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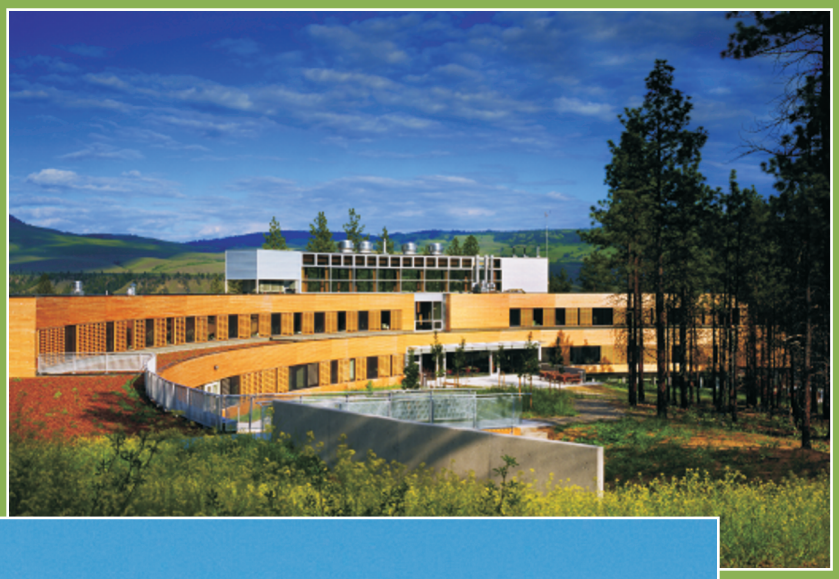

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Journal of Aboriginal Economic Development

Volume 4, Number 1

SPECIAL EDITION

Value(s) Added: Sharing Voices on Aboriginal CED

CANDO

Captus Press

The Journal of Aboriginal Economic Development is the first journal devoted exclusively to issues and practices in the field of economic development and Aboriginal peoples' communities. The journal, published jointly by Captus Press and CANDO (Council for the Advancement of Native Development Officers), offers articles that are of interest to those who teach and those who work in the field.

Table of Contents

VOLUME 4, ISSUE 1 FALL 2004

First Nations University of Canada and Nicola Valley Institute of Technology (NVIT)

Warren Weir

The theme of this issue of the Journal of Aboriginal Economic Development is adding Aboriginal values to community economic development. Among themes highlighted is the importance of education, especially education based on traditional values. It is fitting, therefore, that the cover depicts two of the premier Aboriginal educational institutions in Canada: the Nicola Valley Institute of Technology and the First Nations University of Canada. Here we honour these two institutions and the architects who designed them.

THE INSTITUTIONS

The **Nicola Valley Institute of Technology** (NVIT) is an Aboriginal governed post-secondary institute formed as a private institution in 1983 by First Nations of the Nicola Valley and on 1 September 1995 designated a Provincial Institute under the British Columbia College and Institute Act. This paved the way for the planning and construction of its new and beautiful $9 million campus opened on 7 January 2002.

The Collective Vision for the institution is that NVIT:

- becomes the school of choice for Aboriginal students because it has a reputation for producing quality graduates;
- offers an extensive choice of programs relevant to the interests and needs of Aboriginal students and communities;
- provides a rich educational and cultural campus environment in which to learn and work;
- has the active and dedicated leadership of a First Nation Board of Governors, and a qualified and committed staff, the majority of which are Aboriginal;

- successfully serves as a catalyst to the Aboriginal communities in the quest for education, development and greater self-determination.

The NVIT Mission is to:

Provide quality Aboriginal education and support services appropriate to student success and community development.

The overarching value that NVIT promises to uphold is a commitment to Aboriginal cultures and traditions. To ensure continual support of this commitment, NVIT embraces the following values:

- respect for the dignity, rights, cultures, beliefs of all people;
- the continual growth and development of individuals and communities;
- honesty and trust in relationships;
- openness in communication;
- balance and harmony in all activities;
- critical self-examination and a willingness to admit both strengths and weaknesses;
- people making decisions for themselves;
- care and support for others and respect for the earth; and
- accountability to ourselves, the Elders, the students, the communities and to the provincial government.

NVIT is unique in the post-secondary system because we have distinctive qualities. The distinctive qualities that NVIT continues to work toward and preserve are as follows:

- it is a First Nation-governed public post-secondary institution;
- educational programs and services are reflective of Aboriginal perspectives, values and beliefs;
- Elders are on campus to guide and support staff and students;
- the majority of its staff is Aboriginal;
- it has knowledge and expertise relative to Aboriginal issues, local, national, and international, historic and contemporary;
- it offers a learning and work environment that allows for the free expression and practice of Aboriginal values and ways; and
- it has the ability to deliver programs in communities

The **First Nations University of Canada**, formerly the Saskatchewan Indian Federated College (SIFC), opened its new head campus 21 June 2003, in Regina, Saskatchewan. At the opening ceremonies, then Federation of Saskatchewan Indian Nations Chief Perry Bellegarde stated: "This is a great, powerful, wonderful day for Treaty First Nations. When Treaty was signed between the Crown and our people, there was a recognition for the need of the non-First Nation system of education and the First Nations University of Canada has provided that balance. There are teachings of First Nations traditional style, including language, customs and ceremonies, in conjunction with the formal academic stream. This will allow First Nations people to successfully walk in both worlds." The ceremonies were attended by a number of dignitaries, including His Royal Highness, Prince Edward.

All of this began May 1976, when the Federation of Saskatchewan Indian Nations entered into a federation agreement with the University of Regina, creating SIFC. The First Nations University of Canada offers its programs and services on three campuses — Regina, Saskatoon, and Prince Albert — and through community-based and distance education programs in First Nation communities located across Saskatchewan and Canada. Since 1976, enrolment has steadily grown to a current average annual enrolment of over 1,200 students.

The Vision Statement of the University is:

We, the First Nations, are children of the Earth, placed here by the Creator to live in harmony with each other; the land, animals and other living beings. All beings are interconnected in the Great Circle of Life.

As First Nations, we treasure our collective values of wisdom, respect, humility, sharing, harmony, beauty, strength and spirituality. They have preserved and passed down our traditions through countless generations.

The Elders teach us to respect the beliefs and values of all nations. Under the Treaties, our leaders bade us to work in cooperation and equal partnership with other Nations.

The First Nations University of Canada provides an opportunity for students of all nations to learn in an environment of First Nations cultures and values. The Elders' desire for an Indian institution of higher education led to the establishment of the Saskatchewan Indian Federated College (SIFC).

The University is a special place of learning where we recognize the spiritual power of knowledge and where knowledge is respected and promoted. In following the paths given to us by the Creator, the First Nations have a unique vision to contribute to higher education. With the diversity and scope of the First Nations degree programs, the University occupies a unique role in Canadian higher education. The University promotes a high quality of education, research and publication.

At the First Nations University of Canada, First Nations students can learn in the context of their own traditions, languages and values. Rooted in their own traditions, our students will walk proudly and wisely today. The University, through extension programming, reaches out and welcomes First Nations peoples to use its resources for the enrichment of their communities.

The University requires facilities which reflect the uniqueness, values, dignity and beauty of the First Nations it represents. It will include appropriate recognition and integration of the role of the Elders, cultural symbols, and the First Nations connectedness to the land.

The Mission of the First Nations University of Canada is to enhance the quality of life, and to preserve, protect, and interpret the history, language, culture, and artistic heritage of First Nations.

The First Nations University of Canada will acquire and expand its base of knowledge and understanding in the best interests of First Nations and for the benefit of society by providing opportunities of quality bi-lingual and bi-cultural education under the mandate of the First Nations of Saskatchewan.

The First Nations University of Canada is a First Nations' controlled university, which provides educational opportunities to both First Nations and non-First Nations students selected from a provincial, national and international base.

THE ARCHITECTS AND THE BUILDINGS

The NVIT building was designed and constructed by Waugh + Busby Architects, an Aboriginally owned (51%) architectural firm specializing in projects with Native People, assisting in developing culturally sensitive and environmentally responsible building projects. The firm values tradition but understands that Aboriginal peoples and businesses must walk into the 21st century. The firm listens carefully to the client's needs — from youth to Elders–when developing design solutions. Its projects evoke the spirit of community, culture and tradition without compromising the future of the land — or the economic realities of budgets and fund raising.

Alfred Waugh, the founder of Waugh + Busby Architects and lead architect of the NVIT project, is a Status First Nation person raised in Yellowknife, North West Territories. His mother, of Chipewyn descent, encouraged him to make a positive contribution to Native People. As one of Canada's few registered Aboriginal architects, Alfred Waugh is committed to providing architectural services that respond to Aboriginal values and respect the environment. His partner, Peter Busby, brings the resources and experience of 20 years' practice with Busby + Associates, and is recognized for sustainable development with a long list of public and private sector clients across Canada. The staff of Waugh + Busby Architects are all Status First Nations, drawing on the resources of Busby + Associates Architects whenever necessary to meet their project schedules.

The design process involved intensive user group interaction, and numerous site visits with the native elders. The semi-circular shape is the first gesture toward the circular scheme of the master plan. The building is oriented on the cardinal points, with the building's main entrance on the east axis, symbolizing the start of the day.

The building is designed as a cold climate green building. This commitment to the "new technology" of environmental sustainability is in clear alignment with the historical Aboriginal structures of the area. The building emerges from the sloping site, as if growing out of the landscape and also supporting the intention of minimal disruption of the natural landscape of the undeveloped site. An area of study at the institute will be ethno botany: the native use of indigenous plants.

Although the First Nations University of Canada building was not officially opened until June 21st, 2003, Douglas J. Cardinal initiated the SIFC master plan and concept design for expansion in 1990. Douglas Cardinal, of Douglas J. Cardinal Architect Ltd., a Canadian architect of Blackfoot and Métis ancestry, was born in Calgary, Alberta. Cardinal, an accomplished and world-renowned architect, was awarded the Order of Canada in 1990 and the National Aboriginal Achievement Award in 1995. In 1999 he was awarded the Gold Medal of the Royal Architectural Institute of Canada, the highest architectural honour bestowed upon an individual in Canada. By 2000 he had been granted seven honorary doctorate degrees in recognition of his contribution to excellence in architecture. Among other impressive achievements, Cardinal designed the Canadian Museum of Civilization. His firm is one of the leading users of the computer-aided drafting AutoCAD system, which is used to enhance his organic approach, curvilinear lines, and spiritual approach informed by an Aboriginal worldview.

Editors' Comments

This special issue includes the select proceedings of a conference — Value(s) Added: Sharing Voices on Aboriginal Community Economic Development — held in May 2002 at the College of Commerce, University of Saskatchewan, and supported by the Social Sciences and Humanities Research Council of Canada. An important first for the University, the conference marked the beginning of a process of sharing voices and visions and adding values to current debate on Aboriginal community economic development. By learning from practitioners as well as academics, from traditional voices as well as postcolonial and postmodern perspectives, from the success stories as well as the challenges, the conference aimed to forge new networks and re-imagine CED for the 21st century.

In a world where inequity and poverty kill, we all have a stake in the future of Aboriginal CED in Canada: CED practitioners and researchers; Aboriginal and non-Aboriginal peoples; Elders, educators, and students; people in the resources, cultural, business, legal, and government sectors. In addressing issues of Aboriginal and treaty rights and community economic development in the context of globalization and resource depletion, the program was designed to promote possibilities rather than problems and to nourish alternative models of development and communities dependent on reciprocity rather than inequality.

To encourage mutual education and public understanding and to enrich the current discourses on Aboriginal CED, the conference program presented a sampling of current research and practice from British Columbia to Cape Breton and featured keynote speakers and panel presenters whose work animated talking circles. The talking circles allowed delegates to share knowledge and experience in a traditional way, to create new networks and celebrate Aboriginal economies. By offering such networking opportunities, the conference aimed to break down some of the unproductive barriers that impede major innovation and more effective building on tradition. Presentations and discussions worked to unpack the costs of colonial

practices, to learn from best practices and the latest research, to learn new ways of thinking and acting that might help us remap and rethink the challenges and opportunities of Aboriginal CED in the 21st century.

Isobel M. Findlay, Warren Weir, and Louise Clarke

Editors' Introduction

Isobel M. Findlay, Warren Weir,
and Louise Clarke

In this **Lessons from Experience** section we included two case studies — on Kitsaki Management Ltd. Partnership, LaRonge, SK, and Cameco Corporation — that build on conference presentations by Raymond A. McKay, CEO of Kitsaki, and Jamie McIntyre, Director of Sustainable Development and Corporate Relations, Cameco. Raymond McKay shares the success story of Kitsaki, the business arm of the Lac La Ronge Indian Band, which has become a key player in the economic life of northern Saskatchewan by remaining true to its philosophy on resources, treasuring the Land as a heritage resource for future generations. The Kitsaki Model for secure and sustainable development has three key components: developing a diverse network of profitable enterprises with proven partners, maximizing Aboriginal employment, and maintaining and supporting Traditional Aboriginal Knowledge. The case study of Cameco, on whose board sits Chief Harry Cook of the Lac La Ronge Indian Band, offers Cameco's own models for success, tracing the challenges and opportunities of Aboriginal business and community partnerships. The case makes clear the value of nourishing corporate and community mindsets, designing clear procedural guidelines and policy frameworks, ensuring management commitment, and securing buy-in through flexibility and strong communications.

Kenneth W. Tourand's essay reflects on the experience with unionization of one Aboriginal organization trying to maintain traditional values and culture in a time of organizational change. With a newly certified trade union, the Nicola Valley Institute of Technology (NVIT) risked eroding its status as an Aboriginal post-secondary

institution. It had to consider its uniqueness as an Aboriginal post-secondary institution, the impact of unionizing on its goal of maintaining Aboriginal culture, values, and traditions, and the steps it might take to ensure the continuity of its status as an Aboriginal institution in a unionized environment. The case of NVIT sheds light on some of the organizational and other issues facing the Aboriginal institutions and Aboriginal education many consider so critical to Aboriginal CED in the 21st century.

An interview with Jack Smith completes our Lessons from Experience. Drawing on his experience with the Hul'qumi'num Treaty Group and with educational institutions, Jack reflects on the daily issues and challenges facing Aboriginal organizations and management. From issues of control, definition, and ownership to political interference, from the difficulties and necessities of separating public and private lives, business and politics, to the role of the Elders and the foundation of traditional values and the value of education, Jack shares his philosophy and practices, his inspirations, and his hopes for the future.

KITSAKI MANAGEMENT LIMITED PARTNERSHIP
An Aboriginal Economic Development Model

Raymond A. McKay

I. INTRODUCTION

Kitsaki Management Limited Partnership is the business arm of the 7,000 plus member Lac La Ronge Indian Band. In addition to employing in excess of 500 people, many of them Band members, enterprises of Kitsaki Management Limited Partnership Joint Ventures employ from 500 to 1,000 First Nation members in seasonal work.

Kitsaki's gross revenue for the year ended March 31, 2001, exceeded $67 million from diverse enterprises including: Northern Resource Trucking, Athabasca Catering, La Ronge Wild Rice Corporation, La Ronge Motor Hotel, Prince Albert Inn, Dakota Winds Kitsaki Mechanical Services Ltd., Wapawekka Lumber, Kitsaki Meats, Keewatin/Procon Joint Venture for contract mining services, Pihkan Askiy/Nih-Soreldhen Joint Venture environmental cleanup services, and CanNorth Environmental Services. Of the gross income, Kitsaki retains $23.4 million. As a result, Kitsaki is 82nd of the top 100 Saskatchewan companies.

Over the last 20 years, Kitsaki Management Limited Partnership has grown to play a key role in the economic life of northern Saskatchewan. Kitsaki's successful business development strategy is one of the premier models of community-based economic development in the province. The strength of the Kitsaki model is its underlying philosophy with regard to use of resources. The Lac La Ronge Indian Band views the Land as a heritage resource for future generations of its people. Natural resources must be treasured for their intrinsic value. But they are also viewed as a renewable resource for sustainable, long-term economic growth and for employment.

It is with this philosophy that the Band and Kitsaki Management Limited Partnership plan to develop the timber resources on their Traditional Lands. Chief Harry Cook of the Lac La Ronge Indian Band has stated, "We shall ensure that our people are fully educated, trained, and counseled to participate in the development of our natural resources. We have made a commitment to develop the timber resources of our Traditional Lands according to the principles of sustainability, environmental protection, multiple use of resources, preservation of traditional activities, and public participation and consultation."

II. BACKGROUND AND CONTEXT

Aboriginal-owned or managed business enterprises have historically faced many more challenging issues than do non-Aboriginal businesses. In general, these issues include:

Raymond A. McKay has since 1998 been Chief Executive Officer of Kitsaki Management Limited Partnership.

- The Aboriginal workforce has less education, training, and job experience than the workforce of non-Aboriginal communities.
- There are limited "business-knowledgeable" Aboriginal support networks. Few Aboriginal entrepreneurs have ready access to sources of business knowledge and guidance. Multigenerational or extended family-based enterprises are not prevalent in Aboriginal communities.
- Education is the key to fostering increased motivation for Aboriginal participation in the workforce. Business achievement and entrepreneurship must be stressed for Aboriginal communities.
- Access to sources of capital for investment and development is limited for Aboriginal entrepreneurs. In contrast to members of long-existing business communities, Aboriginal businesses are not as well accepted by financial institutions for loans, and connectivity to related businesses as a source for capital is poorly developed.
- Many Bands do not have access to experienced business management personnel to develop a sound, long-term business strategy.

The above factors have contributed to the low success rate of Aboriginal enterprises. Aboriginal authorities who enter into ventures without strong, experienced partners with adequate financial resources are often not competitive in the marketplace.

As well, the premature placement of Aboriginal personnel, who may be inadequately trained and inexperienced, into management positions often results in businesses that cannot maintain operational viability. As a consequence, the ultimate goal of attaining full Aboriginal control and high Aboriginal participation is defeated.

Kitsaki Management Limited Partnership has learned these lessons. Kitsaki sought the guidance of Senator Myles Venn, whose vision, "Aboriginal ownership will enable us to possess the control we need to secure jobs for our people", has become a fundamental principle for its business strategy.

With this vision in mind, Kitsaki has implemented an economic development model based upon the formation of sound, secure partnerships with other Aboriginal groups and successful world-class businesses in order to generate revenue for Kitsaki and employment for Band members.

III. THE KITSAKI MODEL

The central components of the Kitsaki Model are:

- Development of a diverse network of profitable enterprises with proven partners. Maintaining a multi-sectoral family of enterprises allows Kitsaki the flexibility to adapt to evolving markets.
- Maximizing the Aboriginal employment in Kitsaki and Band enterprises.
- Maintaining and supporting traditional Aboriginal knowledge that provides value-added advantages to the Kitsaki family of businesses.

These components are put into practice as follows:

1. *Development of a diverse network of profitable enterprises with proven partners*
   - Kitsaki has built upon the strengths of northern Saskatchewan's economic sectors. Goods and services are provided to the mineral sector through Northern Resource Trucking, Athabasca Catering, Canada North Environmental Services, and Keewatin/Procon for contract mining services. Ventures in the forestry sector include the Wapawekka Lumber mill in Prince Albert and partnerships with local La Ronge forestry operations. Dakota Winds Kitsaki Mechanical Services is a partnership with an industrial partner and an Aboriginal partner to provide support to the mechanical infrastructure of industries, offices, and homes in the North. The hospitality sector is served by the Lac La Ronge Motor Hotel and partnerships in three other hotels in Prince Albert. Ventures in the agriculture sector include Kitsaki Meats and La Ronge Industries for wild rice. The highly profitable, value-added development of specialty organic food items such as wild mushrooms and berries is being explored. The key principle here is to pursue diversification of enterprises to ensure stability over changing markets.
   - The Band and Kitsaki adhere to the principle that only stable and profitable business operations can provide the environment for genuine, long-term Aboriginal participation.

- Another major principle is that each new venture must be examined strategically. A number of critical questions must be asked regarding any potential enterprise: Does the business complement existing Kitsaki businesses? Is the business in an industry integral to La Ronge or the North? Does it possess prospects for growth? Is it a prudent step in diversification? What preference, if any, will be given to Aboriginal people for employment.

2. *Maximizing Aboriginal employment in Kitsaki and Band enterprises*
   - The key principle is that viable, sustainable Aboriginal participation in enterprises can be achieved only when the employees and management are qualified, motivated, and productive. Kitsaki's human resource strategy is to maintain a corporate philosophy of a "working and learning culture" in the job environment. This philosophy is realized through sponsorship of literacy and academic upgrading to facilitate job retention and upward on-site job mobility, continual mentoring and counseling, and career path development for upper management Aboriginal candidates.
   - An example of how this principle is realized is in the management-advancement strategy for the La Ronge Motor Hotel. The Motor Hotel serves as a hospitality industry training centre for its predominantly Aboriginal employees in which they obtain industry recognized credentials. Under this strategy, the operation provides competitive service for its clients and self-confidence, credibility, and job mobility for its workers. The key principle here is that job advancement must be based on recognized standards of performance and achievement; to compromise standards, in academics or skills, is to jeopardize the credibility of Kitsaki's commitment to Aboriginal employment.
   - Kitsaki supports a business incubator approach to provide training that will enable Aboriginal workers to take advantage of opportunities to become self-employed. Kitsaki's Northern Resource Trucking partnership trains truck drivers and assists them become owner-operators.

3. *Maintaining and supporting Traditional Aboriginal Knowledge that provides value-added advantages to the Kitsaki family of businesses*
   - Kitsaki and the Lac La Ronge Indian Band have long recognized that Band members possess Traditional Knowledge and Skills that can provide value-added benefits to Kitsaki's enterprises. As an example, special knowledge of the products of northern forests will enable our enterprises to better obtain, process, and market high-profit commodities like wild rice and gourmet mushrooms.
   - Building on the knowledge and skills of Band members gives Kitsaki enterprises a competitive advantage. Our Traditional Knowledge and cultural links to our Traditional Lands enable us to be effective, efficient, and prudent stewards of the natural environment. Because the resources of the land are both a business asset and a part of our heritage, we strive for their sustainable economic development.

CAMECO CORPORATION
Aboriginal Business Development Success Models

Jamie McIntyre and Marjorie Holman

I. INTRODUCTION

Cameco Corporation, headquartered in Saskatoon, Saskatchewan, is the world's largest low-cost uranium producer meeting almost 20 percent of the world's uranium demand. Cameco has designed its practices and procedures to ensure that its mine sites are environmentally safe and to contribute not only to the corporation, but also to the communities in Northern Saskatchewan where many of its mines are situated. Its McArthur River mine (co-owned with COGEMA), for instance, the largest high-grade uranium and most technically advanced uranium mine in the world, has for the past three years enjoyed the best safety record among Canadian metal mining companies. This case study profiles the Cameco Corporation, with a special emphasis on its initiatives related to Aboriginal business and community partnerships.[1]

Saskatchewan is the uranium capital of the world. It is home to the largest and richest uranium mines in the world, supplying one-third of the world's uranium production of which 90 percent is sold outside Canada. Since 1980, the uranium industry has invested more than $3.2 billion in Saskatchewan on exploration and capital. The uranium industry has earned a world-class reputation in the areas of environmental protection and worker health and safety. Each year the industry pays more than $160 million in direct salaries and benefits to more than 1,700 Saskatchewan people. In addition to the $23 million paid by employees in provincial income tax in 2001, the industry contributed to the province an additional $44 million in direct royalties and taxes. A further unique contribution is the uranium industry's record of success in working with Aboriginal people in Saskatchewan. Our goal is a simple one: to ensure that northern and Aboriginal people participate in and benefit from the economic opportunities that come with mine development in Saskatchewan's north. Today, more than 650 Aboriginal employees make our industry one of Canada's leading industrial employers of Aboriginal people.

