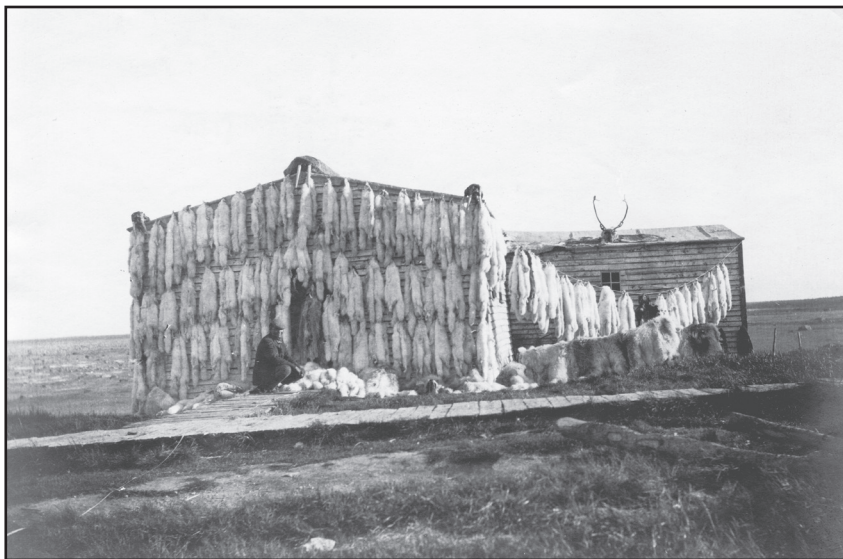
There existed a close working relationship between the federal and provincial governments as they set policy for wildlife management in Ontario's north. The governments had differing objectives and did not always agree. Closely associated with the genesis of the trapline regulation system were two individuals: Hugh R. Conn, Chief Fur Supervisor of the Department of Indian Affairs (DIA), and Jack L. Grew of the Ontario Department of Game and Fisheries (which became the Department of Lands and Forests by 1949). As noted by John Macfie in *Hudson Bay Watershed*, both men had extensive experience working with Indigenous people and in the fur trade industry, "Conn as a Hudson's Bay trader and Grew as a Mackenzie River trapper."<sup>19</sup> Grew had previously worked for Indian Affairs in Manitoba before taking a position with Ontario's wildlife service. Other players present in the correspondence leading up to northern trapline registration included the various Indian Agents and the HBC.<sup>20</sup> Rarely present in

<sup>17</sup> Edward S. Rogers, *A Cursory Examination of the Fur Returns from Three Indian Bands of Northern Ontario 1950-1964* (Toronto: Ontario Department of Lands and Forests, Research Branch, 1966), 2.

<sup>18</sup> Government of Ontario, *The Ontario Game and Fisheries Act, 1946* (10 Geo. VI, Chap. 33) (Toronto: Legislative Assembly of Ontario, 1946).

<sup>19</sup> John Macfie and Basil Johnson, *Hudson Bay Watershed: A Photographic Memoir of the Ojibway, Cree and Oji-Cree* (Toronto: Dundurn Press, 1991), 8.

<sup>20</sup> DIA officials of note included G. Swartman (Indian Agent for the Sioux Lookout region) and T. Orford (Indian Agent in Moose Factory). Both are well represented in RG-10 and Archives of Ontario correspondence from northern and northwestern Ontario. In the 1920s and 1930s the HBC and Canada promoted establishing beaver preserves to create sustainable fur harvests. These were management districts that featured the stocking of beaver in depleted areas that allowed exclusive or near-exclusive Indigenous



*Trapper's cabin on Hudson Bay. Thunder Bay Historical Museum Society, 972.17.64C*

exclusively “Indian” trapping areas was abandoned in southern Ontario but remained under consideration north of the Albany River.<sup>22</sup> During that same year, DIA’s Indian Agents began recording trapping territories

the archival records are direct statements from Indigenous peoples, although their opinions were sometimes captured in the correspondence of the Indian Agents and the RCMP.

