Balancing Politics and the Dispersal of Business Revenues among First Nations in Saskatchewan, Canada

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ABSTRACT

In this paper we present the results of interviews conducted with 14 First Nations in Sas-katchewan on the ways in which they balance the need for economic development while meeting the social welfare needs of community members. Specific themes include (i) the separation between business and politics; (ii) the existence and role of boards of directors; (iii) strategic versus reactive decision-making; and (iv) the tension between revenue reinvestment and disbursement. Among the First Nations interviewed, three have put into place formal structures to separate business from politics, and have prioritized strategic and long-term investment over revenue dispersal. The remaining 11 First Nations use economic development as a vehicle to meet the social welfare needs of community members, including the funding of social program, Elders care, family allowances, and host of other social welfare services. This paper offers insight into the challenges First Nation governments encounter as they struggle to meet the diverse needs of their citizenry.

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Introduction

Since the 1980s, the findings of the Harvard Project on American Indian Economic Development have been used to explain the economic disparity among indigenous communities in the United States and Canada. Among the principal findings of the Harvard Project is that successful economic development of Native American communities often requires a clear separation between elected officials, for instance Chiefs and Councils, and business development enterprises. Through a number of North American case studies, Cornell (2006) and his colleagues (Jorgensen, 2007; Kalt, 2008) have found that when politics interferes with business management, enterprises generally suffer, and the development of local economies is often undermined. Grant and Taylor (2007) have come to similar conclusions but note the unique challenges faced by Native American and First Nation Chiefs and Councils to maintain effective distance from business development while at the same time ensuring that the proceeds from band owned enterprises are used to support community services and initiatives.² Wuttunee (2010: 180) also acknowledges the tension between economic development and the expectation that elected leaders will direct profits from band-owned businesses to the social welfare needs of First Nation members. In fact, Wuttunee et al. (2008: 3) argues that band owned businesses should be used first and foremost to advance the social and environmental objectives of First Nation communities.

While laudable, the social enterprise approach to economic development does carry with it significant risks when attempting to balance market competitiveness and social benefits. A business that has all of its revenues dispersed to support the social welfare needs of community members may eventually be weakened by a lack of funds for reinvestment and growth. Yet a business that does not allocate funds to support the social needs of community members will garner little community support, leaving both the enterprise and leadership vulnerable to change. Therefore, the challenge for First Nation governments is to find a balance between meeting the social needs of community members and the need for reinvestment in order to stabilize and grow businesses into the future.

It is with this balance in mind that we examined the ways in which a sample of First Nations in Saskatchewan, Canada have chosen to allocate revenues from their own economic development initiatives. This is not an assessment of what makes a strategy good or bad, but rather a discussion of the different paths chosen, and the challenges encountered, as First Nation governments struggle to meet the diverse needs of their citizenry.

Background

One of the functions of government is to allocate financial resources to programs and services that provide social benefits to its citizens. In Canada, funds are often generated through the collection of taxes and levies for regulated activities such as permits and licenses. Other sources of funds include transfers from higher levels of government. For instance, in the province of Saskatchewan, municipal governments receive funding from the provincial government to deliver programs and various services, which are based on community needs assessments. Community needs assessments account for the condition of public infrastructure, trends in population, gaps in service delivery, and the priorities and

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² In the United States, indigenous peoples are generally identified as Native American whereas in Canada, First Nation is more commonly used.

expressed needs of residents for future programming (Witkin and Altschuld, 1995). Based on the determination of community needs, annual funding transfers are then made available.

Throughout Canada, First Nation administrations (Chiefs, Councilors and band staff) serve as governments for their respective citizens. Across Canada there are 617 First Nation governments. The Federal responsibility to provide funding and support to First Nations was first enacted in 1867, through the British North America Act (BNAA). At this time, "Indians and lands reserved for the Indians" became the exclusive jurisdictional responsibility of the Federal Government. As noted in the colonial rhetoric of the then Prime Minister of Canada, John A. Macdonald, it was the responsibility of the federal government to assume "the onerous duty of [Aboriginal] guardianship as of persons underage and incapable of the management of their own affairs" (in Brody, 2000: 182). Through the BNAA, as well as subsequent provisions guaranteed through the signing of historic treaties (Treaties 1–11), the Federal government assumed responsibility for funding various programs and services that are delivered on First Nation reserve lands, such as education, housing, public works, and family services.