Cameco specifically is the world's largest producer and supplier of uranium, and a large provider of conversion services. Cameco has a majority interest in two world-class uranium mines and mills in Saskatchewan, and fully owns uranium conversion facilities in Ontario. The company also mines gold and explores for uranium and gold in North America, Australia and Asia. Cameco's shares trade on the Toronto and New York stock exchanges.

Cameco's uranium is marketed to nuclear utilities which in turn produce electricity to the various grids throughout the world. World electricity demand is expected to grow by 2.8

Jamie McIntyre is Directo of Sustainable Development and Corporate Relations, Cameco Corporation. Marjorie Holman is a graduate of the MBA Program, College of Commerce, University of Saskatchewan, and assisted with the writing of this case study while a student in the MBA Program.

percent per year over the coming decade. Our mining and conversion facilities in North America help make us the largest fuel supplier to the western world's nuclear power plants. In 2000, Cameco's total sales of uranium into the US market, sourced from Canada and elsewhere, had the capacity to generate almost 10% of the total US electricity grid. One in ten homes in the US is essentially powered by uranium sold by Cameco.

Cameco has investments in a gold mine in Kyrgyzstan (Kyrgyz Republic), and our initiatives with Aboriginal peoples in northern Saskatchewan played a major role in winning the opportunity to enter into the joint venture operation in Kyrgyzstan. All of Cameco's uranium mining activity occurs in Northern Saskatchewan, a region covering 250,000 square kilometers with a total population of 38,000 — 75% of which is Aboriginal representing the Woodland Cree, Dene, and Métis Nations.

Although all of Cameco uranium sites are on Saskatchewan provincial crown land, it shows considerable sensitivity to the treaty, traditional and other Aboriginal rights. Concerned to maximize the social and economic benefits that flow from its operations to the people and communities most impacted, Cameco has developed specific initiatives to ensure the economic development of the Aboriginal and other communities surrounding its mine sites.

There have been many reasons behind Cameco's initiative towards Aboriginal partnerships. Over ten years ago, Cameco experienced a legislative requirement for employing and co-operating with northern Aboriginal communities. Five years after implementing this provincial policy, the company began to recognize the strategic advantages of actively co-operating with northern Aboriginal communities.

Today, Cameco is no longer entering into partnerships and relations with the Aboriginal communities solely because of legislative regulations, but, rather, it is entering into them because the company sees and values the strategic advantage and benefits that the Aboriginal communities offer for both the company and the communities. Cameco's current view is that partnerships with Aboriginal communities anchor support for its existing operations and facilitate the prospects of expansion and new mine development.

Cameco has set out to gain the approval and support of Aboriginal communities by implementing policies which permit northerners to share in the benefits of development in the Athabaska Basin. Cameco is committed to staff at least half the company's northern operations with local residents, to give preferential consideration to northern businesses, and to promote dialogue between the company and northern leaders. Because approximately three quarters of the northern population is Aboriginal, these policies directly impact and benefit Aboriginal peoples.

There are four components of these Aboriginal policies: (1) Employment; (2) Education and Training; (3) Business Development; and (4) Communication, Consultation and Negotiation with Communities and Community Leaders. For example, northerners are given first priority when positions become open. Cameco proactively supports employment initiatives within northern Saskatchewan and works together with northern outreach offices, band offices, tribal councils and northern training institutions to ensure that candidates are found to fulfill the requirements of the various employment opportunities within the company.

Cameco also requires that its contractors seek to maximize employment opportunities for northern residents as a condition of their contract. Of the $92 million Cameco spent on goods and services in 1995, 52 percent was spent on purchases from northern-based Saskatchewan enterprises. This success is based on the "Buy Northern" policy to which Cameco adheres.

It is largely because of the mutual benefits received by both Cameco and the northern Aboriginal communities that Cameco continues to be an industrial leader in the employment of Aboriginal people. Harry Cook, Chief of the Lac La Ronge Indian First Nation in Saskatchewan since 1987 and President of the Kitsaki Management Limited Partnership is a director on Cameco's Board of Directors, which is the highest corporate level of the company. Chief Cook's role is to continually remind the directors of Cameco's social responsibility commitment to the northern communities, ensure that the First Nation perspective is incorporated into the company's strategic directions, and promote opportunities to the northern communities concerning Cameco's operations.

As of September 1999, 1,469 people were employed by Cameco at their northern mine sites, of which 51 percent, or 750, were northern residents. As of September 1999, Cameco

directly employed 20 Aboriginal managers and supervisors, 42 Aboriginal employees in technical and professional occupations, and 40 Aboriginal trades-people. Today, Cameco has business developments with 22 Aboriginal business partners in 15 different sectors such as aviation, trucking, environmental services, catering, mining, and industrial maintenance. In 2001 over $42 million, or 40 percent of all Cameco purchases, were through Aboriginal organizations.

II. WHAT HAS CAMECO DONE TO ENSURE SUCCESSFUL RELATIONS WITH NORTHERN ABORIGINAL COMMUNITIES?

Cameco has been able to develop and maintain successful relationships and partnerships with northern Aboriginal communities and businesses for a number of reasons. However, there are two main issues that must be addressed before successful relations can be achieved. These two main issues are "creating a corporate mindset" and "creating a community mindset".

1. Creating a Corporate Mindset

When creating a corporate mindset, there are a number of issues management must address. One cannot simply change the mindset of an organization without education and support. All levels of an organization must be willing and able to embrace the issue.

A. Secure Senior Management Commitment

It is of particular importance that senior management supports Aboriginal initiatives. If senior management is not committed to these initiatives, it will be very difficult — if not impossible — for the organization to embrace Aboriginal initiatives. Senior management may be committed initially; however, as actions and policies are undertaken, difficulties will be met. When these roadblocks are encountered, it is not uncommon for senior management to lose their resolve for the movement. Also, these managers will have other vested interests which will likely come into conflict with Aboriginal initiatives. Management at all levels must be committed to take action to support the initiatives. Without the support at all levels, the movement may not be successful.

The procurement department is a very good example of this conflict of vested interest. The procurement department may have policies in place to open contracts for bids and then choose the winning bid based strictly on quality and price. However, in order to achieve the objective of Aboriginal partnerships, it may be necessary to accept the bid of an Aboriginal company even if the price is not the most competitive. This preferential treatment may be necessary to allow the Aboriginal organization to enter into the market. Not accepting the most cost-effective contract can be very difficult to justify to the procurement department, and therefore management must ensure to educate and have the support of that department.

Another very important step that must be taken to ensure the support of the senior management is to commit internal resources. Introducing a person solely to look after the implementation of the initiatives is always an asset. Introducing any program requires a great deal of administration and coordination, and this is no different for Aboriginal programs. Cameco has a northern business administrator to take care of Aboriginal programs.

B. Establish and Communicate Business Case

In order to obtain the support within an organization, any suggestion of an Aboriginal partnership must be effectively communicated to all the various levels of the organization. Not only must the benefits of the partnership be communicated, but also the potential weaknesses. When obtaining support in the different levels of an organization, verbal support is not necessarily enough to ensure sustained commitment. Goodwill is not often enough to sustain an Aboriginal partnership; it must be backed up with appropriate actions.

When presenting an Aboriginal partnership to the different areas of an organization, one should be prepared to engage in a cost/benefit analysis. Behind every business decision, there must be a reasonable benefit for the costs incurred by that decision. In the case of Aboriginal businesses, the benefit may not necessarily be incurred immediately following the decision; it may occur over time. For example, Cameco implemented its first Aboriginal policies in 1990; however, they did not recognize the strategic

advantage this decision implied until approximately five years later.

Also, when communicating the partnership to the organization one must outline and communicate the economic advantages of that partnership. Economic benefits are often the underlying criteria for making a decision to enter into any partnership. The economic values of choosing Aboriginal business are as follows:

(a) The social license to develop within an area
(b) The political support of policies implemented ("buy local" program for example)
(c) The regulatory peace between organizations
(d) The image of a socially responsible developer
(e) The domestic and international image as a developer of choice.

When an organization takes the time to address these issues and communicate them both to their own organization and the partner organization, the likelihood of successful relations will be significantly increased.

C. Establish Policy Framework

Establishing a company's policy framework to properly incorporate the goals and initiatives within an organization is essential to creating the desired corporate mindset and outcomes of the Aboriginal partnership. Without an appropriate policy framework, the desired outcome of the partnership will be very difficult to achieve. Policy captures what the corporation hopes to accomplish and consequently communicates the intentions of the organization. It establishes a formal process for identifying opportunities for future partnerships. Because contemporary Aboriginal organizations are relatively young in the competitive business environment, it may be necessary for the company to implement a preferential treatment policy. Recognizing that this type of policy can be very controversial, management must be prepared to discuss and debate the issue. Preferential treatment gives Aboriginal organizations the opportunity to begin a working relationship, and in time they grow and develop into very valuable and strategic partners. Although differential treatment may be difficult to sell to the corporation, it may be a key success factor for Aboriginal initiatives.

When establishing policies for an organization, it is very important to reference what legislative obligations are required and how they will affect the policies. These obligations which may restrict or benefit the policies must not be overlooked.

To properly set the tone for the implementation of Aboriginal partnership policy, external organizations must be contacted. The corporation should have a liaison with the various levels of government, have a direct liaison with the Aboriginal groups involved and affected, and there should be conditioning with the current external suppliers affected by the policy. By keeping these external forces informed, there will be a much greater likelihood of the policy being successful, which may generate additional support.

D. Establish Basic Business Parameters

In Cameco's experience, partnerships with Aboriginal organizations have not necessarily begun with Aboriginal-owned enterprises. In the past Cameco has created Aboriginal organizations from non-Aboriginal companies. Encouragement of Aboriginal involvement and training to allow the Aboriginal organization to increase its control and influence on the company has been a successful model. By converting a non-Aboriginal organization into an Aboriginal-managed organization, Cameco ensures that the training necessary to be a successful partner with Cameco is supplied and the expectations of the contract agreements are learned.

Corporate expectations of the partnerships must be communicated and managed within the partner organizations. Corporate expectations such as quality, timelines, and cost competitiveness must be clearly communicated between the two partners to ensure that they both understand and agree to the same expectations.

When looking to enter into partnerships with Aboriginal organizations, businesses should look for companies that separate politics from business. By nature of the struggles Aboriginal people have had in the past with the various levels of government, it is only natural that politics plays a large role in their everyday life. Generally, if a company is looking to partner with an Aboriginal organization, it is to the benefit of the company to search out partners who do not mix politics and business relations.

Although it is ideal to seek out these types of partners, it is very difficult to accomplish. Consequently, the company must be aware that those political issues exist and must also be prepared to enter into political issues which deal specifically with the operations of the partner of or the partnership.

E. Establish Procedural Guidelines

To ensure a beneficial partnership, it is important to establish procedural guidelines. Determining qualified potential suppliers allows the company to approach them with a specific need and the supplier can then determine whether they can fulfill that need. Also, it allows the company to aid the Aboriginal organization in positioning themselves to be able to meet the contract needs from training and mentoring to organization and coordination. Many Aboriginal organizations have relatively little experience with respect to business contracts and the responsibilities that those contracts entail. It may be necessary for the company to waive bonding requirements for Aboriginal employees, and even to provide financing to the partner in order to aid the company in meeting the requirements of the first contract. Once the Aboriginal organization gains more experience, this financing can then be re-evaluated.

In Aboriginal communities, entrepreneurs are not always perceived as entering into business relationships for the benefit of the community, but rather for strictly personal benefit. Often, there can be feeling of jealousy towards a successful entrepreneur in an Aboriginal community. Therefore, when a company is looking to enter into relations with an Aboriginal entrepreneur, the company must be aware that the community may or may not support that entrepreneur. It is then possible for a series of political issues between the entrepreneur and the community to arise where the company may not wish to be involved. The reality is that although it may be difficult to partner with a community-based organization, it may prove to be less politically charged.

F. Set Internal Performance Expectations

To aid the creation of the corporate mindset, annual corporate targets should be established. These targets should be quantified in terms of dollars, volume, type, or diversification percentages, to name a few. Targets should be made at various levels (by operation, department, and individual managers). In order for these expectations to be effective, a method of evaluation should be implemented. Internal and external monitoring should be put in place and regular reporting should become habit. By monitoring the progress of the initiatives and expectations, management should be able to correct mistakes before they become significant. Through monitoring, management should be prepared to hold people accountable for their actions. When success is being achieved, cherish it; however, failures can and do happen. A company should not dwell on the mistake, but rather should learn from it and move on to the next step. By learning from mistakes and celebrating successes, the mindset of the corporation should be created to embrace change and diversification.

2. Creating a Community Mindset

When entering into partnerships with Aboriginal organizations, not only does a company have to have the approval and support of the various levels within the organization, it must also have the approval and support of the Aboriginal community. By creating a community mindset towards the partnership, the company can operate more freely within the community and be sure that the community understands and supports those operations. As well, it can be assured that the community also receives benefits from the partnership. As with creating a corporate mindset, there are number of issues that must be addressed when creating a community mindset.

A. Formalize Intention Internally and Externally

The company must communicate its general business philosophy and intentions, especially in creating wealth through profits. Aboriginal communities may not inherently adopt this philosophy and may misunderstand how to use profits to continue the organization. Therefore, it is important that the company clearly communicate this philosophy.

It is most beneficial if the company can correlate its goals and objectives to the community's social and economic goals. For example, the company wishes to make a profit on its operations, and to achieve this it wishes

to employ Aboriginal people. By employing Aboriginal people, the company meets the goal of increased employment and self-sustainability of the community.

Aboriginal organizations, usually having little experience in business relations, should decide what they are going to do with earnings and dividends and then communicate these decisions with the partners and the community. It may be necessary to encourage the Aboriginal organization to keep the earnings within the organization for future growth.

Strategic long-term goals should be introduced into the new Aboriginal organization and then shared with the partner and the community. By informing the community of the organization's long-term goals, it may gain more support and involvement of the community.

In creating a community mindset, a company should ensure a commitment of financial resources. Through a financial commitment, communities are actively participating in creating the community mindset of partnership and contribution. Also, business planning advice and expertise should be employed to better aid the growth and competitiveness of the Aboriginal organization. This expertise may aid the Aboriginal organization in establishing effective and long term partnerships with outside companies.

B. Establish Guidelines for Business Management

As mentioned earlier, difficult political situations can arise from a company doing business with a single entrepreneur within an Aboriginal community. Also, it may be difficult to work with community-run organizations as they may have different business philosophies. A company looking to work with Aboriginal organizations must be prepared to analyze the situation and decide which the most viable option is: working with an entrepreneur or with a community organization.

In addition, a company must assess the business management capability of the organization. If it does not match the company's expectations, training and/or mentoring may be an option. In Cameco's experience there have been difficulties establishing a business customer relationship. For instance, if Cameco purchases a product or service from an Aboriginal organization while at the same time it aids that organization's establishment, the good relations may be taken for granted and the wishes of the customer (that is, Cameco) may not be met. It is up to the Aboriginal organization to ensure that the organization understands the importance of customer desires.

If a company aids an Aboriginal organization in entering the marketplace, the company must make a conscious decision about the desired level of management control. Aboriginal peoples may take the positions of direct management control, or there may be an agreement of a joint venture where both the company and the Aboriginal organization have managing control, or there may be a limited partnership where the company has full management control. Depending on the nature of the relationship between the parties, any of these arrangements may be viable.

C. Facilitate the Separation of Politics and Business

Aboriginal organizations and politics are often intertwined. Because of the difficult political history of Aboriginal people, it is often difficult to separate politics from the business of the organization. When a company is looking to enter into partnerships or relations it may be necessary to identify and deal with potential political problems. The company should help the Aboriginal organization, if necessary, to establish a separate business structure at a distance from political influences.

A company should encourage the Aboriginal partner to establish policy so as to avoid drawing operating funds or profits too early in the lifespan of the organization. By drawing funds too early and not re-injecting them into the organization, the operation of the organization may be too restricted and may eventually fail.

Aboriginal organizations can often be managed by the company in the beginning stages. However, the company should plan training for Aboriginal management and administration to eventually operate the organization without the aid of the parent company**.** Within this training, a process to identify and develop entrepreneurs can be implemented. Throughout this training, the parent company should test for commitment and provide regular feedback to the Aboriginal organization.

Also, getting support form the Aboriginal community board, councils and leaders will aid in the company separating politics from business

operations. By keeping the community leaders informed of the operations and intentions of the company and partnership, it will effectively relieve political pressures on the two organizations.

III. CREATING SUCCESSFUL ABORIGINAL BUSINESS PARTNERSHIPS

The following outlines some strategies that companies can successfully adopt to create and maintain Aboriginal business partnerships. These strategies involve: (a) adopting best case partnership models; (b) ensuring clear communication exists surrounding partners' expectations and standards; (c) incorporating flexibility within partnership agreements; and (d) encouraging Aboriginal organizations' independence and sustainability.

A. Four Success Models Used in Cameco

Cameco has developed four models for successfully entering into Aboriginal partnerships. These models have achieved successful partnerships for Cameco in the past and outline four methods other organizations might use to achieve successful partnerships. These models are as follows:

(a) Identify and custom fit existing entrepreneurial capacity
(b) Facilitate joint ventures with existing experienced contractors and suppliers
(c) Encourage and/or facilitate acquisitions by Aboriginal entrepreneurs
(d) Act as the joint venture partner and incubate a future Aboriginal supplier.

B. Setting Expectations and Standards

To aid the development of Aboriginal organizations and partnerships, it is important that the company communicate its Aboriginal development program to existing suppliers. By communicating these programs, the company gives these suppliers an opportunity to meet the Aboriginal program policies or to meet the new requirements of the company.

Establishing expectations on matters of financing, management control, training, employment and Aboriginal participation allows the company to set standards that its suppliers and other partners should meet. By establishing these expectations, the partners clearly understand what is expected of them and can strive not only to meet, but also to exceed these expectations.

Culture is an essential component within an Aboriginal organization. Companies interested in entering relations with these organizations must understand that culture cannot be separated from the organization. Encouragement of cultural integration beyond the business relationship should be fostered.

C. Establish Flexibility in Partnership Models

Flexibility is always an asset within organizations. When tendering and bidding processes are being entertained, flexibility should be built into the process. With Aboriginal employees, a company should consider waiving bonding when necessary and also should be prepared to get involved in financing.

In partnerships with young Aboriginal organizations, the company should prepare to engage in business management and mentoring programs to better its management structure. Openness and communication can be a key success factor in achieving a successful partnership. Both partners should be prepared to give and receive feedback on a regular basis.

D. Encourage Independence and Sustainability

As many of the Aboriginal organizations are young and relatively inexperienced, they should be discouraged from becoming contract-dependent with one company over an extended period of time. The company should insist on preparing the enterprise for future diversification and should encourage joint ventures to grow beyond the existing contract. By implementing strategies and methods to encourage growth and stability, the Aboriginal organization should be more stable and less reliant on one contract.

IV. CONCLUSION

Many companies today are beginning to recognize the strategic advantage of employing Aboriginal people and developing partnerships with Aboriginal businesses. Cameco Corporation is one of Canada's leading industrial employers

of Aboriginal people and has a number of successful partnerships with Aboriginal businesses. From Cameco's experience in business partnerships with northern Saskatchewan's Aboriginal communities, the company has outlined a number of important issues that it believes should be addressed to achieve successful Aboriginal business relations.

For Cameco, a company must create a corporate mindset by securing senior management commitment, establishing and communicating the business case, establishing policy framework, establishing basic business parameters, establishing procedural guidelines, and setting internal performance expectations.

Creating a community mindset is also very important for Cameco Corporation. This mindset can be achieved by formalizing intentions both internally and externally, establishing guidelines for business management, and facilitation the separation of politics and business. By addressing these issues, a company's Aboriginal initiatives may be very successful.

Currently, nuclear energy provides 16 percent of the world's electricity, and it is very important that Saskatchewan positions itself as Canada's premier exporter of clean energy. Cameco is strategically positioning itself within this market to continue to be among the top world suppliers of high quality uranium. Our commitment to Aboriginal and northern community participation is part of a larger strategic move to best position the company on the world market.

Cameco has experienced successful business relationships with Aboriginal communities and businesses by addressing these issues and believes other companies who wish to implement Aboriginal initiatives need to address these issues to achieve successful relationships.

NOTE

1. This case study includes the data available at the time of the presentation in 2002. In 2004, Cameco has more than 680 Aboriginal employees (more than 50 percent of the entire operating workforce).

EMBRACING ABORIGINAL VALUES AND TRADITIONS IN A UNIONIZED ENVIRONMENT

Kenneth W. Tourand

I. INTRODUCTION

In 1998 the Nicola Valley Institute of Technology (NVIT) in British Columbia faced new challenges in its efforts to maintain its uniqueness as an Aboriginal public post-secondary institution. The employees of NVIT had become certified as a trade union under the College and Institute Educators Association (CIEA) and NVIT had to negotiate a first collective agreement with its faculty and staff. In these negotiations there was potential for an *us vs. them* mentality differing markedly from the traditional values and cultures being taught by our Aboriginal Elders. By becoming unionized, NVIT was forced to consider three key questions: (a) Was NVIT unique as an Aboriginal post-secondary institution? (b) What impact would the trade union have on the ability to maintain Aboriginal culture, values, and traditions? (c) What steps could or should NVIT take to ensure its continued status as an Aboriginal institution in a unionized environment?

Since its inception as a private post-secondary institution in 1983, the institution has struggled to maintain its uniqueness as an Aboriginal organization. Its challenges were intensified when NVIT achieved its public status in 1995, and certified as a trade union in May of 1998. And NVIT anticipates further collective bargaining issues as it attempts to expand its delivery of programs and increase its number of employees. A clear strategic direction is therefore necessary to ensure that the collective agreement enables employees to function with some degree of Aboriginal values and norms. As the institution enters this exciting period in its history, it needs to examine its ability to develop and maintain its uniqueness as an Aboriginal organization.

When NVIT opened its doors in 1983, it attracted twelve students and classes were held in the basement of a local band office. Today, NVIT has grown into an Aboriginal public post-secondary institution that serves hundreds of Aboriginal and non-Aboriginal students from across British Columbia and Canada. Currently NVIT offers on-site courses in College Readiness, Natural Resources, Indigenous and Academic Studies, Administrative Studies, Social Work, Early Childhood Education, Community Economic Development, and an Information Technician Certificate. In addition, NVIT has a very successful continuing education department

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delivering off-site courses in Community Economic Development and Forestry in First Nations communities across Canada. In sum, NVIT has been successful in providing quality education to Aboriginal students in a culturally appropriate setting.