In 1933, a provincial committee recommended that much of the Patricia Portion of Ontario be set apart “for the exclusive benefit of Indians” and that trapping grounds be divided on a township basis.<sup>21</sup> They also suggested regulation of trapline areas as an alternative to closing seasons. In 1937, the idea of

across the province in anticipation of the Ontario government’s creation of exclusive Indigenous territories.<sup>23</sup>

Indian Affairs strongly promoted a watershed basis for trapline areas instead of the more arbitrary township method proposed by Ontario. Traditional trapping territories tended to follow watersheds and following them resulted in the least disruption of Indigenous livelihoods. As a model for organizing traplines, DIA reviewed sketches made by Cree trappers near Rupert’s House (now

harvest rights. After a fallow period during which the beaver numbers increased, the communities would resume harvesting under HBC contract. See Library and Archives Canada (hereafter LAC), RG 10, vol. 6748, file 420-8-2 2, William Ralph Parsons to H.W. McGill, 4 February 1938. Preserves were opened in Quebec and Ontario. At least three additional preserves in northwest Ontario were planned in the 1930s but did not occur. As Ontario solidified its control over the traplines, the beaver preserve system was eventually discontinued. See LAC, RG 10, vol. 6748, file 420-8-1, Eric Fry to D.J. Allan, 11 February 1941.

<sup>21</sup> Ontario Department of Game and Fisheries and W.D. Black, *Report of Special Committee on the Game Situation, 1931-1933* (Toronto: Legislative Assembly of Ontario, 1933) cited in Hansen, *Indian Trapping Territories*, 24, 35.

<sup>22</sup> Hansen, *Indian Trapping Territories*, 25.

<sup>23</sup> LAC, RG 10, vol. 6748, file 420-8-1, Jack Grew (*A report on the district in Northwestern Ontario situated north of Trout Lake between the Fawn and Severn Rivers as a possible beaver and trapping preserve*) and Hansen, *Indian Trapping Territories*, 25-26.



Waskaganish).<sup>24</sup> Traditional and historical use was depicted in map form, with rivers and lakes covered in dots representing beaver houses. Allan noted that the department thought “it speaks eloquently for what the Indian can do in the matter of fur conservation if he is given encouragement and protection.”<sup>25</sup>

The two levels of government debated the best way to organize Indigenous traplines. DIA was an advocate for traditional land tenure. In a 1947 letter from Indian Agent T.J. Orford to Fur Commissioner Hugh Conn, Orford stated:

The question of registering the Indian trap line on the established Family trapping ground system should be thoroughly pursued. While Mr. Grew admitted that some plan other than township or definite surveyed boundaries would probably be needed, I don't think that either he or Mr. Lewis were favourably inclined to registering a complete watershed in one family name but that is the only system which I can imagine will be feasible.<sup>26</sup>

Some administrators in Ontario agreed with the DIA approach. In a reply, Conn reassured Orford by sharing that “Mr. Grew's attitude on family trapping grounds is exactly the same as yours and mine and that wherever advisable this plan will be adopted.”<sup>27</sup> He indicated that Grew was of the opinion that “by mutual

agreement of the people concerned that these township registrations can be converted into trapping areas in the sense that we know them.”

Not all Ontario bureaucrats thought the same way. Conservation concerns sometimes assumed a higher priority than human welfare. In 1938, DIA intervened on behalf of an Indigenous trapper named Beaucage who had trapped beaver illegally. In a prickly response to Indian Affairs, D.J. Taylor, Deputy Minister for Ontario Games and Fisheries, stated that a major focus in provincial wildlife policy was tourism revenue and not the benefit of Indigenous trappers:

While we have every sympathy with the Indian, I might point out to you that with a revenue from tourist trade in this Province which reached about \$70,000,000 [sic] in the year 1935 and attracted principally by the Game and Fisheries Department we will not, even to the extent of having to defend our rights in any test case that may come up, tolerate any unnecessary slaughter of this tourist attraction for the Indians or any other class of citizen in this province. As pointed out to you in previous letters, it would be much cheaper for these to be kept in luxury than to allow the wanton slaughter to be carried out in this province...<sup>28</sup>

D.J. Taylor's response underscores the differences in federal and provincial mandates. The federal government advo-

<sup>24</sup> LAC, RG 10, vol. 6748, file 420-8-1, D.J. Allan to J.S.C. Watt, 7 August 1941; LAC, RG 10, vol. 6748, file 420-8-1, D.J. Allan to Rev. Dr. Stevens, 18 August 1941; and LAC, RG 10, vol. 6748, file 420-8-1, D.E. Denmark to D.J. Allan, 17 September 1941.

<sup>25</sup> LAC, RG 10, vol. 6748, file 420-8-1, D.J. Allan to Rev. Dr. Stevens, 18 August 1941

<sup>26</sup> LAC, RG 10, vol. 6749, file 420-8-2-1 1, T.J. Orford to H.R. Conn, 30 May 1947, 1.