The funding that First Nations receive from the Federal government is to be equivalent to the funding levels that non-First Nation communities receive from provincial governments for the delivery of comparable public services. However, by the Federal government's own admission, the funding provided to First Nations falls well short of those levels provided to non-First Nation communities (Quesnel, 2012). In fact, transfer payments from the Federal government to First Nations have been capped at a two percent increase since 1996, making no allowance for population growth and the compounded needs of First Nation communities (MacDonald and Wilson, 2013). This shortfall serves as a considerable challenge to First Nation governments as they try to deliver programs and services to meet the needs of membership; a fact made clear when one considers that 64 percent of Saskatchewan First Nation children are living below the poverty line, compared to 16 percent of non-First Nation children (MacDonald and Wilson, 2013: 6). In addition to inadequate funding levels, funding transfers from the Federal government are accompanied by a plethora of regulations and restrictions on how those funds are to be reallocated by First Nation governments to support to local programs. Limited in the ways funding transfers can be utilized, First Nation governments are constrained in deciding how best to deliver on-reserve programs; a form of administrative patronage that some argue has entrenched the power of the Federal government in First Nation affairs (Neu and Thierrien, 2003: 5-6). Federal policies of 'financial accountability' and the 'yardsticking' have in many ways undermined the ability of First Nation governments to deliver essential community services (Gibson, 2000: 289).

In an effort to gain some measure of financial autonomy, many First Nations have turned to business development and revenue-generating enterprises to provide additional and discretional spending that can be used to address community needs. For example, it is estimated that the Squamish First Nation in British Columbia redirects between \$20 million to \$24 million annually from band owned businesses to subsidize their delivery of community programs and services (Schwartz, 2013). Economic development as a vehicle for the creation of unrestricted public funds has become a necessity for many First Nation leaders, and is a critical way for First Nation governments to exert independence and to gain some measure of financial autonomy.

The approaches that First Nations take to economic development are varied, and often include a combination of individual entrepreneurial activities, band-owned enterprises, joint

ventures with private industries, and tribal council development corporations. Weir (2007) has estimated that since the 1990s the number of Aboriginal owned for-profit organizations, particularly small businesses and entrepreneurs, has increased from 3,000 to 27,000. These businesses range from small gas stations and laundry services to multi-million dollar casinos and mining ventures. Despite the various approaches employed by First Nations to develop local economies, Anderson and Bone (1995) argue that many share a set of common principles, including (i) a predominately collective approach to economic development that is closely tied to each First Nations' traditional lands and its identity as a Nation; (ii) economic self-sufficiency as a necessary condition for the realization of self-government; and (iii) to improve the socio-economic circumstances of First Nations in order to preserve and strengthen traditional culture, values, and languages. While it is not always clear who benefits most directly from business development, or where profits are ultimately directed, one thing that is clear is that many Aboriginal governments in Canada are using economic development as a means to fund community services (Weir, 2007: 47).

Methodology

Our research began by contacting a random sample of First Nations in Saskatchewan. In total there are 72 First Nations in Saskatchewan. Of these 72 First Nations, 16 were contacted and asked if they would be willing to participate in this study. Of those 16 First Nations, 14 agreed to be interviewed. The First Nations that were included in our sample are geographically diverse (north and south), vary in their proximity to urban centers, are representative of First Nation Treaty regions in Saskatchewan (Treaties 4, 6, 8, 10), and all operate a number of economic development enterprises. Given the confidential nature of the subject matter, it was agreed that no names or other identifying indicators would be used.

Semi-structured interviews were conducted with representatives from each of the 14 First Nations. In nine cases, interviews were conducted with First Nation Economic Development Officers (EDO). In each of these cases the EDO worked on behalf of their respective Chief and Council or tribal council, and was generally responsible for identifying and implementing economic development plans, ensuring that the interests of First Nation members are reflected in business development, and providing professional support for entrepreneurship and business incubation. The remaining five interviews were conducted with First Nation Chiefs (1) and Councilors (4) who were elected officials and held the administrative portfolio for economic development for their First Nation. As noted above, the objective of our interviews was to explore the ways in which each of these 14 First Nations attempted to balance the need for economic development while meeting the social welfare needs of community members. Specific themes explored during the interviews included (i) the separation between business and politics; (ii) the existence and role of boards of directors; (iii) strategic versus reactive decision-making; and (iv) the tension between revenue reinvestment and disbursement.