Focusing on the case of NVIT, this study explores how an Aboriginal institution can identify useful Aboriginal culture, values, and traditions and incorporate them into the institution's organizational structure. In particular, the study has five main objectives:

1. To determine how NVIT is operating as an Aboriginal institution and to elicit opinions on how it can improve as an Aboriginal organization.
2. To gain insight into how employees view the union in relation to the Aboriginal culture of the organization.
3. To assess whether or not the employees feel that participating at the provincial common table would be beneficial for NVIT, and whether or not NVIT should attempt to incorporate Aboriginal concepts into its local collective agreement.
4. To learn what employees deem more important in leadership positions: an Aboriginal person or a non-Aboriginal person who is experienced in the public post-secondary system.
5. To develop a list of recommendations for the NVIT community outlining the steps required for NVIT to maintain its Aboriginal culture, values, and traditions.

In other words, the overall purpose is to determine whether or not NVIT is operating in a manner consistent with Aboriginal[1] ways and philosophies, and whether or not Aboriginal culture can be maintained during times of organizational change. In one-on-one personal interviews, a number of NVIT employees shared their views, experiences, and perceptions on the three key questions posed for NVIT by unionization.

In a time of organizational change it is important to understand the dynamics involved in maintaining Aboriginal culture, values, and traditions in an organization that offers services that are dominated by mainstream ideas and culture. In order to have any success in this area, people must understand what makes an organization uniquely Aboriginal. Is it the mission and vision, the employees, the Board of Governors, the philosophy, or is it something different? Traditional culture and values are often passed down from Aboriginal Elders and emphasize community and the ability to work together. This organizational culture is quite different from the modern mainstream organizational structure that is often hierarchical and finds management and employees with opposing attitudes, goals, and viewpoints.

The major findings of the study include:

1. The Nicola Valley Institute of Technology is a unique Aboriginal institution.
2. It is not clear whether or not NVIT is "Aboriginal enough".
3. NVIT should have a president that is Aboriginal and experienced in the public post-secondary system.
4. The majority of employees at NVIT should be Aboriginal.
5. The Board and Senior Administration must play a leading role in developing and maintaining the Aboriginal essence of NVIT.
6. Unhampered unionization may have a negative impact on the Aboriginal uniqueness and operations of NVIT.
7. NVIT may be able to unionize and maintain its Aboriginal essence and qualities if Aboriginal concepts and ideas are captured in NVIT's local collective agreement.
8. Ideally, everyone employed at NVIT must commit to maintaining and developing NVIT's Aboriginal essence, especially given the potential negative impact of unionization.

II. THE CULTURALLY SENSITIVE DESIGN AND DEVELOPMENT OF NVIT'S NEW CAMPUS

During the same time period as union certification (1998), another significant event took place that it was hoped would help maintain Aboriginal culture at NVIT: the provincial government approved a new campus with construction beginning in the spring of 2000. The NVIT new campus doors opened for the first time on January 2, 2002. To celebrate this occasion, the Elders, staff, students, and guests marched to the beat of drums from the old building in downtown Merritt to the new campus at the top of the hill. The new building means for the first time in the history of the institution that the entire

NVIT organization exists under one roof. The Elders of the Nicola Valley were involved throughout the planning of the new campus. In November 1999, a special naming ceremony was held on the site of the new campus. The Elders informed the NVIT community that the site was to be called "Nmicaqtn", which, when translated, means "where the Eagle is perched".

In addition to the naming ceremony, the institution took a number of steps to help maintain the Aboriginal spirit of the college. The first step was to hire an architect who was Aboriginal, and who was committed to building an environmentally friendly structure. In addition, the planners tried to incorporate as much of the circle, an Aboriginal symbol, into the construction as possible. The building emerges out of the earth, and therefore is in touch with Mother Earth. The main entrance is from the East, which is significant in First Nations culture as the East is where the sun rises and indicates a new beginning. The design contains a significant amount of wood throughout the building, and around the outside of the building, there is a bandwidth of wood similar to that of a drum. At the entry to the building, there is a meeting place complete with a ceremonial fireplace. The Elders' office is located in the centre of the building and a new Elders' Council is working effectively in advising the institution on key cultural decisions. At the entrance people are able to look straight through to the heart of the circle where a ceremonial arbor will eventually be located. In these ways the building attempts to represent the Aboriginal culture of the institution.

III. LITERATURE REVIEW

In a major study of Aboriginal culture, values, and traditions in a unionized environment, it is important to have a sound understanding of culture and traditions in Aboriginal organizations and communities across Canada. Overall, Aboriginal organizations are different from "mainstream" organizations in that they have emerged from a group of people who are culturally, socially, politically, and economically unique. According to Berger (1991), the culture of Native people amounts to more than crafts and carvings; it includes the tradition of decision-making by consensus, a respect for the wisdom of the Elders, a belief in the extended family, and a special relationship with the land. In addition to holding a high regard for the environment, Aboriginal people are willing to share all of these beliefs in one form or another within their cultures, even though they have been under unremitting pressure to abandon them. Ross (1992) argues that white society is unwilling to acknowledge that North American Indians have different values and institutions that have not lost their relevance and application despite five hundred years of cultural and technological "progress". As a result of mainstream beliefs, traditional structures such as the extended family and tribal groups are struggling to maintain their importance in the lives of Aboriginal peoples. The struggle, Krotz (1990) argues, has been particularly difficult for the Aboriginal youth. As Native people move from generation to generation, Aboriginal values risk being lost in the process.

Elders and Indigenous Knowledge

The acknowledgement and promotion of the wisdom of Aboriginal Elders is critical to the success of Aboriginal organizations in maintaining Aboriginal traditions and culture. The Elders bear the responsibility of passing down stories and ensuring that today's children are aware of their past. In an interview with Georges Erasmus, former National Chief of the Assembly of First Nations, Krotz (1990) discovered that the basic teaching of the Elders is to respect and value diversity. According to Ross (1992), the Elders know better than anyone how much of their culture and traditions have been eroded or lost over the last one hundred years. In an interview with the Carrier Sekani Tribal Council, Cassidy and Bish (1989) learned that the Elders have brought both Aboriginal and non-Aboriginal people to a point where most understand cultural differences. Still, Aboriginal people must learn, understand, *and* use their knowledge, wisdom, and teachings in an effort to maintain the culture. Elders play a significant role in education, history, and politics, as they pass on the wisdom of their peoples (Ryan, 1996; Cassidy, 1991).

The Era of Assimilation

The literature underlines the history of non-Aboriginal people of Canada wanting Aboriginal people to adopt a "mainstream" way of life, regardless of the Aboriginal people's preference. Asch (1998) links this attitude of non-Aboriginal

people to ethnocentrism, a form of bias that favours what is familiar and denigrates what is different. Mainstream society viewed Aboriginal people as different and therefore inferior, and its goal was to make them adapt to the European way of life. According to Kulchyski (1995), *hegemony* includes attempts on the part of the dominant society to assimilate Aboriginal peoples. To Aboriginal leaders, assimilation meant the process of making Aboriginal culture irrelevant in the lives of Aboriginal peoples. Through the strength of the Aboriginal communities, and the wisdom of the Elders, however, Aboriginal people of Canada have resisted assimilation. They are peoples striving for the dignity of their culture, the integrity of their territories, and the right to manage their own affairs. Resisting most attempts at assimilation, Aboriginal peoples have as their goal Aboriginal rights and Aboriginal control over their own affairs. Indeed, Aboriginal people differ significantly from white people in the way they approach the issue of assimilation. According to Krotz (1990), white people seek solutions, while the Indians want justice. Furthermore, when Aboriginal people consider Aboriginal rights, they consider the right to the enjoyment of culture and the right to survival and self-determination (Asch, 1988).

Aboriginal Educational Institutions and Culture

The ability of Aboriginal organizations to maintain their culture is important to the survival of Aboriginal people and to their fight against assimilation. Culture is a vital force in Native people's lives because it distinguishes them from the rest of the dominant society (Kulchyski, 1995; Berger, 1991). Critical to the perseverance of Aboriginal culture is the environment in which the children and youth grow up. This places even greater importance on an Aboriginal education in Aboriginal schools maintaining academic credibility in a culturally appropriate setting. Often Aboriginal schools struggle to teach Aboriginal identity, while gaining academic credibility in a competitive 21st century (Ryan, 1996; Krotz, 1990). They often confront a belief that Aboriginal schools do not meet the standards and criteria of mainstream schools. The too widespread perception is that Indian schools are for dumb children (Krotz, 1990).

However, there is a need for Aboriginal children to be taught in a culturally sensitive place. Unless children can be brought up with both an appreciation of Indian culture and an education to function in the larger society, Indian people may be committing cultural genocide (Cassidy & Bish, 1989). Aboriginal people need the necessary skills to compete in the world, but they shouldn't have to cease being Indian in the process of getting those qualifications (Krotz, 1990). It is apparent that if Aboriginal people are going to resist assimilation and enhance their own sense of identity and culture, then they must do this through Aboriginal education. "Indian control of Indian education" is a phrase that is used often in Aboriginal educational institutions. The National Indian Brotherhood submitted a policy paper on Indian Control of Indian Education in the 1970s that was influential in the movement towards self-government. The paper maintained that because the Federal government was responsible for Indian education, it was their responsibility to transfer the authority for education to the local Band level (Cassidy & Bish, 1989). Although the paper requested local control of education, the government has been reluctant to relinquish control. Yet, when the government denies First Nations people the control of their children's education, it demonstrates a lack of trust, respect, and status (Ryan, 1996).

A number of authors agree that there are three ways in which Indian people can achieve Indian control over Indian education. The first places Aboriginal education in the hands of the local Bands; the second incorporates Native cultural values, including Native languages, into the curriculum; and the third involves the parents and community members in education at a local level (Roberts, 1982; Ryan, 1996). Those concerned with Native education should listen to what Native peoples have to say about these matters (Ryan, 1996).

Aboriginal education today remains caught in a disturbing tension. On the one hand, Aboriginal people need the skills and knowledge to succeed in the dominant culture. On the other hand, they have roots in a noble heritage from which they draw personal and collective strength (Roberts, 1982). In an interview, Krotz (1990) drew out Thomas Berger's opinion about Indian education. Berger believes that Native people should not only be the ones receiving an education at Aboriginal schools, but they also need to be managing the institutions, rather than having

the Native figureheads at the top, with the "white folks" managing the day-to-day operations.

With such a large population of Aboriginal people in British Columbia and across Canada, it is not surprising that a number of Aboriginal organizations offer services directed at Aboriginal people. However, the question remains: "What makes an Aboriginal organization uniquely Aboriginal?" While little has been written about these organizations, a number of scholars have begun to explore this interesting and vital area of research. David Newhouse (1996), in an unpublished interview with Warren Weir, defines and describes the Aboriginal organization. He describes three tests to determine whether or not an organization is Aboriginal. First, are the majority of people within the organization Aboriginal? Second, is the organization Aboriginally controlled? And third, does the organization operate according to Aboriginal values and customs? Weir (2000) builds on these tests and concludes that the "ideal" Aboriginal organization in Canada has the following five characteristics:

1. The majority of people within the organization are Aboriginal employees.
2. The organization has Aboriginal ownership and/or control.
3. The organization is practising Aboriginal culture and traditions.
4. The organization is connected to the Aboriginal community.
5. The architectural design of the buildings reflects the Aboriginal essence of the organization.

Newhouse (1996) describes Aboriginal organizations from an organizational behaviour point of view whereby people have made a conscious decision to attempt to operate in an Aboriginal fashion. He feels the organization's culture and the culture which surrounds it must "fit". Newhouse (1996) believes that Aboriginal organizations serve two purposes: one is the purpose for which they are designed, and the other is the contribution they make to the revitalization of Aboriginal communities.

IV. NVIT ABORIGINAL UNION-MANAGEMENT RELATIONS: A CASE STUDY

There are very few examples of an Aboriginal organization having a certified trade union. This case study reflects events during the certification of the employees of the Nicola Valley Institute of Technology (NVIT). Started in the early 1980s as a private post-secondary institution, in 1995, NVIT received public status through an order in council of the provincial government and became a public post-secondary institution with a mandate to serve Aboriginal students and communities. After receiving public status in 1995, there was a push to become unionized. A representative of the College and Institute Educators Association (CIEA) was invited to attend a meeting with the employees of NVIT in 1996. At that time, there was a clear message that NVIT was an Aboriginal institute and that a mainstream union was not welcome at NVIT.

The employees of NVIT then tried to create a "collective" to negotiate wages and working conditions. Willing to work with this group, the NVIT Board of Governors instituted a Board Personnel committee. Unfortunately, the collective failed because of a lack of organization on the part of the employees and because of a lack of resources on the part of the institution.

In 1997, an organizational restructuring took place at NVIT resulting in a number of layoffs, and job security again became a concern. In early 1998, a CIEA representative was once again invited to a meeting of the employees of NVIT, resulting in a sign-up campaign that achieved the required number to be certified as a trade union. The NVIT administration was sent a notice informing them of the certification and asking them to attend a meeting to discuss union membership and determine who was to be included in the union and who was to be considered exempt.

Once membership was determined, The Nicola Valley Institute of Technology Employee Association (NVITEA) gave NVIT notice of intent to bargain a first collective agreement. During the first protocol agreement meeting, NVIT invited one of its Elders to come to the meeting. The Elder opened the meeting with a prayer and proceeded to inform the two bargaining committees that unions were not the First Nations way and that it was important that NVIT continue to be a community. The two bargaining committees agreed that the collective agreement must be reflective of Aboriginal culture and traditions in order for it to be effective at NVIT.

The union took the first step in maintaining NVIT's Aboriginal community by having one union for both faculty and staff. While not the first college in British Columbia to do so, NVIT is a rarity among public post-secondary institutions in having both faculty and support staff under one collective agreement.

The bargaining committees realized that to negotiate an Aboriginal collective agreement, it was going to take a considerable amount of time and effort. After a number of personnel changes on the union's bargaining committee, the first collective agreement was finally reached after more than two years of bargaining. The NVIT collective agreement was unique in that it contained a number of clauses that were reflective of NVIT's uniqueness as an Aboriginal institution. A sample of these articles is listed below:

> Article 1.2 Uniqueness — The parties recognize NVIT as a unique Aboriginal post secondary institution that has a preference for hiring Aboriginal staff, teaching Aboriginal curriculum, and maintaining Aboriginal culture, values, and traditions.
>
> Article 14 Discipline, Suspension, Dismissal — The Employer may choose to use an Aboriginal traditional method for conflict resolution, or may choose to use a different method.
>
> Article 16.1.4 Posting — NVIT reserves the right to favour persons of Aboriginal ancestry in hiring and promotion, as justified under an exemption to the BC Human Rights Act. NVIT is committed to filling vacant positions with an Aboriginal person.
>
> Article 16.2.1 Hiring Procedure — ... The remaining positions on the hiring committee may include an Elder, a student, a Senior Administrator, and/or other employees who are familiar with the vacant position....
>
> Article 21.3 Layoff — Given that NVIT maintains the right to favour persons of Aboriginal ancestry, seniority is one of the deciding factors governing layoffs and recall after layoff.
>
> Article 23.5.2 Cultural Leave — An employee may request special leave for the purposes of cultural leave....
>
> Article 24.2.4 Aboriginal Day — June 21, National Aboriginal Day is not a statutory holiday. The Board of NVIT believes it is extremely important that NVIT, as a recognized leader in the First Nations community, show its support for this National holiday. Although NVIT does not have its own celebration at this time, it is probable that in the near future, NVIT will have its own Aboriginal Day festivities. Accordingly, the decision on how Aboriginal Day will be celebrated will be considered on a year to year basis, and be determined by the President.

One of the reasons that the collective agreement took so long to negotiate was that the two bargaining committees did not bargain until all hours of the night. Bargaining was conducted at mutually agreed times and was generally finished by 9:00 p.m. at the latest. Although at times this stopped the flow of bargaining, it again showed the commitment of both NVIT and the union to ensuring that the collective agreement worked for both parties. Rather than the two parties having opposite goals during bargaining, NVIT and the union recognized that negotiating an Aboriginal collective agreement was unique and beneficial to the entire NVIT community.

Once the two bargaining committees came to a tentative agreement, the union took it back to its membership for ratification, while NVIT requested approval from the BC Public Sector Employers Council (PSEC) and presented the collective agreement for Board approval at an NVIT Board of Governors meeting. The collective agreement was approved by all parties and became effective April 1, 2000, until March 31, 2003. In May of 2003, the parties agreed to a one-year extension to March 31, 2004.

As NVIT entered the year 2000 and approached the end of its second year of its first collective agreement, the significance of becoming unionized became clearer. The union certification at NVIT was one in a series of Aboriginal organizations that were beginning to negotiate wages and working conditions with their employees. Although the Native court workers in British Columbia had been unionized for over five years, the Institute of Indigenous Government, the Interior Indian Friendship Centre, and the employees of both the Kamloops Indian Band and the Westbank First Nation were Aboriginal organizations that were entering or in the middle of negotiations. Like others across Canada, these Aboriginal organizations in British Columbia were struggling with issues of identity, and increasingly concerned about the impact of unionization on Aboriginal ways.

The major question shaping NVIT's future is whether it can maintain its Aboriginal culture and traditions in a unionized environment. By identifying the traits that make an ideal Aboriginal organization, NVIT may be able to shape the role that culture has both on the individual and on the organization at large. If the individual employees determine that the workplace is reflecting Aboriginal values and culture, their behaviour and attitudes may begin to have a positive effect on the students and their colleagues. Once the college community begins to understand the importance of culture and ways an organization can maintain its culture and be unionized, then perhaps it will encourage local First Nations communities to become more interested in the growth and development of their school. Continuing the ripple effect, Aboriginal communities across Canada might then recognize NVIT as a leader in reflecting and maintaining Aboriginal values, culture, and beliefs in a unionized environment, and make unionization succeed in their own Aboriginal organizations.

In effect, the collective agreement language accepted by the employees and the Board of NVIT has a significant impact on Aboriginal education for Aboriginal people. Perhaps other Aboriginal organizations will be able to use NVIT's agreement as a template to determine if, and how, culture may be maintained in a unionized environment. In addition to becoming a model for other Aboriginal organizations, NVIT could gain national exposure attracting students to the institution from across the country. Thus, NVIT has the opportunity to have a positive impact on Aboriginal organizations across Canada. Together with its union, the institution has the opportunity to maintain a collective agreement that is specifically designed to assist Aboriginal organizations, including language that recognizes the uniqueness of NVIT as an Aboriginal post-secondary institution.

The stakes are enormous because if NVIT is not successful in maintaining Aboriginal culture and traditions in a unionized environment, the institution could be at risk of becoming assimilated into BC's mainstream post-secondary system. To build on the positive features of NVIT's experience with unionization, the following recommendations are offered.

V. STUDY RECOMMENDATIONS

1. NVIT should define its mission and vision, develop a shared set of organizational values, clearly describe the Aboriginal culture and traditions the institution should adopt, and define how these priorities can be maintained within a unionized environment.
2. NVIT should take every opportunity to honour its Aboriginal essence through events that celebrate Aboriginal culture.
3. NVIT should create a healthy organizational community that is committed to teaching Indigenous curriculum in a culturally appropriate setting, while maintaining an environment of open communication.
4. NVIT should create a workplace environment that encourages creativity, innovation, safety, and supportiveness.
5. The Collective Agreement should recognize NVIT as a unique Aboriginal institution and include culturally sensitive language that supports traditional values and culture.
6. The NVIT Board of Governors, together with the rest of the NVIT community, must actively support the strategic initiatives and model the Aboriginal values, cultures and traditions highlighted in the strategic plan.
7. Elders must play a key role at NVIT, and training should be provided on how to choose and best utilize these unique human resources.

NOTE

1. Throughout the literature and during the personal interviews it became apparent that a number of terms were used to describe people of First Nations descent. For the purposes of this project, the terms will be used interchangeably, and will refer to individuals of Aboriginal descent.

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INTERVIEW WITH JACK SMITH

Warren I. Weir

In this interview conducted during the Value(s) Added Conference in May 2002, Jack Smith talks about Aboriginal organizations and management. It provides insight into the institutions that drive CED and the people that run them (including some of the day-to-day and practical issues and challenges they face).

WW: Please introduce yourself.

JS: My name is Jack Smith. I am a person of Plains Cree and Métis ancestry. My mother comes from the Ermineskin Band, at Hobbema in central Alberta, which makes me a Plains Cree. My father is a Métis person who grew up in the Lethbridge area in Southern Alberta. I currently work for the Hul'qumi'num Treaty Group, which is mandated to negotiate treaty with the federal and provincial governments. I represent six tribes: the Lyackson, Halalt, Lake Cowichan, and Chemainus First Nations, as well as the Penelakut and Cowichan Tribes. Approximately six thousand people live in the territories that we are in the process of negotiating for. In that territory I have also worked for four years as Director of Programs and Administrative Officer for the Chemainus First Nation's local schools — the Chemainus Native College and Stu'ate Lelum Secondary School.

I've had experience in all aspects of management. In addition to the two jobs that I have had in the territory, I have also had experience working at the Nicola Valley Institute of Technology where I was primarily instructing. I have also instructed at several First Nations schools, including the Saskatchewan Indian Federated College, the department of Native Studies at the University of Saskatchewan, and the Faculty of Law at UBC in relation to First Nations law and economic development. I also taught property law in the University of Saskatchewan's Native Law Program.

WW: What does the term Aboriginal organization mean to you?

JS: I have two responses to that. True Aboriginal organizations are more clearly defined as Aboriginal organizations that are owned and controlled by Aboriginal people. There are, however, Aboriginal organizations that are controlled, managed, and run by Aboriginal peoples, but whose particular parameters and mandates come from outside sources or are directly tied into non-Aboriginal organizations. For instance, a lot of First Nations or bands manage programs that Indian Affairs Canada has organized for the band or other Aboriginal related organizations.

WW: What do you think makes a successful manager or leader in an Aboriginal organization?

Jack Smith was the Executive Director for the Hul'qumi'num Treaty Group. He is currently self-employed providing management and other professional services to First Nations, government, and private business.

JS: The successful leader who works in or manages an Aboriginal organization is very skillful at communication and is very flexible in his or her approach. I don't think you can go in with a solid mindset about most of the issues that you will face as a manager. Everything from finance to human resource issues, to particular mandates that the organization has to accomplish, and all the strategic planning, has to be considered with the community in mind. And this involves a considerable amount of communication and flexibility. I believe that is the mark of the most successful Aboriginal organization. If the lines of communication are not clearly established that link human resources and finance, and if other issues that are part of the management function aren't attended to and clearly communicated, then you start to have issues of accountability, issues about decision making, and so on.

WW: You say that the relationship the organization has with the community is important. How do you personally facilitate that relationship?

JS: I have done that primarily through establishing stakeholder groups, working groups, and community groups. For example, in the Treaty Group we have six First Nations that look for input from community members and other people who are in charge of forestry, mining, or some other substantive area. They look for those people to come forward and either volunteer some time, or help us out with those issues. They bring the perspective of their community to us and we all work together to try and create a negotiating stance that is acceptable to all six communities. In addition to that source of input we also turn to a group of representative Elders who are organized into an advisory body. We are also organizing youth groups to give us their views. With that, alongside extra community meetings to gather the input, we're able to synthesize all the information and go to the main negotiation table or to the side tables to negotiate those issues. We have that input from the community and that is the more informal side.