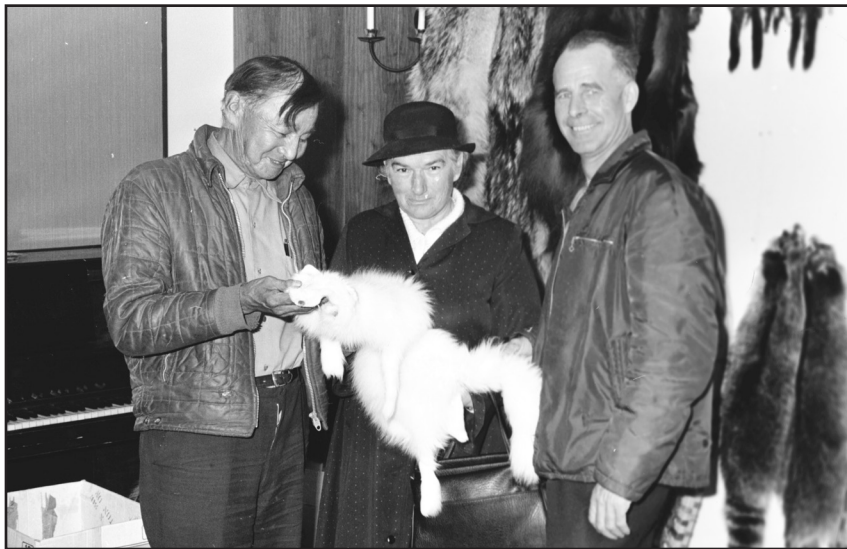
<sup>27</sup> LAC, RG 10, vol. 6749, file 420-8-2-1 1, Hugh Conn to T.J. Orford, 7 June 1947, 1.

<sup>28</sup> LAC, RG 10, volume 6747, file 420-3x 1, D.J. Taylor to R.L. MacInnes, 15 January 1938. NB: The dollar figure cited seems abnormally high, especially considering the unadjusted dollar values. The number is probably in error.

cated for Indigenous trappers (albeit paternalistically) and promoted economic development as it reduced reliance on welfare. The Ontario government focused on game management. As Conn expressed in a letter to federal Superintendent T.L. Bonnah in 1948, it was dif-

often [are] frozen out of the development. In this particular case we are beating them to the punch by getting our claim in first.<sup>29</sup>

To address their difference in focus and develop the north cooperatively, the two governments formed the Fur Advisory Committee in 1949 and signed the



*Commercial trappers examine the pelt of a white fox, 1970. Thunder Bay Historical Museum Society, 984.80.1958a*

first Ontario-Dominion Fur Agreement in 1950. The Committee held annual meetings in Northern Ontario to discuss mutual issues of concern. More cooperation was evident with the secondment of federal employees to fill provincial roles, the cross-training of personnel, and the cost-sharing of the provincial air ser-

vice by making inspections and meetings coincide with treaty payments.<sup>30</sup> The watershed boundary system was extended south to the rest of the districts in northern Ontario as well as some counties in southern Ontario.

My object in getting this information before the provincial authorities is to establish a prior claim to the area on behalf of the Indians in case the Province decides to institute a development or management program in that section. We have learned from sad experience that in many cases the provincial authorities secure the information concerning white trappers first and the Indians quite

vice by making inspections and meetings coincide with treaty payments.<sup>30</sup> The watershed boundary system was extended south to the rest of the districts in northern Ontario as well as some counties in southern Ontario.

### Changing Fortunes

Indigenous harvesting was impaired by several factors in the years following the system's introduction. These in-

<sup>29</sup> LAC, RG 10, volume 6749, file 420-8-2-1 1, Memorandum to D.I.A. 23 March 1948.

<sup>30</sup> See LAC, RG 10, vol. 6749, file 420-8-2-1 1, Memorandum; LAC, RG 10, vol. 6749, file 420-8-2-1 2t, Hugh R. Conn to W.J.K. Harkness, 2 November 1949; and LAC, RG 10, vol. 6749, file 420-8-2-1 1, Hugh R. Conn to Gus Boyer, 10 May 1948. NB: see Figure 4.2.