Results

The results of our interviews demonstrate that among our sample of 14 Saskatchewan First Nations, there is considerable variability in the way in which First Nation manage band-owned revenues. Three of the 14 First Nations interviewed said that they have a clear separation between business and politics. For each of these three First Nations a formal

structure has been put into place to eliminate political interference in business management, with the intention to create economic stability in their organizations that could then attract outside investment. While the Chiefs and Councils are all apprised of the decisions being made, they have no discretionary authority over how revenues from band owned businesses are invested or redistributed. As one interviewee stated, "the structure that we have now ensures that a new person coming in cannot just wipe out all that has been done. New Chiefs step into a structure and have opportunities to learn from their peers."

For one of these First Nations the optimal organization is a development corporation structured as a limited liability partnership. The First Nation is the owner and appoints the Board of Directors but the Board makes all financial decisions while the First Nation leadership sets goals.

"We are very fortunate that the majority of individuals on the Board of Directors have business experience and are accustomed to good governance, that is a big asset. There are others [First Nations] trying to achieve the success and structure that we have had, but they don't understand the role of a Board of Directors and the importance of governance and that is key."

For these First Nations building financial stability was most critical. With stability, economic development can proceed, and community members will enjoy the long-term benefits. The reinvestment of revenues and keeping a sufficient pool of funds available for strategic investment was considered most important. In this way the long-term needs of community members can be met through long-term economic development:

"Our goal is to provide employment and business opportunities so members can support themselves."

"Dividends are side benefits of the corporation, not the focus. We need to be profitable first."

"We are at a development stage right now, so we are focusing on re-investment. All profits of the business are kept within the business right now."

Among the other 11 First Nations, most (10) admitted that their greatest challenge is creating distance between politics and business management. In fact, seven First Nation representatives noted that a plan was being put into place for such separation but had not yet been approved by their respective Chiefs and Councils. Each of these First Nation representatives also emphasized the importance of strong and transparent governance that can withstand frequent changes in elected leadership.

"In some case Chiefs may have been elected based on certain promises made. However, when they come into office they must learn that a process is in place and they simply cannot do as they wish. In cases when they do try act on favouritism, nepotism or repaying political favours, the system needs to be strong enough to stop it."

Only one of the 14 First Nation representatives said that they have no structure in place, nor have there been any discussions about how best to organize business and politics. Rather, for this First Nation, the Chief and Council will maintain complete discretion over

how proceeds from band owned businesses will be dispersed or reinvested. It was acknowledged that in the past this has proven problematic given frequent political turnover and the use of band-owned revenues as rewards for political support.

"Often, politicians use band enterprises as a way to reward voters or to hire friends and family. As a result, business performance suffers."

This statement supports the findings of Natcher and his colleagues (2013) who found a direct correlation between political instability (frequent electoral change) and poor economic performance among First Nations in Saskatchewan.

While a minority of our sample indicated that they do have a separation between business and politics (3\14), a majority of the First Nations interviewed noted that they have a board of directors in place to advise Chief and Council on economic development matters (11\14). In each of these cases, boards were established to administer large economic development initiatives, for instance the development of commercial properties. In these cases, business managers and financial operating officers provide information to the Boards who then have the authority to make investment decisions. Yet having a board in place does not necessarily guarantee sound business advice or the separation of business and politics. Rather, depending on the organizational structure chosen, the distance between the board of directors and First Nation leadership may be negligible:

"The Board of Directors runs the business, in a sense they are separate from Chief and Council but that are also band members. So the Chief and Council can determine the need for funding. Sometimes they allow money to stay in the business. If they [Chief and Council] decide there is a surplus, it usually goes out on a per capita basis, usually just before Christmas."

Even when boards are established, members can sometimes remain beholding to First Nation leaders. In fact, in was noted that in some cases family members of Chiefs are appointed to the board soon after elections. While this does not necessarily indicate any wrongdoing, or suggest a lack of capacity, it does give the appearance of scant separation between business and politics. In other cases, changes in board membership may be attributed to ideological conflicts. For example, in one case it was noted that despite having a very successful management board in place, with out-of-province members with proven business expertise, community members demanded that the board be replaced with band members who were more aware of community economic conditions and sympathetic to community needs. In this case tensions arose over the board's decision to reinvest revenues rather then distribute them to support the social welfare needs of community members. Soon following the board's restructuring: "All of the money was used to support community services and there was no plan to hold anything back for the development corporation."