Or, at the Chemainus Native College, we organized stakeholders' groups. These are committees that we met with to give us their input and provide us with guidance for what we should be doing at the College. We discussed how all areas impacted on the students and the parents of the students, as well as on the community to reflect upon what they wanted to see in the programs. That is the formal side.

Informally, I think it is very important to get input through meetings and going out and actually speaking with the Chiefs, and speaking with the people that administer various programs, whether they are involved with education or having to do with treaty, economic development, or whatever it might be, and then working together. That is part of the communication process on an informal basis.

WW: Can you give us a breakdown of what a day for Jack Smith the manager might be? What sorts of things do you do generally in a day and what takes up most of your time?

JS: I generally arrive at the office between 8:00 a.m. and 8:30 a.m. Right from the moment I get in, it is either the phone is ringing or people at my door. I work very closely with the Elders' coordinator who works closely with the Elders of the six communities. We have a very strong component of our organization that respects the Elders' input whether it comes from community Elders directly or through formal boards like the Elders Advisory Body. There is usually a line up that occurs very quickly and the communications coordinator will come in and ask me about, or give me a briefing on, the previous day's events with the group as well as what's coming up. I also have an executive assistant who provides me with administrative support and does a lot of the logistical work around arranging and making sure that things are in place when we facilitate meetings. We have external and internal functions. Externally, we are involved on a regional basis with First Nations or other tribes that are involved with the treaty process. We meet with them regularly and that is part of an influential body. So we work closely with them and actively participate on political things. There are correspondence and telephone calls and updates related to that group's activities that I have to attend to. We have a person come in to do our finance twice a week and those days are particularly busy because that is when I have to review all of the finances, approve all of the expenditures, sign cheques, and query the authority to spend that money. There is a lot of discussion around budget preparation and then determining what is unexpended. We spend a lot of time with the finance function during those two days, and

making sure that the human resource side is not forgotten. During this time I also make sure that the people are adequately paid or have the right time recorded on their timesheets for their positions.

I then take part as much as possible in the meetings over substantive issues that we have with the federal and provincial governments as well as with the working groups. It is critical that I maintain some part in what the people are working on, whether it's forestry initiatives or aqua fish tenure and shellfish initiatives or governance issues or economical issues. All these things are critical to the treaty. I am ultimately responsible as executive director for facilitating the treaty development: the negotiation strategy, its ongoing development, and the signing of treaty documents related to the business of treaty on behalf of the six chiefs who are the directors of the organization. I frequently meet with them on an individual basis but we also meet at least once a month to talk about the business of the organization.

So a typical day will include all or some aspects of these practices. We seem to have many issues that are of an emergency nature that we have to deal with from time to time because we have personal politics concerning anything from who gets an honorarium to why this man did that when another representative did something else. These things happen and it is all part of my function to coordinate resolution of those issues. I have the authority to delegate some of that resolution activity, but for the most part, I take care of the issues that come forward.

WW: It seems as if that is a 24-7 job. Are you there all the time or have you found a way to escape from your job and also include personal activities?

JS: The question is, is it possible for me to divide my personal life from my business life in any way? I've taken the notion that I have to do that to keep things in balance. I don't want there to be issues around stress management. Particularly in Aboriginal management, there are those people who forget that their positions at the senior management levels come with many stresses because of political influences, a lack of capacity or the inability to see things through because of various factors that influence their environment. I have made it a personal policy to do as much as possible to separate my work life from my personal life. I do that in a couple of ways. Number one, I live a little bit away from my work so it is a 35-minute commute from my work to home. I can make the transition from home to office, and from office to home, and mentally be prepared for the next one. This is important because there is just as much stress at home. I also protect my work from my home life. I want to bring as little as possible of my personal issues into my work place. I get paid x amount of dollars for so many hours of work with reasonable expectation for some overtime. Beyond that, I do not encourage people to call me unless it is an emergency. I don't hang on to the phone or encourage directors and other business personnel to call me or have anyone else call me for every little reason. So, that is generally my stance. If we are very busy because we are coming close to terms with a treaty, then at that time I would expect that I would have to be hanging on to the telephone and spending more time at the office.

WW: Historically, we know that Aboriginal organizations in the community are often constrained by their relationship to the federal government and increasingly to the provincial governments. What is your thought on that historically? More importantly, has the situation changed today?

JS: With regard to the constraints those relationships with other governments bring to First Nations organizations and their central management, I believe that in some areas, such as land reporting procedures and accountability structures, they are important. In other areas, they are less important. Primarily, it is a question of the capacity to fulfill the function for which the ties exist. I can say that in our territory of 6,000 people, there is knowledge, a really deep pool of human resources available for many of the technically skilled areas where we need people to perform functions.

I will give a specific example. For instance, we want to negotiate for shellfish and aquaculture resources within our territory. Technically, this means that we have to do an inventory of what exists to date within our territory: everything in terms of the areas we want to negotiate for, and where it would be best to put in aquaculture leases and create fish and shellfish farms. Then there is a legal issue related to that. For example, how does the

definition of farm fish, which may be provincial fish or federal fish, interfere with our overall work? We can presumably produce products based on our Aboriginal right to do so and based on our Aboriginal title to the beach area which is the subject of the lease. However, if we're dealing with farming clams on the beach, those are federal clams supposedly. Those kinds of issues come up. Decisions don't go in favour of our own people who have been harvesting those resources for thousands of years and know how to manage them. They know how to take care of the species so that we know that there is going to be another batch of that harvest, or species, come the next season. But it is one of those factors that you can't now control and so we have to work with the federal and provincial governments on some of these issues.

When it comes to doing things around aquaculture, such as clam harvesting, we have to negotiate to become part of the management workforce for those resources so that we don't lose that aspect of our traditional ways and whatever part that plays in our culture. The capacity to work in that respect is different because some of the ways that the government endorses to environmentally protect those species have derived from scientific knowledge rather than traditional knowledge. The traditional knowledge is scientific in many ways, but it isn't scientific in the sense that the federal and provincial governments monitor species in the water today. We have to have people that can do that kind of work even though they may not be a marine biologist. So, it may be that we have to accept that there is this innovation that we have to be very flexible with, and we have to weigh whether we want to go that route and allow for intrusion on our rights, if that is the best thing that we can do in these contemporary times. I think there is a range in which you have to locate yourself depending on the circumstances.

WW: Is there intrusion on the way you can manage by external governments?

JS: Yes. If your mission statement is to create a program of studies that is sensitive to cultural values and beliefs and that actually incorporates the details of those cultural values and beliefs and the way that those things were done, very often that is a very tough task. In the education field it is tough to attain and then put all the programs together and manage the people to do that. The limitations are often unrelated to criteria, such as education, that the government accepts for its standards. For example, they set the curriculum in most places and if you don't have the resources to marry the government's stated curriculum with what you want to achieve culturally, it does influence what and how you do things. It also sets boundaries. It affects the way you do business because I can't hire, for example, all First Nations instructors, because of a lack of formal capacity. We don't have that many qualified First Nations teachers who have professional designations and want to work with certain age groups of students or have masters' degrees to do post-secondary studies.

WW: So as a manager in an Aboriginal organization, do you also manage non-Aboriginal people?

JS: Right. But, I haven't taken a different approach to managing those people than the First Nations employees in the organization. I think that whatever we have as the mission statement, or the objectives that we are trying to meet, all relate to the performance of the job in the end. If we see someone come in who is First Nations and has the capacity to learn how to become qualified for the position, then I know the opportunities we would make. We would want them to train for that position. We have that luxury in the treaty group because we have more resources than we had at the school. At the school we didn't have the resources or funding to train First Nations individuals to teach some of the courses that we offered. We had to focus on the front line people with whom we could actually afford to do some things, such as training on the job. I think in that respect we treat them differently. Most of the non-First Nations that we retain right now will come with qualifications. The Hul'qumi'num Treaty group staff members are all First Nations people with the exception of two now (who have the qualifications for their job). Of the First Nations people that we have, approximately half have been sent to various training courses. We have that luxury here; we didn't have it at the school.

WW: So you build capacity within your organization and that relates to capacity-building in the community?

JS: Definitely. For example, we are currently implementing a personnel policy that contemplates hiring people with the use of a selection committee, and advertising and promotion of the job. But the ideal situation is, and hopefully we will change this, is to bring on people we recognize as having potential and provide them with training. I've always encouraged people who have met the challenges of the job to spend their time doing ongoing training with our support. If it means that their next step is a job elsewhere within the community, then we can go and pick somebody else out and continue to build capacity in the community. We encourage those people at the school and particularly here. I think anybody who would leave the Treaty Office is going to have a fair amount of capacity to do a number of jobs, particularly the administrative functions right now. But we also have our own employees who are in training.

WW: I have always been intrigued by the role humour plays in the day-to-day management of Aboriginal organizations — in decision making, communications, interpersonal relationships, and employee relations. Is humour important?

JS: Humour is very important in running our organizations. I think it is part of the management function. I am a manager now but I've also worked for other managers, and probably the least favourite positions I have held were under managers who had no sense of humour. As soon as I build capacity to bail out of those positions, I do. The problem is when the manager is a downright sour manager. I had one in the past and I did not feel comfortable. It makes for a poor work environment — a poorer work environment — one where I was less enthusiastic doing my work and where I was less productive than I might have otherwise been. Those managers basically closed lines of communication and there are other factors too. I think humour adds to a position. In regards to that, I hear lots of people say that First Nations generally have a good sense of humour, that we used that humour to survive the experience of dispossession historically. I see humour as essential on a human basis. It lightens up tensions and stresses of the workplace and makes for more productive employees and managers. It really opens up the lines of communication for all the different groups and provides a comfort zone making it comfortable for people to help us or assist us through our work, including the treaty process work. It is essential.

I get jokes from all over the place. I don't tell jokes as well as I hear them. That is the other thing. When people have something funny to say, there is a line that we have to draw, and it is not so much about being politically correct, although that is important too. You don't want anybody intimidated by a supervisor that is in a position to make comments that an employee is not. I think that we can say the wrong thing at the wrong time and I assume that is an aspect of the overall communicating process, the personal part. If you see that your employees are laughing genuinely at what is being said, and the things you do, that is probably good. However, you have to be careful if you see that they are laughing nervously or you know that you said something that may lower their esteem. You can be too humorous at times. How are they going to take you seriously the next time? So, it is a balancing act and you have to be sensitive to that in the workplace.

WW: Tell me a little bit more about your Elders. How are they selected and what role do they play in the management of your organization?

JS: I can speak about the roles of the Elders in terms of my experiences at Chemainus Native College and also in terms of the Hul'qumi'num Treaty group and the negotiations process. The Elders at the school should have been but were not a very integral part of the school. We did not have Elders in place at the school, although there was always the intention to have more Elder participation and involvement. What occurred, however, was that, due to a lack of resources and facilities, we could not have as much Elder participation as we liked. Even though the business management programs, as well as the basic education and high school programs, seemed to be in a transition state that allowed for greater cultural activity in the curriculum, we were limited by our lack of resources. Because these programs were directed by federal and provincial government policies, our only option was to have the Elders attend school functions only. We had very little physical space and had no separate room for the Elders so they could not meet at the school — nowhere to have Elders in residence. It was a very difficult situation and we really always wanted to have

conversational hall communities. There are only one hundred or so fluent-speaking people in the whole community of over six thousand people. We could never do it, simply because we did not have the funds for language or resources to build the cultural components in our programs, although that was always part of our goal.

At the Hul'qumi'num Treaty Group it is an altogether different story. One of our initial changes was to have the Elders participate actively in discussions of substantive issues so they could advise us as well as the board of directors. However, you have to be very careful about the Elders' role when it comes to administrative matters such as the finances, the personal issues, and so on. They were not in charge of that. We had this whole discussion and we had to establish our terms of reference about what the Elders should be able to do. Ultimately, it was decided that they would advise on substantive issues. We have an eight-member Elders' Board and we meet at least once a month to discuss our progress on treaty. They feel very much a part of that whole process and they feel very much involved. The other thing that we do is to organize all the Elders in each of the communities to meet 10–12 times per year. The principal reason for that is so that they can advise their chief directly. We take part in those meetings if they want to talk about management issues in relation to fishing, gaming or governance issues, or genealogy or if they want us to give them an update on those kinds of things. However, the main purpose of those community Elder meetings is to have community Elders speak directly to the Chief and provide the Chief with input so that the Chiefs are informed without having to come directly to those meetings because ultimately they are the decision makers. The Elders are very much involved. We have sub committees — we call them working groups actually — and some of the more active Elders have been on committees and working groups.

WW: Are there any challenges or issues with organizing and working with Elders?

JS: Yes, there are a number of challenges and issues that arise all of the time. There is no simple solution for any of the issues. I guess I have to respond to one of the questions you asked which was how do you go about selecting the Elders? Well, it is a very sensitive issue. There are six different First Nations in the treaty process. When we establish the Elders' committees as well as the Elders' Advisory Board, there is the whole question of who is an Elder? There is also the issue of remuneration. My approach to that was that we were not going to get involved in dictating who is an Elder. If one community wanted to talk about that in terms of age, or in terms of knowledge, that was for them to decide. I asked our Elders to coordinate the process, and to be very diplomatic, to go to the Chiefs, to discuss with the Chief who might be an Elder and whether they are going to be appointed by the chiefs and so on. We have a community liaison in each community who goes out and does some of our legwork within the community to put a face to our organization.

Then, who are the potential Elders in the community? They draw up a list and the chief gives us some names; these people give us names of their people. They are kind of self-selected. That is what we encourage. And then we have each one of them appoint a chair, which the community approves. That was difficult too, and then the other part of it was the question of how we could get representatives from that group to sit on the Elders' Advisory Body, the formal body that actually advises the chair and directors. How do they go about doing that? For some groups it was very easy. But for communities that did not have regular meetings of Elders, this proved to be a very good thing because it got them organized and participating in the negotiation of treaty. We also encouraged them to meet and review many of the substantive issues including land and some other things. For some of the communities of Elders, it was difficult to say who among them should represent them under the umbrella advisory group. We let them work it out over two or three meetings. I prompted them gently to make some decisions, some resolutions about that. It is not rigid and they can change it.

But then once the Elders are appointed, it becomes difficult. They are ensconced. They do not have terms of reference that say so and so will sit for two years, and I do not think that it is appropriate for us to say that. I think it is when the person is no longer functioning in that position or adequately representing them that someone else may be considered and the community of elders can usually take care of that. They can tell what not to report in discussions

and what is personal. Also, there is a little bit of politics at the Elders level as in any other level of our processes.

We have Elders in our community who need assistance for health reasons, and so, some family member will accompany them. Sometimes we have some of the staff sit in a meeting and take notes for those who are hard of hearing. At a number of meetings, we ensure that there is translation, from Hul'quminum to English and back. One of the difficulties we are finding is in the stage of negotiations that we are in now. When we discuss technical aspects of substantive areas, it is very difficult to translate, even the notion of mapping, for example. We talk about borders and boundaries, and Hul'qumi'num people, well, they didn't have borders and boundaries; they had no fences. Some of them talk about the area of the world in terms of "where we worked — this was our workplace". We fished here, here and here. I remember we used to go up the Fraser River; we used to go way up to Kingcome Inlet and to the North Island and beyond. We used to trade with the Kootenais and with people from the interior, and we can talk that language. But when we are talking about tenures and forestry, or tenures and the sea, minerals, mines and even some issues of governance, we do not talk in the same way. There is no adequate translation for that, and there are very few people who can do a good job, even for the administrative aspects, such as "here is the annual report", or "here is the audited report".

WW: To whom do you look for inspiration?

JS: One person whom I admire and with whom I have had the opportunity to rub shoulders, both as a student of his and I believe as a student of mine, is Harold Cardinal. He speaks very eloquently and he promotes peaceful negotiations, careful considerations, and thoughtful resolutions. He has strong cultural values that influence all the things he does on a daily basis. I admire him very much. I don't know that we think the same on all the issues but whatever he has to say he says. I respect his views and so I see him as a hero because he has done a lot of things. He has taken the time and gone back to his roots. He has gone back and done all the big things that I wish I had finished like a doctoral program and those kinds of things. I will just have to get more wisdom in order to accomplish that at a later time, I suppose.

WW: More and more corporations and other government organizations are looking for and recruiting First Nations, Métis, and Inuit employees. In many cases they are competing with Aboriginal organizations looking for the same people. Do you run into that at all?

JS: Yes. I think there are two sides to that, though. At the same time we have competition from different outside sources. We do have that competition from Canadian mainstream business, corporations, and institutions, but we also have that competition from educational institutions, and competition can even be strong from the bands themselves, the tribal councils or the larger Aboriginal organizations. There are so few of our people in many of the programs that we have to train them to fulfill the positions that are certainly available. Once they graduate from the program, the competition is fierce. For example, BC Hydro and other organizations and corporations have Aboriginal sectors so that they can liaise with the Aboriginal communities and be respectful of the environmental and cultural aspects in order to do their business efficiently. They have a bottom line to protect and they need First Nations people to produce a lot of that work. They are in the position to pay a pretty good dollar to those individuals, to offer them benefits that are not available in many First Nations organizations and, if they are available, they are often redundant because some of the services or employee benefits are benefits that some employees may already receive as status Indians on a reserve.

Internally, the other part is that many people leave communities to go to school and find that there is such a weak economy at home that there are few jobs available. Furthermore, most First Nations that I had the opportunity to speak with do not have specialized departments, such as forestry or resource management. They just do not have the resources to run a department like that or other departments — legal services, social services — they all have to get together to achieve economies of scale. There are not the resources to provide enough incentive for these people to come back to what they sometimes see as a dysfunctional community. It could be because of political interference or just because there is not a job there. Life on

the reserve can be very tough; socio-economic conditions are the lowest in the country.

WW: At this conference Ken Tourand spoke about the unionization of the Nicola Valley Institute of Technology. What is your view on unions in Aboriginal organizations?

JS: Should unions enter into Aboriginal organizations or should people request unions? I can't say yes or no. It is more of a maybe. I think it is very dependent on the situation. I think that unions can bring a lot of stability and certainty to certain working environments where there may be coercive power exercised in terms of the employee-employer relationship: jobs that are not strictly defined, variable vocation scales, or uncertainty about whether provincial or federal labour codes apply. There is a general lack of knowledge about human rights legislation and the employee laws that are available to the people. I think unions can do a lot of things. They can establish rates of pay and so on. But they are not traditional ways of dealing with employer-employee relations. I do not think that many of those structures are in place anymore to resolve fair and equitable relationships between employers and employees. The unions can do a lot of good in a community. Where there are larger unions, though, that have national affiliations or international affiliations, that may be problematic because then many of the norms and values of those larger organizations are going to be just another imposition of the cultural values and norms of mainstream people. On a regional or local level, there is going to be a tension that cannot be resolved with the larger union, and the people are going to have some impact on the package. But I think unions can do a lot in establishing the boundaries of the relationships between management and employees.

WW: Tell me about the relationship between tradition and culture and organizational management.

JS: I guess practically speaking, as I stated before, there is a very prominent role for Elders in pretty well all aspects of our treaty-making process. However, Elders do not speak on issues of finance and issues of human resources policies and so on. They do, however, speak on the substantive issues and the creative issue that will impact upon people generally. They provide advice to the decisions of the six directors of the treaty group. They also advise the chief negotiator. And although that does not sound like a lot, it is a lot. Most of the Chiefs do respect the Elders and it will show up in their decisions. What we do not see as part of that formal process is what is behind the scenes — where that respect comes from at the community base, at the community level, and where in a community those particular Elders have strong influences in all aspects of those decisions, and of course in other peoples' decisions. That is reflected at that level. And so, although it does not sound like a big deal, it is very influential. It affects the politics of some of those decisions as well as any consequences of those decisions. So they play a large role, and it is cultural. It is about respecting the Elders and some of that discussion takes place at the big house.

We also use cultural protocol to open relationships with our neighbouring First Nations in discussing the resource sharing and land sharing issues that we have. We certainly use cultural protocol in terms of meals and opening meetings and have Elders when possible commence those meetings. They are a part of everything that we do. Even in the discussion with our technical people, there are individuals on the board who persistently remind us about the cultural aspect. They are not saying "do not forget the cultural aspect"; they are saying that there is a cultural connection to everything that we do in terms of resources, and we are sensitive to that. The frequency that people use the Big House very much depends on how much the Elders permit access to it. It is very much dependent on things like the availability of certain kinds of seashells that are required for some of the regalia and where you get that or cultural wood. You would not think that we have a lack of firewood in our territory, but we do not have enough firewood and access to firewood to keep the fires of the Big House burning. We have to go to Weyerhaueser or some other large corporation. We have tenure on the land to get the wood, but we need certain kinds of trees to carve out canoes, ocean-going canoes. They have to be a certain kind, and that is not available in our territory anymore. So, we have to go to our neighbours and talk to them about it — to Weyerhaueser and other places that might have that stand of timber on their lands.

I think the language, the preservation of language and the cultural aspects of our

traditional use of the land and sea and the resources, the Elders tell us those things. We take them out on the land and so on. And the actual management decision-making process, when it comes to what I do, I administer the personnel policies, I administer the fiscal policies, I ensure that the facilitation of the treaty process is running according to the strategic plans that do not necessarily have, at least not directly, Elder involvement. But we are always conscious of being accountable to our Elders and our people and respectful of the culture.

WW: How do you define leadership?

JS: I guess in defining leadership in relation to management, I see leadership as meaning being able to establish a vision and follow through to attain the vision and that means doing some of the things you need to do particularly in First Nations' organizations. I think you have to establish or show by example or be a good role model about all aspects of the organization: what it means to be working 35–40 hours a week; how to set up strategic plans and follow through. In addition to talking about where we ought to be, for example, in treaty, it is actually taking the steps to go out and be there and sometimes it is rough. Obstacles and a lot of internal barriers, as well as the external ones, are part of the process. Sometimes you have to be very firm about that and other times it depends on the situation. You need to be fairly democratic in some of the decisions that you make in management. But at other times leadership is about being able to walk the talk as well.

WW: What is your view of the role that Aboriginal organizations will play in Canada in the future?

JS: I hope for change; I think we need change. I think we have become ineffective at the national, perhaps even the international level. Largely, it has been a response to underdevelopment and initiatives that make us less effective. Groups like the AFN I do not think are as effective as they once were. I have concerns about this in our own treaty situation, where we are grouped in with all the other tribes and First Nations and talk about some of the larger problems we have with treaty. But I find that, when many of the issues get there and we want to make resolutions about what should be done, we are not able to accomplish those things because we are too cumbersome. So I advocate a more regional approach to a leadership role, actually going out and doing something about issues, building in the process and evaluating whether we are being effective or not. You have to do something. I find that many of our leaders want to do something but lack the capacity somehow or have to meet the status quo or whatever factor there might be. We just have to go out and do it. If we do it wrong, then we just have to go out and learn from that, but we have to take action.