cluded new wildlife laws, the increasingly sedentary nature of Indigenous communities, increased wage labour opportunities, and the increased availability of community-based government aid. The system was also tested by ecological factors. In the 1950s, Ontario suffered multiple outbreaks of tularaemia, an endemic infectious disease that affects beaver and muskrat.<sup>31</sup> During the 1950s the disease was reported as epidemic in Northwest Ontario and Manitoba.<sup>32</sup> The Ontario government was aware of the potential human cost. As the Department of Lands and Forests indicated in an Annual Report: "This is a serious situation because these fine Indians are dependent on them for resource and when this falls, there is no alternative source of income for them."<sup>33</sup>

Considering these challenges, Indigenous communities across Northern Ontario gradually ceased paying strict attention to the trapline boundaries. The trapline registry continued to operate, but obedience to the system was not guaranteed. Examples of resistance were documented in Fort Severn,<sup>34</sup> Os-

naburgh House<sup>35</sup> and Attawapiskat.<sup>36</sup> In Osnaburgh House, Bishop noted the decline of Indigenous participation in the system. Informants resented the government presence and fur catches were deliberately under-reported to game wardens.<sup>37</sup> Bishop noted an increased tendency to ignore boundaries, especially when adjacent territories were not occupied. He also noted visiting trappers compensating the registered holder for the right to use the land, and a tendency for groups of related trappers to trap areas outside their allotted territory. In short, things started to drift back towards traditional negotiated arrangements.

Cummins described a similar abandonment of the registered trapline system in Attawapiskat. Community members expressed their resentment over the imposition of an outside system, which increased territoriality and conflict between harvesters. Some characterized the registered trapline system as too inflexible and the areas allotted as too small, restricting people to lands with insufficient resources.<sup>38</sup> The system eliminated situa-

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<sup>31</sup> Jeanine M. Petersen, Paul S. Mead and Martin E. Schriefer, "Francisella tularensis: an arthropod-borne pathogen," *Veterinary Research* 40 no.2 (2009), 7; John Millar, "Tularaemia in Northwest Ontario," *Canadian Medical Association Journal* 69 no.2 (1953), 102-105; C.H.D. Clarke, "Wildlife Research in the North American Arctic," *Arctic* 7, no. 3 and 4 (1954), 255-265; and Ontario Department of Lands and Forests, *Annual Report of the Minister of Lands and Forests of the Province of Ontario for the Fiscal Year Ending March 31, 1955* – Section No. 3: Ontario Division of Fish and Wildlife (Toronto: Government of Ontario, 1955).

<sup>32</sup> N.A. Labzoffsky and J.A.F. Sprent, "Tularemia among beaver and muskrat in Ontario," *Canadian Journal of Medical Science* 30 (1952), 250-255.

<sup>33</sup> Ontario Department of Lands and Forests, *Annual Report, 1955*, 23-24.

<sup>34</sup> Finch, *It Is Only The Beginning*, 162.

<sup>35</sup> Bishop, *The Northern Ojibwa*, 31-32.

<sup>36</sup> Cummins, *Only God Can Own The Land*, 42, 99.

<sup>37</sup> Bishop, *The Northern Ojibwa*, 32.

<sup>38</sup> Cummins, *Only God Can Own The Land*, 42.

tions that seemed disorderly to outsiders, but to residents it disrupted traditional practices of sharing and negotiated land use. This disconnection between imposed versus traditional values ultimately led to the system's functional demise in Attawapiskat:

The most disruptive factor between 1953 and 1985 was not downswings in game population or the introduction of technology; it was the carryover of the registered trapline system. Its implementation provides a valuable lesson in the cross-cultural imposition of unilateral decisions. Suffice it to say that the registered trapline system was adhered to by the Cree for only 15 or 16 years (until the mid-1960s) and then essentially rejected in favour of their previous practices.<sup>39</sup>

Other areas of northern and north-west Ontario saw similar declines in trapline controls as the trapping economy waned and the wage economy increased.<sup>40</sup>

### To the Present Day

The present situation in most of northern Ontario is one where trappers have traplines assigned by the province, but actual government licensing has become irrelevant for most First Nations trappers. The PTOs asserted

their authority over land tenure processes that were held by the province for over fifty years. In the late 1990s, Ontario made plans to transfer trapline management to a third party. The Ontario Fur Managers Federation (OFMF) is a non-government organization that represents Ontario trappers, provides trapper training and licensing, and works with MNR and local trapper councils to implement the province's fur management planning. This delegation of authority occurred during a period of increased fiscal austerity.