Half of the First Nations interviewed (7\14) characterized their approach to economic development as short-term and reactive to the immediate needs of First Nation members:

"In general, we are still budgeting and not strategic. Budgeting is reactionary and should be avoided because that process is designed to use up all revenues."

However, all First Nations noted the importance of strategic planning.

"You really need to plan ahead for what you will do when you make money. That has to be done before the heat of battle — before there was money on the table."

While all the First Nations interviewed acknowledged an important part of strategic planning was the need for reinvestment for future business development, several admitted the challenge of breaking from their tradition of revenue distribution, often in the form of annual per capita payouts, in lieu of redirecting profits to reinvestment. There was a consensus among those First Nations (5) who redistribute revenues through per capita payouts, that even though their leadership and community members recognize that this is not the most effective use of funds, there is no way to gracefully end the practice, especially if leadership hopes to remain in elected office.

"Per capita distribution is inevitable because it is always brought up through political campaigns. We want to lock things up a bit to control the amounts, age limits, and maybe to tie it to education. But right now that isn't possible."

"Our revenues come in at Christmas and each band member gets \$100. Once you start this you can't stop it, people expect it."

"At one time we tried to decrease the dividend because of an investment opportunity and it was a hard sell because they had come to rely on the funds."

Others (9) were adamant that per capita payments were not a good way to manage economic development revenues. Rather, First Nations who began with an annual locked-in distribution program eventually changed to more flexible distribution based on a percentage of annual revenues. It was also acknowledged that leadership and some First Nation members resisted this change. However, they were eventually convinced that a more flexible rate of distribution would in the long-term term lead to the better provisioning of community services. Yet other First Nations refused to alter from their tradition of dispersing income revenues due to the need to support the immediate social needs of community members. In fact several (8) First Nation representatives acknowledged that the needs of community members simply outweigh the need for reinvestment.

"We are working on a process for re-investment, but right now the needs of the community outweigh the investment interests."

"It would be nice to hold some back for economic development but once you start doing something it is hard to go back. We now pay for funerals, elders' living expenses, and even make per capita payments."

The desire to provide for the social welfare needs of First Nation members does not nullify the financial realities First Nations face in developing and maintaining business enterprises. In fact, all the First Nations interviewed acknowledged the importance of reinvestment and sound business development. Yet they also admitted that this is not always possible in light of the immediate and more pressing needs of First Nation members. For these First Nations their day-today business operations involve balancing the social welfare needs of community members and staying viable as an economic enterprise. Finding this balance serves a formidable and ongoing challenge to First Nation leaders.

"Sure we're interested in growing the investments, but how do you ignore pressing short term community needs. How do you tell people with urgent needs today to wait for hypothetical opportunities in the future?"

Discussion

The environment that leads some First Nations to achieve economic success while simultaneously meeting the social welfare needs of community members is complex and has been the focus of numerous studies. Helin (2006) for example, argues that the key to First Nation self-reliance is to first create a strong business model supported through own-source revenues. This is achieved by supporting entrepreneurial activities, attracting external investment, separating business from politics, and developing long term and strategic approaches to business planning (Helin, 2006: 262). This approach is similar to the Nation Building Model advanced by the Harvard Project on Native American Economic Development that also calls for (i) clear and enforceable rules that protect business from politics; (ii) the establishment of an independent board that provides sound business advice; (iii) convincing community members that short term payoffs are incompatible with long term gains; (iv) reinvestment for business development; and (v) annual planning and regular reporting of business activities. While bearing in mind that it is difficult, if not impossible to completely separate local politics from business development, these administrative controls afford an opportunity to manage the political-business interface most effectively (Cornell, 2006). In fact, the results of the Harvard Project indicate that the most economically successful Native American communities have several of these conditions in place. Among our sample of First Nations three have chosen a Nation Building approach to community economic development. In these cases, clear separations have been made that effectively separate business development from the politics of the Nation. This has been achieved by establishing independent boards or by entering limited liability partnerships that keeps matters of business and development free of political influence, reinvestment of business revenues, and strategic and long-term planning.