Editors' Introduction

Isobel M. Findlay, Warren Weir,
and Louise Clarke

Lessons from Research features presentations by the four conference keynote speakers who bring their different training and experience to bear in addressing Aboriginal CED for the 21st century. In their different styles and from diverse perspectives, the keynote speakers encourage us to think beyond the dominant and often comfortable and comforting models of CED that we have inherited. They challenge us to take on new language, new models, and new theories and to learn from places and people that we may not always consider, so that Aboriginal values might again take centre stage in Aboriginal CED. Two of the keynote speakers — David Newhouse, professor of Native and Administrative Studies, Trent University, and Dr. Wanda Wuttunee, professor of Native Studies and director of Aboriginal Business programs, I.H. Asper School of Business, University of Manitoba, both editors of the *Journal of Aboriginal Economic Development* — are well-known in CANDO circles for their innovative work in Aboriginal CED. The other two, both at the University of Saskatchewan — Dr. James (Sakej) Youngblood Henderson, Research Director, Native Law Centre of Canada, and a leading expert on treaty federalism, and Dr. Marie Battiste, professor of Educational Foundations and leading authority on the preservation of Aboriginal knowledge and decolonizing initiatives — bring refreshing perspectives from the areas of law and education, reminding us that Aboriginal CED cannot be considered in isolation from other areas of intellectual and socio-cultural activity.

In his piece, David Newhouse challenges conventional notions of development that have been promoted by governments and

academics but that have consistently failed Aboriginal communities and denied or displaced Aboriginal ways of knowing and doing. Instead of replicating the old discourses, problems, and solutions of the past, he urges people to imagine capitalism with a conscience — "compassionate capitalism", as he calls it. In challenging the dominant story of progress, "the Borg of development", Aboriginal languages, values, and knowledge must be foundational, Newhouse argues. Aboriginal peoples must be at the centre of development theories with traditional knowledge motivating *conscious* pursuits and not the unconscious, unconsidered practices of the past. Consistent with his call for the sort of critical debate so central to democracy, we include here a sample of the discussion period following Professor Newhouse's presentation and an afterword renewing the call for Aboriginal ideas and values to be brought to the table to critically define CED futures.

For his part, Dr. James (Sakej) Youngblood Henderson argues for "treaty economy" as the basis of "enriched livelihoods" and a reinvented Canada. Treaties, he maintains, are "tools of economic transformation" and offer models of development that do not perpetuate the "dead capital" or the "fool's gold" of transfer payments. Instead, "treaty economy" can foster "skills at co-operation", creative uses of Aboriginal insights, and institutions that do what the mainstream economy cannot. Dr. Henderson finds inspiration and support for his arguments for treaty promises as the basis of "an enriched livelihood" and secure and sustainable development in the work of the Royal Commission on Aboriginal Peoples (RCAP) and of economist Hernand de Soto, President of the Institute for Liberty and Democracy in Lima, Peru. Building too on his own powerful work on treaty federalism, Dr. Henderson urges us to "rethink Canada and take on the world, rediscovering and unleashing the economic potential in the treaty economy to create sustainable development and sustainable communities."

If education is a major instrument of community economic development, universities as much as communities need educating about Aboriginal identities, rights, treaties, cultures, and aspirations. Dr. Marie Battiste reminds us that we all face the challenge and responsibility of understanding "colonial cognitive frameworks" in which we have all been "marinated" in ways that have confined thinking, limited imaginations, and obscured Aboriginal accomplishments and powers. Only by unravelling the colonial experience, reframing discussions and rebuilding alliances, can we develop "a shared and sustainable future" for us all. In this work, she too argues for the rich resources of the *Constitution Act, 1982*, and the Report of the Royal Commission on Aboriginal Peoples (RCAP), a report that finds in education a key agent for displacing colonial myths and realizing postcolonial possibilities. For Dr. Battiste, other major inspiration comes from Third World and Indigenous postcolonial writers whose "aspirational practice" can help us discard old practices and policies, put at the centre of things Aboriginal cultures, languages, and values, and thus reshape "a desirable reality". Especially compelling in this regard is the work of the Maori of New Zealand whose resistance, conscientization, and theory-making give us models for action and a new "high validity language for the development agenda in Aboriginal communities in Canada".

Dr. Wanda Wuttunee stresses Aboriginal CED as economics with values added: a matter of quality of life, reciprocity, and relationships. She writes about the costs of entering mainstream economy and institutions as well as what Aboriginal people can bring to the business table. She argues for Aboriginal organizations and voices as well as language that speaks to people's experience and knowledge. She challenges those trapped in notions of colonial victimhood to become economic warriors, carrying "the burden of making a home in peace." Inspired by the practice of First Nations Development Institute (FNDI) in Virginia, she urges people to "think about the children" when making decisions, concluding that kinship, family, spirituality, and ethics need to be brought in a concrete way into the development process.

THE CHALLENGES OF ABORIGINAL ECONOMIC DEVELOPMENT IN THE SHADOW OF THE BORG

David Newhouse

There has been a great deal of development and change in Aboriginal communities since 1966, the year the Hawthorn Report was released. The Hawthorn Report examined about 17 different Indian communities across the country and documented their social and economic conditions in the early 1960s. The report lays out contemporary social thinking about how these communities ought to be developed and what strategies the Government of Canada ought to follow. The report's main idea is to treat Indians as citizens plus. While this idea was rejected by governments, Indians took it up and have been pursing it through a variety of means ever since. So thirty or so years down the road, we are now beginning to see some changes, but I also think that it is useful for us — or those of us who work in Aboriginal community economic development — to step back and to think about what we are involved in. That is what I want to focus on here.

Two years ago, a small magazine started by Roland Bellerose from Alberta began to explore and make public Aboriginal development activities. That magazine — *aboriginaltimes* — is now included as a monthly insert in the *Globe and Mail* — Canada's other national newspaper. According to the masthead, *aboriginaltimes* is the "national business and news monthly magazine which explores the issues and experiences of Aboriginal people." And the masthead for Issue Number two in October 1996 says that *aboriginaltimes* "is produced with the spirit and intent of sharing and participating. It is a communication bridge that will link Aboriginals and Corporate Canada together in a meaningful and beneficial way. . . . we provide an unprecedented way to inform the public of information pertinent to the Aboriginal business community." Over the last five years the magazine has been an unabashed supporter of Aboriginal business and economic development, providing columns on partnerships, business opportunities, and training programs. It tells you who the movers and shakers are; it talks about natural resources; it tells you about upcoming events of all sorts and in all sorts of places. It also gives you snippets of Aboriginal history, runs a political commentary column, provides Aboriginal education opportunities, and also carries advertisements for governments and businesses, and for Aboriginal businesses that

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are selling services. In addition, the magazine talks about government policy. Its editorial policy is optimistic, pro-development, pro-business, and pro-Aboriginal.

A few years ago, I also had an opportunity to undertake a case study of the economy of Six Nations, and to think about the challenges that community was facing. Six Nations has about 11,000 members that live on reserve, out of a band membership of about 17,000. I was struck by what I saw and what I heard. The economy at Six Nations itself was moving. New business start-ups were at an all-time high. People were buying and people were consuming. House construction was up, and the number of houses with attached two car garages was quite large. There was a buzz in the community as this entrepreneurial spirit began to affect it, and also as it began to work its way into the public consciousness. The council itself was talking about the need for zoning bylaws for commercial enterprises, particularly after a local tire fire that was quite disastrous. The local small businesses and the people said that they did not need regulations because it would increase the costs of doing business. They said that they could regulate themselves. At that time, there were about 200 or so Aboriginal businesses located at Six Nations. For those of you who are economists and belong to mainstream business organizations — particularly small business organizations — these statements and sentiments ought to be quite familiar.

For me, these two examples illustrate the situation facing those of us working in the field of Aboriginal community development. On the one hand, we ought to be proponents of it, and we want to be proponents of more of it, like those activities described in the *aboriginaltimes*. On the other hand, I think that we are taken aback when we see the old classical economic debates being replicated in front of us. Aboriginal economic development driven by Aboriginal traditional value — we expect it to be different. However, we find somewhat surprisingly to some but perhaps not to others, that we are beginning to replicate classical debates about the regulation of private enterprise, about the appropriate mix of public and private enterprise, about the role of government in the economy, and the influence of culture on developmental goals and practices, and in some cases we begin to question the goals of economic development itself.

It is uplifting to see the material life of Aboriginal people begin to improve. I think it has improved somewhat since 1966, but at the same time, I think that it is dispiriting to see the old classical economic debates being replicated. I was looking at the literature and beginning to wonder if economic development was just the latest version of the "Indian Problem". Instead of being in need of civilization, Indians were now in need of development. Are we as individuals in the field helping to reinforce the view of Indians as problems that need to be solved? As we know too well, there is a long history of European Canadians seeing Indians as problems and then mustering the resources of the state in order to try to solve those problems. Over the last century, there has also been a great deal of research attempting to define "the Indian problem" and to devise the solution to that problem. Predominantly, I think, we have as a result come to see Aboriginal development through the lens of problem and deficiency — there isn't enough of it, or not of the right kind — and we are inclined to subscribe to the view that more economic development will begin to solve the many problems within Aboriginal communities.

Public policy officials, academics (both theoretical and applied), politicians of all stripes have turned their attention to the problem. The Harvard Project on American Indian Economies led by Professors Joseph Kalt and Stephen Cornell has been exploring through a series of case studies conditions that make for successful Aboriginal economic development. The York University Project — Understanding the Strengths of Indigenous Communities (USIC) — headed by Professor Cynthia Chataway is also looking at successful Aboriginal communities, how they can foster community development, and what conditions are needed in order to make community development more successful. The Royal Commission on Aboriginal Peoples considered increasing the level of Aboriginal economic development as one of its fundamental goals.

Sometimes we believe that the problem is that the state is not doing enough, and other times, we define the problem as the state doing too much. What perspective we bring to the table depends to a large extent on our political background. If I read the *National Post*, a newspaper with a decidedly conservative bent, the problem is that the state is too involved, and

Aboriginal communities and governments are protecting us from market forces. When I read the literature on co-operatives, I begin to get another problem, and that problem is the market, and the market's inability to respond adequately. The latest view that we see in the literature on economic development is that economic development is now a problem of governance and what we need to do is develop new institutions of governance or to strengthen the existing institutions of governance. So, the latest efforts of the state are focused on increasing and improving the level of governance within our own communities. Each expert will tell us to a large extent what the problem is and each expert who comes to the table and begins to work in this area will bring their own perspectives and their own solutions. Despite the changes over the past twenty years, the material life of many Aboriginal people — relative to the Canadian norm — has not increased significantly, and this is after forty years of attention and effort on understanding how this came to be a problem.

Since the 1960s, Aboriginal peoples have had the attention of the development apparatus of the state, have been the object of efforts and attention by the development community and its cadre of professionals, and have themselves launched many development efforts. Yet, the problems of low income, inadequate housing, and low participation in the work force continue to persist. Through each decade since the 1960s there has been a report produced by the state on living conditions, social conditions, and economic conditions of Aboriginal communities and each generation of policy researchers and analysts prepares its new set of solutions. The results of these efforts have been uneven, as we are all quite aware. In the RCAP Final Report, it was explained very well, and the report proposed the latest set of solutions. However, the RCAP Report in its essence differed in that it was better nuanced and better researched and based upon Aboriginal ideas and desires, but it was not much different from that which was produced in the 1970s. So, in looking at this effort over the last thirty years, I am beginning to question not so much the solutions, because I think the solutions all have the possibility of working, but I am beginning to think about the production of the solution and the ideas informing the solution.

The solutions that we are beginning to look at, the solutions that we choose as Aboriginal economic development practitioners, come out of the international development community which for the past 50 years has been working hard in all parts of the world to solve some of the problems that we face today. Most of those solutions have been remarkably unsuccessful. We live in a society that is dominated by the idea of capitalism in the market, and we are now beginning in our research to see the strong connections between the government, the economy, the law and social institutions. We often don't make visible the connection between development and democracy. When we discuss it in the context of governance, we never talk in terms of democracy.

We are also dealing with the effects of colonization and trying to find a way to move past it. We are beginning to create what we call postcolonial communities and thinking about how we can begin to realize them. We also live in a society that is dominated by what MacPherson (1962) calls "possessive individualism", which conceives of the individual essentially as "the proprietor of his own person and capacities, owing nothing to society for them. The individual is seen neither as a moral whole, nor as part of the larger social whole, but as the owner of himself." Furthermore, in this view, the individual is free "inasmuch as he is a proprietor of his person and capacities."

Freedom, then, is freedom from dependence and the world of honours and obligation. Society becomes many free people, individuals that are linked to each other as proprietors of their own capacities and what they acquire by their own exercise. "Society consists of relations of exchange between proprietors. Political society becomes a calculated device for protection of property and for the maintenance of an orderly relation of exchange." MacPherson's ideas lead us to the conception of society based upon the notion of exchange and the polity as a means by which changes are supported, and by which changes can occur in an orderly fashion, and by which property is protected. In contemporary terms, the idea of an exchange society becomes our market society.

We also, in the contemporary period, encounter the idea of "progress". Progress is one of the most important ideas of our modern age and one that we hold unconsciously and usually unquestioningly. Progress implies that

there is a pattern of change in human history; that we can know this pattern, and that it consists of irreversible changes in one direction, and this change in direction is permanent, and moves from a less desirable state to a more desirable state of affairs.

The idea of progress informs our development effort. Progress has generally come to be seen in economic terms and to be measured in economic terms. Over the last 50 years, particularly in this country, we have come to see market society and capitalist society as offering the best option for improving human welfare. Such mainstream Western notions have been promoted in education at the expense of Aboriginal ideas about society and community. Since the end of the Second World War, we have also dealt with grand strategies for capitalist market solutions to the problems of poverty. The idea of a grand strategy dominated many of our efforts in Aboriginal economic development as well.

I want to talk a bit about the origins of the grand strategy. A 1949 economic mission called International Bank for Reconstruction and Development of Colombia was described as follows:

> We have interpreted our terms of reference as calling for a comprehensive and internally consistent program. . . . The relationships among the various sectors of the Colombian economy are very complex and intensive analysis of these relationships has been necessary to develop a consistent picture. . . . This, then, is the reason and justification for an overall program of development. Piecemeal and sporadic efforts are apt to make little impression on the general picture. Only through a generalized attack throughout the whole economy, on education, health, housing, food and productivity can the vicious cycle of poverty, ignorance, ill health and low productivity be broken. But once the break is made, the progress of economic development can become self-generating.

The report called for improvements and reforms to all aspects of the Colombian economy. The representation of the country's social and economic reality was, for the time, quite new and quite radical. The approach to development that it contained and advocated was comprehensive, integrated, and planned. The report outlined development goals, quantified targets, investment needs, design criteria, methodologies, time frames and sequences for activities.

In the last paragraph the report comments on the emerging development approach:

> One cannot escape the conclusion that reliance on natural forces has not produced the most happy results. Equally inescapable is the conclusion that with knowledge of the underlying facts and economic processes, good planning in setting objectives and allocating resources, and determination in carrying out a program for improvements and reforms, a great deal can be done to improve the economic environments by shaping economic policies to meet scientifically ascertained social requirements.

Colombia, the report said, is presented with "an opportunity unique in its long history. Its rich natural resources can be made tremendously productive through the application of modern techniques and efficient practices. Its favourable international debt and trade position enables it to obtain modern equipment and techniques from abroad. International and foreign national organizations have been established to aid underdeveloped areas technically and financially. All that is needed to usher in a period of rapid and widespread development," the report concludes, "is a determined effort by the Colombian people themselves. In making such an effort, Columbia would not only accomplish its own salvation, but will at the same time, furnish an inspiring example to all other underdeveloped areas of the world."

When we deconstruct this statement, we see that it contains within it ideas that we still see at play in our own work in economic development in Aboriginal communities today. It suggests that economic development or economic salvation is possible, that it is a complex task, but there are tools that we have created that make such a task possible — the tools of planning, some aspects of science, technology, development organizations, financial tools and the like. What is more, these tools work well in the West, and they are neutral, universally applicable, and desirable. Before development there was only darkness and natural forces, which do not produce "the most happy result". Development brings light and the possibility of meeting "scientifically ascertained social requirements". Colombians, the report argued, need to wake up

out of their lethargic sleep and follow the only way to salvation.

What began to occur here in 1949 was the promotion of the developmental ideal, an ideal that was later to come to be seen as a normal course of evolution and progress. This ideal was expressed in a language that created a discourse of development, which in turn began to create a social reality. It is that social reality that we are now working within. Escobar (1995) — not Pablo Escobar — writing in the counter development sense, says that the system has now developed "a discursive practice that sets the rules of the game" — that is, it decides "who can speak, from what points of view; with what authority, and according to what criteria of expertise." He continues, "It sets the rules that must be followed for this or that problem, theory, or object to emerge and be named, analyzed and eventually transformed into a policy or a plan." Escobar also underlines the additive power of the development discourse that privileged experts:

> Development has dealt with a myriad of objects over the 50 years. Initially, it dealt with poverty, insufficient technology and capital, rapid population growth, inadequate public services, and then it began to add other racial, religious, geographic and ethnic factors which were believed to explain underdevelopment. These elements were brought to the forefront by a widening array of experts, development organizations, universities, research centers and local indigenous institutions. Over time, the entire economic, cultural and political geography of indigenous peoples and third world countries was brought under the gaze of the expert.

We would be remiss if we ignored the role of power in the creation of these objects for study. Power was concentrated in the hands of the experts, economists, demographers, educators, experts in the public realm, managers, government, and institutions — institutions such as the United Nations, who were deemed to have the moral, professional, or legal authority to name subjects, and to advance strategies, or lending agencies who came with the capital. They conducted their observations, prepared their theories, assessments and their programs on an institutional basis that was not part of the local indigenous community. So, what we see emerging out of this discourse is the notion of diagnosis and prescription: a diagnosis of underdevelopment, examination to find a type and level of underdevelopment, and then a prescription or cure. All of this through the observations of experts! What is missing from the discursive space is people, and more particularly, the knowledge of local people.

We can also begin to see that when the discursive space has effectively increased the institutionalization and professionalization of development in a development industry, then development becomes an important process — too important to be left to those who supposedly know little about it. A huge research industry has also sprung up to provide the observational data for the diagnosis and prescription of the problems and solutions. A politics of knowledge emerges which allows experts to classify problems and formulate policies; to pass judgment on entire social groups and forecast the future; in short, to produce a set of truths and a set of norms and values. Knowledge becomes real, becomes useful and becomes true only when produced by experts; local knowledge becomes denigrated and displaced.

An African scholar quoted by Escobar said that "our own history, culture and practices, good or bad, are discovered and translated in the journals of the North and came back to us, re-conceptualized, couched in the languages and paradigms which makes it all sound so new and so novel." The development discourse also sets the modern against the traditional. From this point of view, the traditional must be transformed into the modern. Tradition becomes an obstacle to the establishment of the modern. Development must always lead to the modern, and this notion of transformation present in the 1950s is still very much present today. Somehow, as a result of economic development, the indigenous must be transformed.

Again, according to Escobar, development was conceived as "a top down ethnocentric and technocratic approach which treated people and cultures as abstract concepts, statistical figures to move up and down on the charts of 'progress'." What is more, development was conceived "not as a cultural process (culture was a residual variable, to disappear with the advance of modernization), but instead it was a system more or less universally applicable, technical interventions designed to deliver some 'badly needed' goods to a target population."

Such ideas define the development world that we encounter when we work in Aboriginal economic development. It is a world of scientific modernism, of economic policy instruments, strategic interventions, research, technology, technical systems, human resources, capital resources, demand and labour. This is what I call the "Borg" of development.

The Borg of development threatens to overwhelm and eventually to absorb us. The rise of development fosters a view of social life as a technical problem, as a matter of rational decision and management, to be entrusted to a group of people whose specialized knowledge equips them well for the task. The development professional becomes a valued person. Development also assumes a teleology to the extent that it assumes that the indigenous will sooner or later be reformed. It reproduces in its work the separation between the reformers and those who need to be reformed by keeping alive the premise of the underdeveloped as different and inferior and as having a limited humanity in relation to the developed. The development gaze is not simply to discipline individuals or to transform the conditions of their lives, but to create a productive, normalized social environment.

So again, the world is created by development discourse. Is there any hope for change and improvement of material conditions? I think, certainly, there is a great deal of encouraging signs. The development paradigm, despite its almost universal application, is showing some edgy willingness to accommodate other objectives. Alternative development theories are at least being discussed and being proposed.

New categories of development theory called "people-centred" theories are beginning to emerge. The original development theories focused their attention on economic growth and economic transformation, making no attempt to explain the political and cultural changes that occur during the development process. Only recently did these theories begin to include what are called cultural considerations.

Simultaneously, there is in many places now a rejection of the universalistic assumptions of development theory. In particular, resistance by Aboriginal peoples to universalism embedded in development is starting to be felt. Efforts to use community economic development as a fundamental approach as well as traditional knowledge as the basis of social action are excellent indicators that the Borg is slowing a bit. Another strong indicator is the will of Aboriginal people to maintain a distinct cultural identity and to have this identity reflected in and respected by the marketplace. The gathering up of power and capital through the land claims and treaty process is providing a means to do more than resist. Aboriginal institutions of research and advocacy are creating a strong Aboriginal technical presence to counter the weight of outside experts.

Yet, I am not convinced that this is enough. The development discourse then begins to take all that and absorb it, and begin to place it within the gaze of development theory. The Borg is too powerful to resist in the usual fashion. In the television show, *Star Trek, the Next Generation*, Picard never defeats the Borg, but only keeps them or it at bay. He does that through a clever resistance based on a strong understanding of self and a strong desire to survive. He is firm in his belief that humankind will and must survive.

In this case, I think the way forward is through traditional thought and knowledge. This thought and knowledge has been systematically excluded from the discursive world of development and now it is time to begin to put it into the system. Can we make improvements in our material lives without being absorbed? Are there ways to make market society conform to indigenous ideas about society? How do we prevent and present the uneven distribution of wealth that we find around us? How do we create economies and communities of respect and reciprocity?

The Department of Social and Economic Affairs report *Measures for the Economic Development of Underdeveloped Countries* published by the United Nations in 1951 stressed that "rapid economic progress is impossible without painful adjustments." In the report's view, "Ancient philosophies have to be scrapped; old institutions have to be disintegrated; bonds of caste, creed and race have to burst; and large numbers of persons who cannot keep up with progress have to have their expectations of a comfortable life frustrated." According to the report, few communities "are willing to pay the full price of economic progress." And that cost is a total transformation of society. In its own way, the development Borg is bent on creating this transformation and recreating Aboriginal society in its own image.

So how do we begin then to move forward, and how do we begin to deal with this?

What I believe we need to do is to develop a regime of understanding and practice, a regime that affirms, that prospers and that expands upon Aboriginal understandings of progress, Aboriginal understandings of society and economy and the relationship of individuals to the collective. We need a regime of understanding and practice that works to create an economy that affirms Aboriginal cultural identities and the autonomy of Aboriginal cultures and that sanctions and supports Aboriginal social structures and values. This is the very hard part, the most difficult part of the task that we have as Aboriginal development workers.