Some First Nations groups saw an opportunity to reclaim control of the land. Three provincial tribal organizations (PTOs) representing Treaties 3, 5, and 9 moved to assume responsibility for trapline licensing and training in their areas, leaving the OFMF to license only non-Indigenous trappers. The PTOs and the federal and provincial governments negotiated harmonization agreements to spell out their respective areas of responsibility.<sup>41</sup> For example, in 2005 Nishnawbe Aski Nation (NAN) entered an agreement to administer fur management in its territory. It applied to all active NAN fur harvesters and identified key responsibilities including licensing and trapline registration.<sup>42</sup> NAN issues

<sup>39</sup> *Ibid.*, 99.

<sup>40</sup> Rogers, *A cursory Examination*, 6. Rogers observed a decline in trapping in Weenusk, Peawanuck and Fort Severn. This coincided with the construction of the radar base in Weenusk (1955-1956) which sharply increased wage labour opportunities for men from those communities.

<sup>41</sup> Grand Council of Treaty #3, *Trapping Agreement History* (2018) [online, accessed 16 January 2019, source: <<http://gct3.ca/land/fish-wildlife/treaty-3-trapping-agreement-history/>>]

<sup>42</sup> Nishnawbe Aski Nation, *Licensing Program – Fur Depot* (2013). [online, accessed 16 January 2019, source: <<http://www.nan.on.ca/article/-589.asp>>]

trapping licenses to its members, acts as a fur agent, and offers trappers in remote communities a freight discount. It has assumed some of the regulatory functions of the provincial government as well as services of the old fur trade companies. Similar agreements were signed with Anishinabek Nation and the Northern Chiefs.

Kaaren Dannenmann, an Anishinaabe trapper in Treaty 3, described the change as a means to re-establish traditional ways of being on the land:

In the '80s and '90s the [provincial government] was downsizing whatever it could and tried to get us all under the Ontario Fur Managers but we would have none of it and all PTO's opted for their own agreements. [...] We decided that the trapline boundaries would be kept for now until we have been able to re-establish traditional ways of being on the land [...] we try to keep disputes looked after at the local level. It is a way of resilience and survival and maintaining sacred relationships to one's ancestral land.<sup>43</sup>

This link between land and resilience is a critical one. During research conducted in Fort Severn during 2010 and 2011, the author also heard community members state that traplines were a legal tool to argue for Aboriginal title and to control development.<sup>44</sup> Traplines continue to be important for expressing the community's rights, maintaining social cohesion, and continued living on the land.<sup>45</sup>

Dispute resolution and harvest man-

agement have shifted at least in part towards local control. Arguably, this shift promotes increased resilience and the maintenance of traditional relationships between Indigenous trappers and their ancestral land. At the same time, it is a co-management relationship and power is not wholly devolved to First Nations. In the Nipigon area, concerns have been raised that individual First Nations were not consulted adequately in negotiating the harmonization agreements. Enforcement remains an issue, and multiple regulatory authorities may exist in the same area. This implies that local control of harvesting has still not been achieved.<sup>46</sup>

## Conclusion

The Registered Trapline System is a land tenure system imposed upon First Nations across Ontario. Though still in existence, in practice it was only briefly followed as intended. It followed certain pre-existing patterns of Indigenous land use but did not share their flexibility. Many Indigenous people resisted the system after economic challenges occurring after its introduction. This happened as the traditional economy became less certain and more options emerged for wage labour and social assistance.

The Registered Trapline System was a physical manifestation of Euro-Canadian attitudes towards control of wildlife and the land. The waxing and waning of

<sup>43</sup> Kaaren Dannenmann, personal comment, 2013. Reported in Finch, *It Is Only The Beginning*, 82-84.

<sup>44</sup> Finch, *It Is Only The Beginning*, see interview transcript on 242 (ET).

<sup>45</sup> *Ibid.*, 152. See also interview transcripts on 205 (WK), 214-216 (MK), 242 (ET).

<sup>46</sup> Environmental monitor (name withheld), personal comment, 2019.



the fur trade exacerbated fluctuations in the animals upon which communities depended. The bureaucratization of land and common property resources began with the entry into treaty with the federal government, and later included natural resources that fell under provincial authority. All these factors reduced the options for people to live their traditional lifestyle and provided incentive for individual trappers to passively resist a distant bureaucracy.

Several generations later, the system exists in modified form. Registered trappelines have evolved into co-managed (or parallel managed) trapper licencing and land management. Trapline areas have been used by some groups as tools in land claims negotiations even as trapping participation has declined. The framework is mid-transformation and is still in a balancing act between government regulators, Indigenous organizations, and individual communities.<sup>47</sup>

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