Critics of the Nation Building approach have, however, challenged this model on grounds that is embraces a western orientation to economic development that is underpinned by an individualistic motivations and economic self-interest (Dowling, 2005). It further conflicts with the more collectivist nature of First Nation culture that tends to prioritize community well-being and the equitable redistribution of wealth; a difference that was identified in the findings of Report for the Royal Commission on Aboriginal Peoples (1996):

The fundamental difference in emphasis between the Aboriginal view of economics and the beliefs of liberal capitalism relates less to the means by which wealth is created than to the appropriate distribution of resources once these have been acquired. Aboriginal cultures share a deeply embedded belief that the welfare of the collective is a higher priority than the acquisition of wealth by the individual.

Mowbray (2005) warns that by advancing economic policies premised on neo-liberal reforms and "faith in free market forces", the federal government is more apt to obfuscate from its fiduciary responsibilities of providing support to First Nation programs and services. To hold government accountable, and to ultimately reverse the deplorable conditions found on many First Nation reserves, requires a rejection of neo-liberal reforms, and to devise new models of economic development that are grounded first and foremost in

the needs and values of First Nation communities. Bone and Anderson (1995) note that First Nations need not accept the notion that to succeed economically requires the abandoning of social welfare goals. Rather a more compassionate form of capitalism can be pursued that seeks a balance between the market and community needs (Newhouse, 2001). Embedded within the values of First Nation culture, the compassionate capitalism of First Nations would emphasize community well being, respect for tradition, and a shared responsibility for the future. Newhouse (2001) warns that those First Nation leaders who fail to use economic development to advance the social welfare needs of community members will in the long-term erode Aboriginal worldviews and values. Therefore, it is essential that elected leaders use economic development to advance the social welfare of community members.

Among the First Nations interviewed for this research, a majority (11\14) are by design and necessity using economic development as a vehicle to meet the social welfare needs of First Nation members. In these cases, revenues are redistributed to provide for a range of services, including social program, Elders care, family allowances and host of other social welfare services. For these First Nations, economic development is being driven by community needs and the urgency to alleviate social suffering.

Conclusion

Today in Canada, First Nation governments are challenged to deliver the most basic of public services. Inequalities facing First Nations include limited family income, low educational attainment, high infant mortality, limited family support services, chronic illness, and increasingly high rates of suicide (MacDonald and Wilson 2013: 7). Although the Federal government is responsible for supporting programs and services that can remedy these conditions, they have, since the signing of the British North American Act in 1876, systematically faulted on their trust and treaty responsibilities to First Nations.

In response to this breach of trust, First Nations have turned to economic development to provide for the basic necessities of community living. Through a range of entrepreneurial, tribal, and joint ventures arrangements, First Nations are seeking some degree of financial independence through their own economic development ventures. While the approaches First Nations pursue are varied, all have tried to find a balance between meeting the immediate needs of community members and the need for longer-term business investment. This is a balance not easily reconciled. Some have chosen an approach more consistent with the Nation-Building Model where a clear separation exists between business and politics. Among the Nations in our sample that have chosen this approach the most critical factor to success is economic growth through financial reinvestment. In these cases all revenues are returned to band-owned businesses to provide employment, attract external investment, and create long-term financial stability. Yet the majority of the First Nations interviewed have chosen to redistribute revenues from ban-owned businesses in order to provide for the immediate social welfare needs of citizens.

Through our discussions with First Nation leaders and economic development officers, we have learned that there is no single or best solution. As noted by one First Nation representatives, "there is no single solution, but rather many alternative paths to follow." Out of necessity, First Nation governments are pursuing various economic strategies in order to meet the diverse needs of their citizens. While some approaches have been criticized on grounds that they conflict, and may potentially erode the collectivist values of Aboriginal

communities, remaining subservient to a patronage relationship with the Federal government may prove equally erosive. First Nation communities may also have to accept that per capita payout and other forms of revenue dispersal are not the most effective way to advance the social welfare needs of community members. Last, support should be given to those leaders who are proposing long-term and transparent approaches to economic development that can lead to both financial autonomy of First Nations and improved social well-being of citizens. Finding this balance may be a formidable challenge, yet the reconciliation of these two objectives will gain in importance as First Nations devise their own economic development strategies during this era of federal diminution in First Nation funding.

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