We need to conceptualize Aboriginal development in positive terms, move it away from the language of deficit and move it away from the language of problem. Aboriginal thought requires us to pay attention to our strength and to build upon that strength, to use our strengths as the centre, to act on our strengths and balance the strength of our ideals. I think this is the most difficult challenge that we are facing because we are attempting to do this task in an environment in which we are ourselves only now beginning to reaffirm those ideals, and now beginning to discover, now beginning to have to think through some of these issues ourselves. We are doing it in an environment in which we stand under the gaze of the development community, and the development experts. And we are pulled by our own desires for a material life.

We want to be consumers, we want to consume in the same sense as those around us, but that life of consumption is not the life that we would build for ourselves if we were going to build a life built upon traditional thought. So, I want to leave you with that challenge, because I hope it will give you some context for rethinking what we do. I think that this is one of the important educational efforts that we can make as universities and as academics: to help us to be reflective about the practice that we are engaged in, so that we don't engage in practices unconsciously, so that we begin to be able to ask critical questions about what it is we are doing, and what we are trying to propose, so that we begin to be able to engage the Borg in a way that will allow us to come out of it with our own selves intact.

Thank you. Now we have an opportunity to engage in a discussion, for you to pose questions, make comments and for me to respond as best I can.

Q: You mentioned in discussions with First Nations peoples, our leaders, that all we do is talk about governance as opposed to democracy. Do you have any thought as to why that is the case?

DN: Well, I think we are still in a bit of a debate about democracy. We are not settled in our mind that it's the preferred option. I think democracy has been forced upon us through acts of government for Status Indians. The replacement of traditional forms of governance with elected band councils has been a violent act, an act that we have not chosen for ourselves. So, I think that there is still some resistance there. I'm not sure that people are embracing democracy willingly. People want to explore and experience other forms of governance. I think what they often question is whether liberal democratic society will allow that because democracy comes with a whole set of notions about individuals, individual rights and equality and those sorts of things.

We therefore need to make a very strong case that none of these rights would be trampled upon. We have got to find a creative way to do it. We need more indigenous political scientists who can work on developing the theory. So, I think there are still some questions and some debate about it, but I think we have to see it as an evolutionary process more than anything else. People are now beginning to say, okay, how do we govern ourselves, and how do we begin to develop institutions of governance that will help us to achieve our own objectives? That is very important.

It is also important that we not see it in the language of deficits. I spent a decade working for Indian Affairs and saw the language of deficit there. In their view, we were incapable of doing things. I think we need to challenge that by saying that we are reconceptualizing, saying that what we are doing is thinking through and experimenting, and we're trying to sort things out for ourselves. This is the way economies develop. They develop by people sitting down and thinking about concrete problems, proposing solutions, trying them, and thinking about them, finding what does work and what doesn't, and then thinking about a new set of problems. That

has been the process for economic development in the West and we say that we are doing that as well and take ourselves out of the cycle of the problem. That places the onus upon us to find solutions but not solutions that are disconnected from our own ideas about society and social order and economies.

Q: How critical are you of the Borg in this sense? Are you saying that we are going to have to live with capitalism or that capitalism has to be replaced if our communities are going to carry on the way they want to?

DN: I'm not convinced we can replace capitalism, and I'm not sure what an alternative is that we would find politically or socially acceptable given that it is now such a large part of the way in which we view the world. I think that we need to make some changes to capitalism. I like the idea of compassionate capitalism, not in the conservative sense, but more in capitalism that begins to operate under a set of values that balances market and community. We need to find structures that help us to deal with the tensions that result from that desire and likely the process coming out in the corporate community in terms of the bottom line will begin to at least ask people questions about their activities more than anything else. I think that it is the same with development and that's beginning to come out. The feature of capitalism I'm not too happy with is the uneven distribution of wealth and the nature of consumption. It requires an ever larger cycle of consumption for growth to occur. I don't know how you meet it as yet; part of it is human desire and part of it is how we think of ourselves. Those are difficult ones.

Q: It might be argued that the contradictions of capitalism and the brutal inequities of the market and state are in fact mediated by democracy. Democracy has become a First World commodity and a First World set of rules used by the First World to call the shots in the Third World. Take a nation state like the United States or Canada. Rather than abandoning democracy, we are looking at all sorts of charges of anarchy and totalitarianism and so on. How do you feel about the Aboriginal leadership developing a new discourse, a critical democratic discourse which doesn't abandon the category but in fact Indigenizes it in informative ways?

DN: I think that the new critical discourse is absolutely important. It is very hard when we begin to talk to politicians in critical discourse because it is so much a part of the system at times, but I guess, in one sense in terms of democracy — one of the aspects of democracy — is that it ought to be freely chosen. As Aboriginal people, if we are going to choose a system of governance, we ought to freely choose that system of governance. So, in one sense, if one wants to promote democracy in indigenous communities — not just in North America but in other communities — the best way of doing that is by demonstrating that democracy does work, and allowing debates to occur. Debate is at the centre of democracy; it is not about imposing, but allowing the debate to occur and facilitating the debate. Imposing doesn't work; it just creates more resistance.

I am always struck by a comment made by a friend of mine who visited Guatemala and listened to local people and tried to do some development in small communities. He asked what he could do in terms of developing democracy in Guatemalan communities. This one woman's response was to work for democracy in your own country and show us that it works. I always like that approach. There are a lot of critics of democracy that say it doesn't work. We have read the criticism and have most likely engaged in it ourselves. I'm also not sure that the alternative to democracy is still totalitarianism and anarchy. There are some positives to anarchy as well; it's not social chaos, right. Traditional governance is not chaotic. Trust me, the governments were not chaotic

Afterword

I have come to see more and more the importance of bringing our own ideas to the table and not just accepting those that are presented to us. The idea of a critical dialogue that engages ideas and practices is, I believe, a critical institution to foster, shelter, and develop. Dialogue, debate, discussion have always been part of Aboriginal life. It is even more important that we bring them back and encourage them more than ever. Without them, we are led by theorists and practitioners who do not share our ideas.

The idea of a regime of understanding and practice is also important. It is through a set of everyday practices that ideas and values are translated from mental to physical action and

move from individual to collective action. There is a growing consensus within Aboriginal communities about the need to base development efforts upon indigenous thought and ideas. This is a good start.

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THE CONSTITUTIONAL RIGHT OF AN ENRICHED LIVELIHOOD

James (Sakej) Youngblood Henderson

One of the greatest challenges to the human mind is to comprehend and to gain access to those things we know exist but cannot see. Not everything that is real and useful is tangible and visible. ... Throughout history, human beings have invented representational systems — writing, musical notation, double-entry bookkeeping — to grasp with the mind what human hands could never touch. In the same way, the great practitioners of capitalism, from the creators of integrated title systems and corporate stock to Michael Milken, were able to reveal and extract capital where others saw only junk by devising new ways to represent the invisible potential that is locked up in the assets we accumulate.[1]

A vision of the future should build on recognition of the rights of Aboriginal peoples and on the treaty relationship. ... These treaties between the [British] Crown and First Nations are basic building blocks in the creation of our country. ... The treaties between the Aboriginal peoples and the Crown were key vehicles of arranging the basis of the relationship between them ... The Government of Canada affirms that treaties, both historic and modern, will continue to be a key basis for future relationship.[2]

I. INTRODUCTION

In Canada the Indian treaties contain sacred prayers and visions of the Aboriginal nations and tribes, although some of these visions were written by the British negotiators in the form of promises, rights, and obligations. In whatever form, the treaties promise the future security of land, labour, and lifestyles, things that the treaty beneficiaries needed to generate a treaty economy based on economic and educational resources for an enriched life. Importantly, the treaties represent a secure imperial constitutional framework, in which basic economic rights are not only ensured, but are distributed within each Treaty nation according to its own laws.

Current government resource transfers to bands and Indians have been detached from treaty rights and economy and are inherently insecure moneys as compared to the constitutional rights in the treaties. These transfers sustain poverty, fool's gold, and dead capital, creating a cash flow, but not development. They do not create incentives or possibilities for sustained (much less sustainable) development.

Canadian governments have treated treaty rights as inherently unequal to imperial acts and the personal bonds of allegiance between

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the sovereign and overseas subjects. For undisclosed reasons, the colonial governments ignored the prerogative treaties with the Aboriginal nations in numerous ways, condemning most treaty beneficiaries to an unacceptable poverty and undignified existence. They have generated the context of poverty and the abysmal gaps which separate Aboriginal peoples from other Canadians. This situation must be improved and reformed — in short, changed for the better. We must do so in a world that offers, simultaneously, more and less resistance to change than before. Too long have Aboriginal peoples been the beneficiaries *and* victims of the vices and virtues of Canadian colonization.

Aboriginal peoples of Canada already possess the assets they need to make a sustainable treaty economy. These assets are held in defective administrative forms by federal, provincial, and territorial governments. Moreover, these governments take most of the tax revenue and all the surplus value. Treaty beneficiaries need to rethink Canada and take on the world, rediscovering and unleashing the economic potential in the treaty economy to create sustainable development and sustainable communities.

II. TREATY ECONOMY

Constitutional respect for treaties, the treaty order, and treaty federalism[3] represents the minimum condition for economic development.[4] Understanding the treaty economy and its relation to capital is an intellectual challenge for treaty beneficiaries faced with the task of comprehending the economic and legal structure hidden in the spirit and intent of the treaties. They cannot expect the federal government to accomplish this task. They have to gain access to legal consciousness and constitutional rights in order to unravel the hidden potential of the treaty economy and its promises of an enriched livelihood.[5]

The British sovereign's obligations to the enriched livelihood of treaty beneficiaries were vested in the negotiations and the written treaties. For their part, Aboriginal nations insisted upon the application of their traditions and principles in the conferences and treaties for ordering the new relationship and creating a multicultural society in their territories. By adapting themselves to Aboriginal legal traditions and diplomacy, European negotiators secured alliances, while ensuring the interplay of a multiplicity of Aboriginal orders with European orders.

The Supreme Court of Canada has stated that, as written documents, the treaties recorded agreements that had already been reached orally, but they did not always record the full extent of the oral agreement.[6] Sacred agreements derived from the oral exchange of solemn promises, and the Crown's honour requires the Court to assume that the Crown intended to fulfill its promises.[7] The terms of federalism within these treaties were concerned with: protection of inherent Aboriginal rights; distribution of shared jurisdictions; territorial management; treaty economies, human liberties and rights; and treaty delegations. Unlike a legislative regime that asserts comprehensive authority, treaty federalism is a living process that creates jurisdictional and economic borderlines.

These imperial obligations were passed on to Canada in section 35(1) of the *Constitution Act, 1982*.[8] Part of the supreme law of Canada with which federal and provincial law must be consistent under s. 52(1),[9] they apply equally to male and female beneficiaries of treaty rights.[10] This constitutional repositioning of the relationship between treaties and legislation inverts the paternalistic colonial perspective.

In addition, the Supreme Court of Canada has affirmed the treaties did not extinguish Aboriginal sovereignty or economy, but recognized that sovereignty. Nor did they abolish Aboriginal orders or lifestyles. In examining a 1760 treaty, Lamer J. in *Sioui* affirmed that the policy of Great Britain excluded all other Europeans in charters and claims from the territory inhabited by the Indian nations. The British sovereign considered Aboriginal peoples as nations capable of maintaining the relations of peace and war; of governing themselves, under her protection; and she acknowledged the obligation inhering in treaties.[11] Although the text of the treaties is primary in determining constitutional rights, the text is not exhaustive.[12] Certain unwritten visions or principles generate the internal architecture of the treaties and operate symbiotically with the text to create an interpretative treaty framework. The implicit processes buried in the intricacies of the treaties were designed to protect the Aboriginal economy as well as enrich the livelihood of treaty beneficiaries. Indeed, the promises of treaties

are the constitutional basis of the economic expectations of treaty beneficiaries.

Further, Aboriginal treaties with the British sovereign were negotiated in the context of existing Aboriginal economies and the vast trading and commerce network among Aboriginal nations.[13] The British sovereign deliberately entered into treaties for the purpose of acquiring economic or trading rights in Aboriginal territory — and did not thereby limit the freedoms of Aboriginal nations.

Article XV (15) of the *Treaty of Utrecht (1713)* affirmed the freedoms of the Five Nations, the Haudenosaunee, and other Aboriginal nations who were "Friends" of the French Sovereign, including the Wabanaki Confederacy, the Míkmaw nation, and the Ojibwa Confederacy:

> The Subject of France Inhabiting Canada and others shall hereafter give no Hindrance or Molestation to the Five Nations or Cantons of Indians, Subject to the Dominion of Great Britain; nor to the other Natives of America, who are Friends to the same. In like manner, the Subjects of Great Britain, shall behave themselves Peaceably toward the Americas, who are Subjects or Friends to France; and on both Sides, they shall enjoy *full Liberty of going and coming on Account of Trade*. As also the Natives of those Countries *shall, with the same Liberty, Resort, as they please*, to the British and French Colonies, for Promoting Trade on one Side, and the other without any Molestation or Hindrance, either on the Part of the British Subjects or of the French.[14]

Article XV ensured equal respect was accorded to Aboriginal nations and peoples by both British and French subjects, and made Aboriginal sovereignty, tenure, and rights a subject of the law of nations. Exempt from British or French regulation of trade and residence, Aboriginal nations were guaranteed full liberty of trading, in British law equivalent to an exclusive prerogative franchise vested in certain persons. In the eighteenth century, the terms "liberty" and "franchise" were interchangeable royal grants of exclusive economic rights,[15] grants the courts have held that His Majesty was powerless to revoke.[16] Similar liberties were affirmed in creating the border between the United States and British North America in the Jay Treaty and 1812 Treaty.

The Wabanaki Compact (1725) and the Mikmaw Compact (1752) affirmed the traditional lands and the free liberty of trade and harvesting of their land, placing these confederacies under the "Field of British liberties", ensuring "[t]he Laws will be like a great Hedge about your Rights and properties — if any break this Hedge to hurt or injure you, the heavy weight of the Law will fall upon them and furnish their disobedience."[17] In the Treaty of Niagara (1764), the Ojibwa and Cree Confederacies likewise entered into relations with the British sovereign, and they were "assure[d] ... of a Free Fair & open trade, at the principal Posts, & a free intercourse, & passage into our Country" acquired by treaties, especially under the French territories acquired in the Treaty of Paris (1763).[18]

The 1817 treaty and the Victorian treaties, the Robinson treaties, and Treaties 1-11 extended the treaty relationship among the Ojibwa, Cree, Blackfoot and Denesuline chiefs in the western Indian country. Together these treaties created the ideal of thinking and living together on the land (*wîtaskêwin*).[19]

Nor do the Victorian treaties (1837–1901) establish any limitations on Aboriginal economies or trade. Maintaining the Aboriginal way of life, livelihood, and governance was a key aim of the Aboriginal Chiefs and Headmen in the treaty negotiations.[20] In a common section of the Treaties, the chiefs promised the Queen:

> that they will maintain peace and good order between each other, and also between themselves and other tribes of Indians, and between themselves and others of Her Majesty's subjects, whether Indians or whites, now inhabiting or hereafter to inhabit any part of the said ceded tract.[21]

Similar to other constitutional law in the British dominions, the treaties maintain the essential juridical framework of peace and order while promising to secure Aboriginal economies as well as a life of abundance.

The Victorian treaties secured the obligations of the Great Mother, the Queen, to create an enriched way of life for treaty beneficiaries and their descendants. The treaties promised them the bounty and benevolence of the Queen.[22] Treaty Commissioner Archibald first met with more than a thousand Obijwa citizens in the summer of 1871, opening negotiation of

the 1871 treaties by establishing expectations for and standards of the treaty by saying Her Majesty the Queen ("your Great Mother") wishes them to be "happy and content and live in comfort". She would like them to "adopt the habits of the "whites" or "white man" to "make them safer from famine and distress", to "make their homes more comfortable", and "live and prosper". However, the Great Mother "has no idea of compelling you to do so." She left the economic decision and lifestyles to their own "choice" and "free will".[23]

In Treaty 4, the treaty commission reaffirmed these standards. Treaty Commissioner Morris stated the Queen and her Councillors would like the Indians to "remain self-supporting by hunting, fishing, farming, construction and education"[24] and "to learn something of the cunning of the white man".[25] Kamooses questioned: "Is it true you are going to give my child what he may use? ... Is it true that my child will not be troubled for what you are bringing him?"[26] The Treaty commissioner responded: "Yes, to those who are here and those who are absent, such as she has given us. ... The Queen's power will be around him [the children]."[27] He stated:

> The Queen cares for you and for your children, and she cares for the children that are yet to be born. ...The Queen has to think of what will come long after to-day. Therefore, the promises we have to make to you are not for to-day only but for tomorrow, not only for you but for your children born and unborn, and the promises we make will be carried out as long as the sun shines above and the water flows in the ocean.[28]

During the negotiation of Treaty 6 (1876), Treaty Commissioner Morris "fully explained" to the Cree citizens they did not have to abandon their "present mode of living". He promised that the treaty would not "interfere with your hunting and fishing ... through the country, as you have heretofore done."[29] He assured the chiefs they could continue to govern and use the ceded lands: "What I have offered does not take away your living, you will have it then [after the treaty] as you have now, and what I offer now is put on top of it."[30]

Additionally, the Treaty Commission and the Chiefs were concerned with and negotiated for "a new life [which] was dawning upon them."[31] Treaty Commissioner Morris promised the enriched life upon which the Aboriginal negotiators were insisting. He saw a "bright sky" ahead for their lives and the lives of their children. They would have homes, gardens, and farms of their own, and their children would be sent to school. He stated that the Queen:

> wished to help you in the days that are to come, we do not want to take away the means of living that you have now, we do not want to tie you down; we want you to have homes of your own where your children can be taught to raise for themselves food from the mother earth.[32]

These obliging and wonderful promises of the Treaty Commissioner prompted a very old man to question: "*Ahow Okeymow* (chief), I do not believe what you are saying. Does the Queen feel her breasts are big enough to care for us all? There are many of our people." The treaty commissioner is said to have responded: "Yes, she has a large breast, enough so there will never be a shortage."[33]

In Treaty 7, the treaty commissioner reassured the Blackfoot Confederacy the purpose of the treaty was for them to relate to the Queen "as brothers and sisters, as one family". The "Great Mother, the Queen" would hold them "in the palm of her hand, and protect them, and look after them just like a child" as long as the sun, river, and mountain last.[34] The Treaty commissioner said to Chief Bad Head, the head chief of the Blackfoot Confederacy: "The Queen promises that she will give you all the help required and will look after you and take care of you for as long as your people live."[35] And to Chief Crowfoot, he stated: "[The Queen] will take the best care of you. Whatever you ask for will be given to you."[36]

In Treaty 8, the Indian elders also stressed the importance of maintaining the traditional Aboriginal way of life and livelihood.[37] Also, the official reports of the treaty commissioners made it clear that the intent of the treaties was not to interfere with the traditional Aboriginal way of life.[38] In *Badger*, Cory J. stated the purpose of Treaty 8:

> [I]t is clear that for the imperial Sovereign guarantee to the Indians that they could continue their aboriginal rights of hunting and fishing to earn their livelihood was the essential element which led to their signing the treaties.[39]

In *Horseman*, Wilson J. for the dissenting justices stated: "Hunting, fishing and trapping lay at the centre of their way of life."[40] The Commissioners' report to Canada dated September 22, 1899, states:

> We assured them that the treaty would not lead to any forced interference with their mode of life, that it did not open the way to the imposition of any tax, and that there was no fear of enforced military service.[41]

Such promises of benevolence and enriched livelihood, then, create a constitutional right to abundance for treaty beneficiaries. The treaty negotiators and beneficiaries understood an enriched livelihood as a sufficient, sustainable, supplemental livelihood. The three purposes for entering into treaties with the British sovereign were to ensure that future generations (1) would continue to govern themselves and the territory according to Aboriginal teachings and law; (2) would make a living ((*pimâchihowin)*, providing for both spiritual and material needs; (3) would live harmoniously (*wîtaskêwin*) and respectfully with the treaty settlers.

The right to an enriched livelihood is translated into Cree language and worldview as the concept and doctrines of life (*pimâtisiwin*), including the law that regulates the ability to make and sustain a living or livelihood (*pimâchihowin*).[42] An enriched livelihood can be secured through harvesting natural resources, self-employment, and trade. Alternatively, an enriched livelihood could be secured by participation in the new knowledges, skills, technologies, and economies introduced by the Crown: business ownership, farming, paid jobs, and accumulated wealth, as well as through support of family, community networks, and government assistance.

III. *ULTRA VIRES* LEGAL REGIMES

The reasons that the treaties did not generate an enriched livelihood or happiness or wealth lie in the false assumptions and extralegal effects of colonization in Canada. As in Latin America, the colonialists created a parallel extralegal political economy that confiscated natural assets and trade for the immigrants. This paper economy produced the generative capital that created their wealth. This political economy and its legal consciousness left Aboriginal peoples with dead capital, an inability to deploy its potential, and an inability to compete economically with colonialists. The *Final Report of the Royal Commission on Aboriginal Peoples* (RCAP)[43] sought to "clear away old misconceptions and open new vistas" in Canadian history.[44] RCAP discloses and displaces the false premises that created the *Indian Act* in the colonial legal era and caused public officials to ignore treaty rights and obligations. In addition, it reveals the constitutional framework of treaties within the unfolding era of constitutional supremacy.

The purpose of RCAP's historical analysis is to uncover why and how a nation-to-nation relationship of equality in the treaties was transformed into the dominated, subordinated, marginalized relationship of the colonial era. It revealed the key to the paradoxes in this relationship lay in the different ways imperial and Canadian legal thinking viewed Aboriginal sovereignty and treaties.[45] In the colonial era of Canada, RCAP establishes, the colonial politicians replaced the established treaty in imperial constitutional law with an extra legal or *ultra vires* regime of colonial law beyond the power of or without authority delegated by the imperial treaties.

As Aboriginal nationhood and treaty wealth was dismantled by *ultra vires* colonial legislation, lands reserved for the Indians were reduced to serve immigrant needs, and protected Aboriginal ways of life were deliberately destroyed by federal legislation. The *Report* affirms the findings of the *Report of the Select Committee of the House of Commons on Aborigines, 1837*, which documented the colonial government's abuses of its legislative power and its systematic disregard for Aboriginal and treaty rights. Upon this extralegal foundation the colonial legal regime was established and recognized. This foundation of abuse constructed Indians as children of the state who needed to be transformed by the higher civilization of the "white men" and has left a legacy of systematic discrimination experienced by treaty beneficiaries.

RCAP's historical analysis demonstrates the power of colonial representations by the power-hungry colonialists, most of British heritage, to create a legal and policy context in Canada, built on "living lies".[47] RCAP singles out the Indian Affairs branch of the federal government for severe criticism, denouncing its mismanagement, its complacent paternalism, and

its failure to fulfill its responsibility as a trustee for Aboriginal peoples.[47] In short, under the guise of responsible government, the colonialists created an *ultra vires* system based on false premises.

These false premises discriminated against imperial law, Aboriginal rights, and treaty rights, while favouring immigrant rights and manufacturing the disparity between Aboriginal and Canadian societies.[48] As a consequence, Aboriginal peoples were removed from their homelands, their nationhoods were suppressed, their Aboriginal and treaty rights were ignored, their governments were undermined, and their identities and cultures were smothered. Faced with the "Indian problem", the colonialists, filled with notions of their own superiority, sought remedy by assimilating so-called racially and culturally inferior people, "civilizing" them by transforming them into British models of Christian farmers or traders.

In response to this history of colonial presumption, RCAP calls for the restoration of treaty rights and the enhancement of governing powers for Aboriginal peoples.[49] RCAP insists that the time has come for governments, courts, and the public to correct the false premises of colonization, and to reform all the laws, policies, and regulations based on them. In the colonial era, the most senior officials accepted these false premises as binding facts. In the courts, these false premises became integral parts of the Canadian legal system and were routinely applied. These false premises created the rule of recognition in the Canadian legal system, which specifies the criteria that determine what other laws should be recognized as part of the system or as valid law, discriminating against treaty rights.

According to RCAP, the treaty relationship between Aboriginal peoples and the Canadian government was "mired in ignorance, mistrust and prejudice. Indeed, this has been the case for generations."[50] The commission's findings situate the dishonoured treaties among the negative "ghosts" of Canadian history.[51] For RCAP, the treaties are constitutional instruments that create and regulate the relationship with Canadian governments; they are "sacred", and they create a "social compact".[52] They are the "bearers of ancient and enduring powers"[53] that created "treaty federalism" in Canada,[54] which "is an integral part of the Canadian constitution."[55] These existing treaties are comparable to the "terms of union where former British colonies entered Confederation as provinces."[56]

RCAP's recommendations, and its vision of a multinational Canadian federation in which self-governing Aboriginal nations participate as equals, are based on the centrality of section 35 of the *Constitution Act, 1982*. Section 35 confirms the status of Aboriginal peoples as equal partners in the complex federal arrangements that make up Canada and provides the basis for recognizing Aboriginal governments as one of three distinct orders of government in Canada — Aboriginal, provincial, and federal — each sovereign within its several spheres, holding powers by virtue of inherent or constitutional status rather than by delegation. They share the sovereign powers of Canada, powers that represent a pooling of existing sovereignties.[57]

RCAP identifies four basic, but interrelated, pillars to a reinvigorated constitutional relationship between Canadian governments and Aboriginal peoples: treaty, governance, lands and resources, and economic development. RCAP's constitutional vision of returning to treaty principles establishes a new social compact in Canada respecting cultural diversity.[58] In *People to People, Nation to Nation*, a volume of RCAP highlights, the commission states that "an agreed treaty process can be the mechanism for implementing virtually all the recommendations in our report — indeed, it may be the only legitimate way to do so."[59]

RCAP concludes that the legacy of colonialism weighs heavily today upon Aboriginal people in the form of cultural stress, while distorting the perceptions of non-Aboriginal people, who remain ready to relegate Aboriginal people to the margins of Canadian society.[60] Canadian institutions, courts, and peoples are struggling to displace systemic discrimination, even in the wake of constitutional reforms. Indeed, the assumptions, practices, and singular viewpoints that are the legacies of colonialism are so common that systemic discrimination often appears as natural, neutral, and justified. And the overt and covert manifestations of colonialism have serious detrimental consequences not only for Aboriginal peoples but also for other races and ethnic peoples.

RCAP urges reconciliation and rapprochement based on a "great cleansing of the wounds of the past",[61] which can only come from public acceptance of the government's responsibility for past wrongs. Only with this acceptance can

a new context be created for healing and for a new beginning.[62] In response to RCAP, Canada's "Statement of Reconciliation" affirms:

> Sadly, our history with respect to the treatment of Aboriginal people is not something in which we can take pride. Attitudes of racial and cultural superiority led to a suppression of Aboriginal culture and values. ... We must recognize the impact of these actions on the once self-sustaining nations that were disaggregated, disrupted and even destroyed by the dispossession of traditional territory.... We must acknowledge that the result of these actions was the erosion of the political, economic, and social systems of Aboriginal peoples and nations.[63]

In its Aboriginal Action Plan, Canada has affirmed that treaties provide the constitutional basis for the legal relationship and expressed willingness to continue to implement treaty-making to establish integrated processes regionally to address treaties, governance, and jurisdiction:

> A vision of the future should build on recognition of the rights of Aboriginal peoples and on the treaty relationship. ... These treaties between the [British] Crown and First Nations are basic building blocks in the creation of our country. ... The treaties between the Aboriginal peoples and the Crown were key vehicles of arranging the basis of the relationship between them ... The Government of Canada affirms that treaties, both historic and modern, will continue to be a key basis for future relationship.[64]

IV. FOOL'S GOLD AND DEAD CAPITAL

Governmental resource transfers — "fools' gold" — to bands and Indians, as I suggested earlier, have been detached from treaty rights.[65] That Canadian policy is to provide a basic level of programs and services to all Canadians has obscured its special obligations. Yet as a matter of constitutional supremacy, Canada has recognized that treaty beneficiaries have constitutionally protected rights in addition to access to basic programs and services enjoyed by residents in treaty territories. Transfer payments should be consistent with other equalization payments and the supplemental payments required for the treaty economy and its rights and obligations. Yet transfers are insecure moneys as compared to the constitutional rights in the treaties. They have created intractable poverty — poverty that is manifest as vast differences in power, social and economic status, and the psychology of inferiority and resignation.[66] These policies have abandoned Aboriginal youth to placate the middle aged, adding to one of the great injustices of Canada: the failure of Canadian education to provide the youth with knowledge and skills.[67]

Consistent with colonial ideology, Canadians have viewed Indians as a burden on the national treasury and economy, understanding reserves as "pockets of poverty" and blights on the economic landscape. This ideology conveniently overlooks the enormous conditional land transfer that the treaties made to Canada's wealth and economy. It also neglects the continuing federal transfer payments for Indians that act as indirect subsidies to provincial economies.

The registered Indian economy is an underdeveloped, unbalanced, dependent economy — dependent on net inflows of money from transfer payments. It is concentrated in government services (15.2%), wholesale and retail trades (14.6%), manufacturing (10.3%) and accommodation and food and beverage (9.4%). The Indian economy is underrepresented in financial and insurance services and manufacturing and enjoys little circulation of goods and services; most expenditures of transfer payments are made directly to the provincial economy. Treaty beneficiaries have remained poor, most at or below the national poverty line, with average personal incomes of on-reserve Indians about $12,000 each year, with at best only 47% working in the labour force in the service (tertiary) sector.[68] Treaty beneficiaries in major western cities are four times more likely to live below the poverty line than other residents. Besides low rates of employment and low incomes, the Indian economy reflects socio-economic correlates of under-development, such as low rates of educational attainment (75% dropout rate in secondary school), low life expectancy, poor housing and health conditions.

The Aboriginal population is young and growing at twice the national rate of Canada. A vast part of the economically active population continues to lack the barest access to the resources and opportunities of production — technical or professional education, credit, and the prospect of a decent, long-term job in an organization run on the basis of merit. RCAP estimated that more than 300,000 jobs would

need to be created for Aboriginal people between 1991 and 2016 to accommodate growth in the Aboriginal working-age population and to bring employment levels among Aboriginal people up to the Canadian standard.[69]

Almost every modern problem hits Aboriginal peoples hardest, including: unemployment; incarceration rates (5–6 times higher than the national average), and urban crime (4 times higher); family violence and violence generally, including violent deaths; suicides (8 times higher); alcohol and drug abuse; numerous ailments linked to living standards and nutrition; fetal-alcohol syndrome; poor pre-natal care and child development; diseases and death rates. Unable to equalize economic opportunity for Aboriginal peoples, Canada's transfer payments have instead provided billions of dollars for an ineffective, costly, debilitating, and totalitarian federal bureaucracy and cadre of experts.[70]

The *Final Report* of RCAP argued that a rebalancing of political and economic power for Aboriginal peoples is essential to pave the way toward prosperity.[71] Rejecting federal bureaucrats' and experts' solutions, it gave an urgent warning to Canadians and Canadian governments about the effects of the existing transfer programs:

> Currently on the margins of Canadian society, they will be pushed to the edge of economic, cultural and political extinction. The government must act forcefully, generously and swiftly to assure the economic, cultural and political survival of Aboriginal nations.[72]

In a recent ruling on Canada's human rights record, the United Nations Committee on Economic, Social and Cultural Rights, a human rights body that monitors state-party compliance with the International Covenant on Economic, Social and Cultural Rights, stressed "the gross disparity between Aboriginal peoples and the majority of Canadians."[73] After carefully considering the submissions not only of Aboriginal peoples, but also of the Department of Indian Affairs, the Privy Council Office, Justice Canada and the Department of Foreign Affairs, the Committee concluded:

> There has been little or no progress in the alleviation of social and economic deprivation among Aboriginal people. In particular, the Committee is deeply concerned at the shortage of adequate housing, the endemic mass unemployment and the high rate of suicide, especially among youth in the Aboriginal communities.[74]

In 1999, the United Nations Human Rights Committee condemned Canada's human rights record with respect to Aboriginal peoples.[75]

Despite the resurgence in Aboriginal capacity in the past thirty years, the gap between Aboriginal and general Canadian life opportunities remains disturbingly wide. While Canada regularly ranks first on the United Nations Human Development Index, registered Indians living on-reserve would rank 63rd and registered Indian and off-reserve would rank 47th applying the UN criteria of education, income, and life expectancy. Aboriginal youth are especially vulnerable.

And the picture of poverty obscures the perception of Aboriginal capacity. Strategies for building on Aboriginal capacity have been set out in RCAP and in subsequent forums. They include supporting community-led initiatives that mobilize Aboriginal people in diverse situations to deal with their own issues; creating space for Aboriginal institutions that provide sustained, effective leadership in accord with the culture of the community; promoting partnerships and collaboration among Aboriginal people, the private sector and public institutions to break down isolation and barriers to productive relationships; and recognizing the authority of Aboriginal nations to negotiate the continuing place of Aboriginal peoples in Canadian society, whether on their traditional lands or in the city.

In this context, the treaty economy faces formidable challenges: it lacks access to equity and debt capital, especially in its land and resources; it lacks business and marketing development in treaty-wide, national, and international markets; and innovation initiative, workforce training, and experiences in a knowledge-based economy. The current situation follows patterns revealed by Hernando de Soto's analysis of Latin underdevelopment in *The Other Path*,[76] and in his popular book The *Mystery of Capital*.[77]

In *The Other Path*, de Soto identified the barriers to private sector growth that had been invisible to others. The key barrier, he argued, has long been weak institutions. The institutions that allow markets to function efficiently are derived from the legal imagination in the developed world, including contract law, financial markets, property rights, and respected judicial

systems. These institutions and this imagination are too often lacking in Latin American states and other zones of poverty. While vibrant markets exist for local products and transactions in the poverty zones, the absence of a solid institutional framework means that the full potential of each nation's entrepreneurs goes untapped. De Soto firmly believes that people anywhere, when empowered and unrestricted, can build institutions to create a strong economy.

In the *Mystery of Capital*, de Soto argues that implicit legal consciousness and infrastructure create capital. Capital is not money, which is but one of the many forms in which it travels.[78] It is hidden value. Capital is a product of the cognitive skill to grasp abstract and extrinsic potentials of assets or money and to deploy new production or investments. As Adam Smith and Karl Marx stated: "capital is metaphysical"; it is surplus value. The hidden value is embedded in consciousness and needs to be represented and captured or monetarized. The legal system is where capital is captured. Property and contracts give efficiency to the capturing of capital to create economic growth and organize an economy in Europe and North America. As the French post-structuralist Michel Foucault comments, the horizon of possibility only exists in the abstract and it is directed by representations as the way of handling things.[79]

De Soto reveals the market and economic development live in an invisible world of representation constructed by the legal consciousness, representation of paper and plastic that creates intangible rights to assets and a parallel life where surplus value is collected. This invisible process of the mind is taken "so completely for granted that they have lost all awareness of its existence."[80] Although the legal structure and its mechanisms are huge:

> nobody sees it, including the Americans, Europeans, and Japanese who owe all their wealth to their ability to use it. It is an implicit legal infrastructure hidden deep within their property systems — of which ownership is but the tip of the iceberg. The rest of the iceberg is an intricate man-made process that can transform assets and labor into capital. This process was not created from a blueprint and is not described in a glossy brochure. Its origins are obscure and its significance buried in the economic subconscious of Western capitalist nations. How could something so important have slipped our minds? It is not uncommon for us to know how to use things without understanding why they work.[81]

Thus, de Soto attempts to explain how to correct the economic failures of poor countries, noting that in the last decade, ever since Russia, post communist countries, and the Latin American states began to build capitalism without capital, they have shared the same political, social, and economic problems: glaring inequality, corruption, underground economies, pervasive Mafias, political instability, capital flight, flagrant disregard for the law.[82] These failures have nothing to do with deficiencies in cultural or genetic heritage; these are failures to grasp the implicit operation of legal consciousness in constructing the representation of the markets and economies. The legal consciousness cannot work its economic magic unless it is born from a shared understanding or consensus. In Latin America and the post communist states, the official law doesn't have such a shared understanding; thus extralegal relations and shared values are developed and used by the black market.

One of the great dilemmas of modern thought is that few have really thought about these representations in relation to poor people. Instead, modern thought develops predatory models of development that are centred on the pursuit of profits by the affluent few and the consumption of infinite resources in a finite planet. These economic models impoverish the majority of the peoples, damage the environment and health of the peoples, and create grey markets. These models establish external debt as an instrument of political domination and hierarchical forms of national oppression under the authoritarian Bretton Woods institutions,[83] rather than complementary relationships and participatory democracy that express the present and future well-being of peoples. These predatory models have widened the gap in wealth, power, and resources among peoples, where 80 percent of planetary resources are consumed by 20 percent of the population.

According to de Soto, Latin American states keep indigenous peoples and *campesinos* poor by depriving them of basic security of property and labour, real security being more important than the amount of money people possess. A society with weak courts, deeply disputed property rights or intrusive and arbitrary state agencies not only discourages people from building wealth, but also from working enough to feed themselves

adequately. What the "poor" countries lack are not the assets necessary to economic success, but the consciousness and framework in which those assets can rightfully be called capital. For example, 92 percent of Indonesians live in houses, but the government has no idea who owns what, so they cannot assign any title to the property.[84] Also, since the "Spanish conquest" of the Indigenous nations, Peru has titled and retitled its national land-holding 22 times, and none of the property rights systems has worked.[85]

De Soto argues the problem isn't lack of government or bureaucracy or paperwork.[86] They have the form of Eurocentric governance but not the imaginative or institutional structures that generate and capture capital. To acquire title to a piece of land on a sand dune in Egypt, for example, it takes 77 bureaucratic procedures, the involvement of 31 agencies, and 5 to 17 years.[87] And no guarantee exists that the next ministry to process the paperwork won't revoke the deed. With so much red tape and so little certainty, is it any wonder that entrepreneurs and investors don't see much potential in bureaucratic regimes? This situation also creates the context for criminality. For example, in the hinterlands of Colombia or Russia today, the only jobs worth having are in the mafia or black market because they have their own legal system and enforcement machinery as well as cash flows! No one outside the black market — not the rich, the government, or people — actually receives capital or benefits.

De Soto sees a direct relationship between ineffective law and marginality. Those who do not work within the law, those who live and work in what he calls the "extralegal" sector,[88] only have "dead capital". These marginalized people have enterprises, own assets, homes and cars, but do not own them in a sufficiently valid legal form for those assets to perform other functions that we call capital. These extralegal assets have a physical life, not a financial or investment life. Though indigenous, community-based systems provide for the basic needs of the legally marginalized and generate money, they cannot generate or capture capital. To create capital, the legal system has to discover, recognize, and affirm the law of the peoples or communities. The real law of a marginalized community is discovered by talking to people, by having democratic institutions that listen to the poor and rich, and by having limited, honest, and effective bureaucracies.

Poor and excluded communities develop their own systems of property and commercial transactions of varying degrees of sophistication. But, because these systems apply only in those communities of individuals, they do not provide a basis for wide-ranging business exchanges between individuals in different communities or who are unknown to each other. This retards business development and the division of labour that usually stimulates and accompanies rapid economic growth.

The challenge for many developing countries, according to de Soto, is to integrate the poor, the excluded and their laws and industry into the main economy by creating a pervasive legal framework that enables them to turn their assets into capital, so, their countries' rates of growth increase. Doing so requires creative compliance and adaptations to property law to incorporate the varied forms of informal contract in various communities. It also requires vastly improved registration and administration of property transactions. In other words, the rule of law needs to expand its applicability — rather than be protected in the form in which we currently find it. De Soto shows that this was the challenge taken up and met last century in the United States and other countries in which capitalism has now become "popular" and in which citizens' standards of living are the highest in the world.[89]

De Soto's theory of capital is consistent with the arguments of Salish-Kootenai economist Ron Trosper and law professor Russel Barsh that the persistence of Native American poverty in the United States is due to Bureau of Indian Affairs' over-regulation, insecurity, and uncertainty, and not inadequate financial or human capital.[90] Aboriginal worldviews, laws, and economies were highly articulated systems of required generosity. The modern challenge is how to relate such teaching and wisdom to today's issues in economic development. The ideas of capturing capital, extralegal economies, and "forced generosity" in the standard models of externalities in economic theory suggest that (in theory) many externality problems can be solved if participants share and recycle net returns. Here, the treaties enter into economic development and may be able to reassert sharing and creativity as tools of economic transformation.

V. TREATIES AS TOOLS OF TRANSFORMATION

Canada does not appear to understand the relationship between the treaties, the *ultra vires* colonial regimes, and economic development. It accepts the *ultra vires* regime as valid, fails to comprehend the constitutional and economic dimension of the *ultra vires* regimes, and misunderstands the need to reform these regimes so that *sui generis* assets can develop into productive capital. Economic activism under the treaties, as in fiscal policy everywhere, must be rule-bound and performance-oriented. Put simply, for economic development to occur treaty beneficiaries need to be and feel secure in their treaty tenure and rights so that they can start investing in improvements.

Instead of constitutional reforms and institution building, Canada ponders structural change to lessen poverty and dependency. It ponders the implications of the transformation and searches for evidence and measures, and determines to regulate such innovations. It searches for new fiscal relationships in resource transfers, fiscal authority, resource revenue sharing, and incentives for enhancing resource revenue capacity. It has agreed to fiscal levels reasonably comparable to the relevant local, regional, or national standard.[91] Canada is pondering the reform of the on-reserve welfare system from passive to active case-management and to increased employment. Yet these policy options have failed in the past; in the future, instead of creating an economy, they will maintain dependency on fool's gold and dead capital.

These fiscal reforms will not generate a treaty economy. They perpetuate the top-down choice by government "picking winners", the old search for finding the "right sectors" to rise to lead the Indian economy toward higher productivity. In the special circumstances of natural resource development, they may work, but even then at great risk of degenerating into favouritism and dogmatism.

Treaty beneficiaries need to rediscover and unleash the economic potential in the treaties to create sustainable development and sustainable communities. Bringing the treaty economy to life and renewing the rights to an enriched livelihood requires us to go beyond looking at our treaty assets as they are to actively thinking about them as the capital they could be. As de Soto urges, it requires a process of rethinking or representing the treaty assets in a form that can be used to initiate a treaty economy and additional production.

To paint a picture of the Canada that treaty people envision in treaty economy, they need only turn to the ideals of a good life embedded in Aboriginal languages and traditional teachings. The Iroquois Great Law sets out rules for maintaining peace — "*Skennen kowa*" — between peoples, going beyond resolving conflicts to actively caring for each other's welfare. The Obijwa seek the spiritual gift of "*pimatziwin*" — long life and well-being — which enable a person to gain wisdom. The Cree of the northern prairies value "*miyowicehtowin*" — having good relations. Aboriginal peoples across Canada and around the world speak of their relationship with the natural world and the responsibility of human beings to maintain balance in the natural order. Rituals in which we give something back in return for the gifts that we receive from Mother Earth reinforce that sense of responsibility.

Treaty beneficiaries face a struggle to achieve a treaty economy. RCAP states that this involves re-establishing the economic provisions in the historical treaties; the freedom for Aboriginal people to manage their own economies; and a fair share of the land and resource base that sustained Aboriginal economies in the past.[92] It is important to see creating a treaty economy as a complicated process that requires cultural visions, skilled leadership, agreement on development plans, and many years of persistence to make this a reality. What is required of treaty beneficiaries is to mobilize their inner visions, strengths, and abilities.

Reforms must be based on our constitutional rights, rather than the colonized *Indian Act* regime. If reforms are proposed that are too distant from the treaties, they will be objected to as utopian. If the proposals adhere too closely to the *Indian Act*, they will be objected to as viable but insignificant. Thus, all proposed programmes must be grounded in Aboriginal and treaty rights, or they will be viewed by Canadians as either illusory or trivial. Using the treaty as an institution of transformation must take place one step at a time and cumulatively. Any change worth considering can be presented as addressing issues that are both close to the constitutional order and distant from it. What matters are the direction and commitment, and their effects on the people's

understanding of their interests, identities, and issues.

Economic reform means deciding whether to be a trustee of stagnation and administer scarcity or to create a treaty economy by co-ordinating dynamism and broadening economic opportunity and empowerment. Faced with the choice between passive resignation to poverty and active resistance to it, the temptation of many communities may be great to hedge their bets and split the difference. It is a bad escape: it will irritate without overcoming, and tantalize without satisfying. To implement the right to an enriched livelihood and to create a treaty economy, I argue for a course of decisive and innovative action.

The treaty economy looks to a new way of organizing and deepening political, economic, and cultural freedoms. Development policies and programs should be designed and delivered by treaty-based institutions. Treaty-wide institutions and law with a horizon larger than a particular community or reserve are essential to the treaty economy.

They can build on the example of the Native Law Centre as a vital institution and instrument of transformation in Canada. Over the last twenty-five years, it has educated Aboriginal peoples, provided a research and publishing centre, and transformed the Canadian legal system by demonstrating the myth of Aboriginal inferiority. It has effected significant change in a context where change is actively resisted. For instance, Canadian courts and lawyers have been trained not to expand the rule of law but to defend the system as they found or were taught it. The courts have the ability to suppress innovation legally. They are notorious for their reluctance to accept even the smallest changes in traditional procedures. They assert the role of law is to maintain stability of the *status quo* or the received precedents. However, constitutional reforms created partially by Aboriginal lawyers have required courts and law to become transformative of Aboriginal and treaty rights. Constitutional analysis has become a conversation between legal technicians and the larger civic body. This conversation should not only inform the citizenry about its legal present, but also invite a process of ongoing constitutional and institutional revision, by articulating alternative interpretative principles and negotiations to create a new future.

Under constitutional litigation, Aboriginal lawyers and lawyers for Aboriginal peoples are thus renewing the concept of the treaty right to an enriched livelihood and its relations to capturing capital and economic development. It requires imagination in conception and boldness in execution. Like any serious, transformative program, it will provoke disagreement and conflict. However, it can also help trigger the organization and alignment of treaty constituencies and political groupings capable of sustaining a treaty economy.

Guided by transformational principles, the courts are beginning to acknowledge errors of the past regulatory policies and to remedy the legacies of those errors. The Supreme Court of Canada has affirmed that Aboriginal tenure (or title) and rights are constitutional rights.[93] The courts have affirmed that the federal and provincial governments have to take these *sui generis* rights seriously; even if the judiciary had not specifically affirmed them and millions of dollars have been spent on environmental and economic assessments, they have a duty to consult and negotiate with the Aboriginal titleholders.[94] The Court has affirmed that the commercial right to treaty fishery is a constitutional right.[95] The Court affirmed that existing fishing regulations cannot ignore the treaty fishery, thus creating a half a billion dollar allocation for the treaty fishery.[96] The Federal Court has affirmed that treaty beneficiaries of Treaty 8 are not subject to any federal or provincial taxation.[97] These decisions create the context for treaty economy.

The treaties should be approached as a factory of ideas, capacities, and ambitions. They reveal a treaty economy that demands changes of institutions and practices. Institutions house economies; ideas live in practice and experience. The institutional reform based on the treaties is an important dimension to healing and revitalizing treaty beneficiaries. The establishment of treaty institutions throughout the public and private sector will create room for initiative and approaches that are essential to the treaty economy. Institution-building is an integral part of reforms in education and culture, health and social services, economic development, and housing.

The treaties can confront the federal and provincial monopolies and bottlenecks, which contribute to unnecessarily low expectations and helplessness in the face of external events. The

treaty economy exemplifies and encourages motivated, sustained, and cumulative innovation — constitutional and institutional arrangements of government and economy and treaty beneficiaries. Treaty beneficiaries will need to work with the private sector and non-profit organizations and other partners, as appropriate, to design and implement the treaty economy within the treaty territory for a just and innovative postcolonial Canada.

The Treaty economy has to be a productivist program. Treaty beneficiaries need to reshape governmental and economic arrangements and to generate innovations in the treaty economy. According to Professors Cornell and Kalt, governing institutions need to perform three essential tasks: (1) create legitimate and respectful institutions and strategies by matching them with cultural values; (2) effectively implement strategic choices by fair procedures and just legal environment; and (3) establish and maintain a political environment that is safe and predictable for entrepreneurial talents, investment and development.[98]

The indispensable reform in the treaty economy is an enriched investment in treaty education and training in a knowledge-based economy. RCAP argued that a national Aboriginal university that specializes in research and capacity building in economic development is the best approach.[99] The Aboriginal MBA program at the University of Saskatchewan has a similar potential to be an interdisciplinary centre of the treaty economy. Both models offer methods of renovating the bureaucratic regime, a process of strengthening the skills for shared discussion and solutions to problems, and creating animating programs and partnerships with government and private sectors. The treaty economy must be viewed as a process of turning the idea of production into practices of continuous learning and of generating skills at co-operation, innovation, technology, and investment.

NOTES

1. Hernand de Soto, *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else* (New York: Basic Books, 2000) at 7. Hernando de Soto is currently President of the Institute for Liberty and Democracy (ILD) headquartered in Lima, Peru. This Institute is considered one of the most important think tanks in the world. In 1999, de Soto was chosen as one of the five leading Latin American innovators of the century by *Time* magazine in its special May issue on "Leaders for the New Millennium". In January 2000, the German development magazine, *Entwicklung und Zusammenarbeit*, identified de Soto as one of the most important development theoreticians of the last millennium.
2. Canada, "Gathering Strength — Canada's Aboriginal Action Plan", Minister of Indian Affairs and Northern Development, Ottawa, 1997, catalogue no. R32-189-1997E at 10 and 17.
3. J.Y. Henderson, "Empowering Treaty Federalism" (1994) 58 Sask. L. Rev. 241 at 246–69.
4. "Intergovernmental compacts in Native American law: models for expanded usage" (1999) 112 Harvard L. Rev. 922; "Tribal businesses and the uncertain reach of tribal sovereign immunity: a statutory solution" (1992) 67 Washington L. Rev., 113.
5. J.Y. Henderson, "First Nations Legal Inheritance" (1996) 23 Man. L.J. 1; J. Borrows, "With or Without You: First Nations Law (in Canada)" (1996) 3 McGill L.J. 629; J.S. Milloy, *The Plains Cree: Trade, Diplomacy, and War, 1790–1870* (Winnipeg: University of Manitoba Press, 1988).
6. *R.* v. *Badger*, [1996] 2 C.N.L.*R.* 77 (S.C.C.) [hereinafter *Badger*] at para. 52.
7. *Ibid.* at paras. 41 and 47; *R.* v. *Sioui*, [1990] 1 S.C.R. 1025 at 1063; *Simon* v. *The Queen*, [1985] 2 S.C.R. 387, at 40.
8. *Constitution Act, 1982,* being Schedule B to the *Canada Act 1982* (U.K.), 1982, c. 11.
9. *Ibid.*
10. s. 35(4), *ibid.*
11. *Sioui*, *supra* note 7 at 1054, citing *Worcester* v. *State of Georgia*, 31 U.S. (6 Pet.) 515 at 548–49 (1832).
12. *Re Reference by the Governor General in Council Concerning Certain Questions Relating to the Secession of Quebec*, [1998] 2 S.C.R. 217 at para. 32.
13. See "Understanding Aboriginal Economies" in Canada, *Final Report of the Royal Commission on Aboriginal Peoples*, 5 vols. (Ottawa: Minister of Supply and Services, 1996) vol. 2 780–788 [hereinafter *Report*]; "Aboriginal-Hudson's Bay Company Relations before 1800" in A.J. Ray, J. Miller, F.J. Tough, *Bounty and Benevolence: A History of Saskatchewan Treaties* (Montreal & Kingston: McGill-Queen's University Press, 2000). [hereinafter *Bounty and Benevolence*]
14. (31 March 1713) F.G. Davenport, *European Treaties Bearing on the History of the United States and Its Dependencies* (Washington, D.C.: Carnegie Institute, 1917–37).
15. Sir M. Hale, *Prerogatives of the King* (London: Selden Society, 1976) at 201, 227–40 (Liberties or franchises were "jurisdictions, franchises, and exemptions" derived from the sovereign by express grant or charter or in the presumption of usage as well as all royal grants of exclusive rights to capture beast (*ferae naturae*)".)

16. J.A. Chitty, *Treatise of the Law of the Prerogatives of the Crown: And the Relative Duties and Rights of the Subject* (London: Joseph Butterworths & Son, 1820) ("A franchise is defined to be a royal privilege or branch of the royal prerogative subsisting in the hands of a subject, by grant from the King [...]. [I]t is a clear principle that the King cannot by his mere prerogative diminish or destroy immunities once conferred and vested in a subject by royal grant. [T]he King cannot take away, abridge, or alter any liberties, or privileges granted by him or his predecessors, without the consent of the individual holding them" at 119, 121, 125, 132).
17. Míkmaw Compact; UK Public Records, Colonial Office Records, Nova Scotia "A", vol. 1 at 699–700.
18. Letter of Johnson to Gage, 19 Feb 1764" in Flick, ed., *The Papers of Sir William Johnson,* vol. 4 (Albany: The State University of New York, 1925) at 328.
19. H. Cardinal and W. Hildebrandt, *Treaty Elders of Saskatchewan: Our Dream is That Our Peoples Will One Day Be Clearly Recognized as Nations* (Calgary: University of Calgary Press, 2000) at 39–42.
20. E.g., *Badger*, *supra* note 6 at 90 (para. 39), 97–99 (paras. 55–57) ("The promise that this livelihood would not be affected was repeated to all the bands who signed the treaty").
21. Treaties Nos. 1-11 in *Indian Treaties and Surrenders* (Ottawa: Queen's Printers, 1891); facsimile editions reprinted by Coles Publishing Company in Toronto, 1971, and by Fifth House Publishers (1992) [hereinafter *Treaties*]; (Ottawa: Queen's Printers, 1966); R.A. Reiter, *The Law of Canadian Indian Treaties* (Edmonton: Juris Analytica, 1995), pt. 3; (Ottawa: Queen's Printers, 1966).
22. *Bounty and Benevolence*, *supra* note 13.
23. As reported by A. Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories, Including the Negotiations on Which They Were Based, and other Information Relating Thereto* (Toronto: Belfords, Clarke, 1880) commencing at 28 [hereinafter *Treaties of Canada*].
24. *Treaties of Canada*, *ibid.* at 92–3, 96 (11 September 1874).
25. *Ibid.*
26. *Ibid.*
27. *Ibid.*
28. *Ibid.* at 92 (11 September 1874) and 96 (12 September 1874).
29. *Ibid.* at 184.
30. *Ibid.* at 211, Jackes Report of Proceedings (18 August 1876).
31. *Ibid.* at 185. See generally S. Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montreal & Kingston: McGill-Queen's University Press, 1990) at 1–78.
32. *Ibid.*, Morris as interpreted by translator Erasmus to Cree, reported by Jackes, *supra* note 23 (27 August 1876).
33. Lazarus Roan interview (30 March 1974) in R. Price, *The Spirit of the Alberta Indian Treaties* (Toronto: Butterworths, 1979) at 161. See also John Buffalo interview, *ibid.* at 121.
34. Pat Weaselhead statement (5 March 1976), *ibid.* at 128.
35. Camoose Bottle interview (24 October 1973) *ibid.* at 131.
36. *Ibid.* at 132.
37. Treaty 7 Elders, *supra* note 19; Treaty 8 Elders in L. Hickey, R.L. Lightning & G. Lee, findings in "T.A.R.R. Interview with Elders Program" in *The Spirit of the Alberta Indian Treaties*, *supra* note 33 at 103–12 (The main points made by most elders concerned hunting, fishing, and trapping and how rights to pursue their traditional livelihood were not given up and were even strongly guaranteed in the treaty to last forever: *ibid.* at 106).
38. Report of Commissioners for Treaty 8 (Winnipeg, Man., 22 September 1899), reprinted (Ottawa: Queen's Printer, 1966) at 6, cited in *R.* v. *Horseman*, [1990] 1 S.C.R. 901 at 929 [hereinafter *Horseman*].
39. *Badger*, *supra* note 6 at 90–91 (paras. 39–40).
40. *Horseman*, *supra* note 38 at 911.
41. *Treaties of Canada*, *supra* note 23 at 132–33.
42. *Treaty Elders*, *supra* note 19 at 43–47.
43. *Report*, *supra* note 13.
44. Royal Commission on Aboriginal Peoples, *Partners in Confederation: Aboriginal Peoples, Self-Government, and the Constitution* (Ottawa: Supply and Services, 1993) at 50.
45. *Report*, *supra* note 13, vol. 1 at 259.
46. *Ibid.* vol. 2(1) at 1.
47. *Ibid.* vol. 1 at 354–356; vol. 2(2) at 425, 487, 552, 555–56.
48. *Ibid.* vol. 1 at 247.
49. *Ibid.* at 180, 181, 187, 236, 376, 603, 608, 609, 610, 611, 612, 616; vol. 2(1) 327, 328; vol. 3 at 7, 60, 73, 74, 75, 87, 96, 355, 357; vol. 4 at 8, 19, 57, 148, 149, 404.
50. *Ibid.* vol. 2(1) at 38.
51. Royal Commission on Aboriginal Peoples, *People to People, Nation to Nation, Highlights from the Report of the Royal Commission on Aboriginal Peoples* (Ottawa: Minister of Supply and Services Canada, 1996) at 4–5.
52. *Report, supra* note 13, vol. 2(1) at 20 (social contract) and 52 (sacred compact).
53. *Partners in Confederation*, *supra* note 44 at 36.
54. *Report, supra* note 13, vol. 2(1) at 194.
55. *Ibid.* vol. 2(1) at 20-1 and 194.
56. *Ibid.* at 21, 22 and 194–95.
57. *Ibid.* Conclusion 20 at 244.
58. *Ibid.* at 10, 15, 17–21, 74, 83, 167, 307; vol. 5 at 149, 158.

59. *People to People, Nation to Nation*, *supra* note 51 at 51.
60. *Report*, *supra* note 13, vol. 3 at 586.
61. *Ibid.* vol. 1 at 7.
62. *Ibid.* vol. 1 at 7–8.
63. Canada, "Gathering Strength — Canada's Aboriginal Action Plan", Minister of Indian Affairs and Northern Development, Ottawa, 1997, catalogue no. R32-189-1997E, p. 4.
64. *Ibid.* at 10 and 17.
65. These transfer payments include INAC contributions and expenditures of other government agencies.
66. Canadian Human Rights Commission, *Annual Report 2000* (Ottawa: Government Services, 2001).
67. *Report*, supra note 13, vol. 3 at 440; 2000 Report of the Auditor General of Canada, Indian and Northern Affairs Canada — Audit of Elementary and Secondary Education, Chapter 4, para. 4.44.
68. *Aboriginal post-Census survey, 1991* states Aboriginal peoples owned or operated about 20,000 formal businesses, but more than half are located on reserves and three-fourths have only one employee. The local businesses are concentrated in business and personal services (25%), retail/wholesale trade (18.8%), primary natural resources (16.9%), and construction (15.1%).
69. *Report*, *supra* note 13, vol. 2 at 775.
70. *Report*, *supra* note 13, vol. 5 at 23–54. The total annual cost of the Aboriginal peoples' economic marginalization amounts to one percent of the gross national product, *ibid.* at 3.
71. *Ibid.* at 1–2.
72. *Ibid.*, vol. 2 at 557.
73. Concluding Observations of the UN Committee on Economic, Social and Cultural Rights, (4 December 1998) E/C.12/1/Add.31 at para. 17. It also affirmed the *Report*, *ibid.* at para. 18.
74. *Ibid.* at para. 17.
75. Concluding Observations of the Human Rights Committee, Canada, Human Rights Committee, 65th Session (7 April 1999) CCPR/C/79/Add.105 paras. 7–8. The Committee "recommends that the right to self-determination requires, *inter alia*, that all peoples must be able to freely dispose of their natural wealth and resources and that they may not be deprived of their own means of subsistence (art. 1, para. 2)".
76. H. de Soto, *The Other Path: The Invisible Revolution in the Third World* J. Abbott, trans. (New York: Harper & Row, 1989).
77. *Supra* note 1.
78 *Ibid.* at 43.
79. *Ibid*. at 221.
80. *Ibid.* at 8.
81. *Ibid*. at 8.
82. *Ibid*. at 9.
83. Particularly the World Bank, International Monetary Fund (IMF), General Agreement for Tariffs and Trade (GATT) and the World Trade Organization (WTO). For example, de Soto states when money is passed from First World nations or these institutions to the head of state of a Third or Fourth World nation, it is glorified charity. It will not really help the Indigenous poor. They have to be brought into the system and given access to the leveraging tools that create capital.
84. *Ibid.* at 161.
85. *Ibid.* at 169.
86. This approach is different from Samuelson's argument in RCAP that the key to economic development is effective self-government: *Report*, *supra* note 13, vol. 2 at 833.
87. *Mystery of Capital, supra* note 1 at 20.
88. Economic activity that falls outside of governmental accounting is known by various names: shadow, informal, hidden, black, underground, gray, clandestine, illegal and parallel: J.J. Thomas, *Informal Economic Activity* (Ann Arbor, University of Michigan Press 1999) at x. Definitional and behavioural approaches divide the extralegal economy into four components: the criminal, irregular, household and informal sectors.
89. Chapter 5.
90. R.L. Trosper, "Traditional American Indian economic policy" (1995) 19(1) American Indian Culture and Research Journal 65–95; "Who is subsidizing whom?" in F.J. Lyden and L.H. Legters (eds.), *American Indian Policy: Self-Governance and Economic Development for American Indians.* (Westport, CT: Greenwood Press, 1994); "Mind sets and economic development on Indian reservations" in S. Cornell, and J. Kalt (eds.), *What Can Tribes Do? Strategies and Institutions in American Indian Economic Development.* (Los Angeles, CA: American Indian Studies Center, University of California, 1992); "Multicriterion decision-making in a tribal context" (1988) 16(4) Policy Studies Journal at 826–42, reprinted in F.J. Lyden and L. H. Legters (eds.), *Native Americans and Public Policy*. (Pittsburgh, PA.: Pittsburgh University Press, 1992) at 223. See also, R.L. Barsh and J.Y. Henderson, "Tribal Administration of Natural Resource Development" (1975) 52(2) North Dakota L. Rev. 307; R. L Barsh, Aboriginal Self-Government in the United States A Qualitative Political Analysis, RCAP Paper Number 10, revised October 1993.
91. W.J.R. Austin, "Self-government and fiscal relations: fundamental changes in the relationship" (2000) 48 Can. L. J. 1232.
92. *Report*, *supra* note 13 at vol. 2, ch. 5.
93. *Delgamuukw* v. *British Columbia*, [1997] 3 S.C.R. 1010 at para. 112, (1998), 153 D.L.R. (4th) 193.
94. *Taku River Tlingit First Nation* v. *Tulsequah Chief Mine Project* 2002 BCCA 59 and *Haida Nation* v. *B.C. and Weyerhaeuser*, 2002 BCCA 147.
95. *R. v. Marshall*, [1999] 3 S.C.R. 533.

96. A. Auld, "Federal strategy for native fishery, reserves placed at $500 million" *National Post* (30 January 2001).
97. *Benoit v. Canada*, 2002 FCT 243.
98. S. Cornell and J. Kalt, "Reloading the Dice: Improving the Chances for Economic Development on American Indian Reservations" in *What Can Tribes Do?*, *supra* note 89.
99. *Report*, *supra* note 13 at vol. 2, ch. 5, recommendation 2.5.7, vol. 3 ch. 5.

RESPECTING POSTCOLONIAL STANDARDS OF INDIGENOUS KNOWLEDGE
Toward "A Shared and Sustainable Future"

Marie Battiste

> Displacing systemic discrimination against Indigenous peoples created and legitimized by the cognitive frameworks of imperialism and colonialism remains the single most crucial cultural challenge facing humanity. Meeting this responsibility is not just a problem for the colonized and the oppressed, but rather the defining challenge for all peoples. It is the path to a shared and sustainable future for all peoples.
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> Dr.-Mrs. Erica Irene Daes, United Nations Working Group on Indigenous Peoples, at the UNESCO Conference on Education, July 1999.

I. INTRODUCTION

The summer of 1990 marked a dramatic turning point for Canadians and First Nations peoples as the events of Oka unravelled a long silenced history of oppression among Aboriginal peoples. For the Canadian people, Oka had a dramatic and chilling effect. The barricades and the staring confrontations captured by the media portrayed the problem in stark visual form, but did not capture the complexity of or the history behind the unfolding relations between Canada and First Nations people. Some months later, then Prime Minister Brian Mulroney established the Royal Commission on Aboriginal Peoples (RCAP), whose mission would be to unravel the effects of generations of exploitation, violence, marginalization, powerlessness, and enforced cultural imperialism among Aboriginal knowledge and peoples in Canada. It was a massive undertaking spanning over a six-year period, mobilizing over 150 Canadian and Aboriginal scholars, and involving the deliberations of fourteen policy teams composed of senior officials and diverse specialists in government and politics (vol. 5: 296–305). Using interdisciplinary research methods and policy analysis and representing largely the voices and perspectives of Aboriginal peoples themselves, RCAP represents the largest research project ever undertaken in Canada — and a postcolonial project that remains incomplete but offers hope of "a shared and sustainable future" for us all.

In 76,000 pages of transcripts, 356 research studies, and five volumes of its final *Report* (1996), RCAP represents a postcolonial agenda

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Dr. Battiste is a leading Aboriginal authority on the preservation of Aboriginal languages and knowledge and the decolonizing of school and university curricula. Her historical research on Mi'kmaw literacy and education as a graduate student at Harvard and Stanford universities provided the foundation for her writings in cognitive imperialism, linguistic and cultural integrity, and decolonization of Aboriginal education. She is co-author of *Protecting Indigenous knowledge: A global challenge*. Saskatoon, SK: Purich Press, 2000; editor of *Reclaiming Indigenous voice and vision.* Vancouver, BC: UBC Press, 2000; and co-editor of *First Nations education in Canada: The circle unfolds*. Vancouver, BC: UBC Press, 1995.

for the government of Canada, Aboriginal peoples themselves, and the organizations and agencies that are supporting their development. However, the *Report* and its 400 plus recommendations still await the people, organizations, and resources needed for implementation. Part of the lesson for educators like myself is that the massive RCAP research and recommendations involve more than just the federal government of Canada, although it was directed first to government agencies. RCAP still offers the best current understanding of the nature of the colonial problem in Canada, a repository of historical records of problem-solving undertaken in the last century, and the effects of this paternalistic programming among Aboriginal peoples. RCAP also includes a multi-agency and institutional report, which can be used as a foundation for ongoing and future work. In particular, the Commission cites education most frequently as the agent for undoing and superseding the colonial myths and advancing the many potentially transformative recommendations.

As a Mi'kmaw educator who has worked persistently toward postcolonial education, I have found in RCAP an inspiring postcolonial model of scholarship for this century, and for the ongoing work of Indigenous scholars. It is a document of tremendous magnitude for it relates how Indigenous communities can use decolonizing methodologies in multiple sites of struggle. In this essay, I position RCAP as central to decolonizing theory and praxis in relation to education and economic or social development in Aboriginal communities. While there are many local and national examples of good work in this regard, as witnessed in RCAP, I also draw attention to the work of poscolonial thinkers and especially the Maori of New Zealand — their resistance, conscientization, and theory-making — to inspire and to give new, high validity language for the development agenda in Aboriginal communities in Canada.

II. WHAT DOES POSTCOLONIAL MEAN TO ABORIGINAL PEOPLES?

Postcolonial is a term that constructs a strategy for responding to the historical experience of colonization and imperialism. In much of the literature, it is defined as liberation from colonial imposition, from colonists taking over lands and telling peoples there what to do, but for those submerged in colonization, it is about removing brutal oppression and domination. From diverse experiences, postcolonial writers raise awareness about the processes of domination and the experience of violence and pain, processes of healing and coping, and visions of transformation of the colonized/oppressed in their resurging hope and struggles for liberation. However, the postcolonial is not just about mapping and diagnosing the past. To Aboriginal people, the term *postcolonial* is an aspirational practice, goal, or idea we use to imagine a new form of society. It is a symbolic strategy for shaping a desirable reality that we recognize currently does not exist (Battiste, 2000).

The conceptualization and strategy of the postcolonial among Third World and Indigenous writers are acts of hope, a light in the darkness of educational failure. To other writers in the humanities and social sciences, *postcolonial* is about rethinking conceptual, institutional, cultural, legal and other boundaries that are taken for granted and assumed universal, but in fact act as structural barriers to Aboriginal people, women, visible minorities, and others. Two colonial movements or histories are evident in postcolonial literature:

- Third World postcolonial (Edward Said, Roberto Unger, Gayatri Spivak, Frantz Fanon, and others)
- Indigenous postcolonial (Linda Smith, Graham Smith, Gregory Cajete, Eduardo Duran, Sákéj Henderson, Leroy Little Bear, Sharilyn Calliou).

Both share the colonial experience of being told they should be something they are not. In particular, postcolonial writers have offered two kinds of discourse. One deals with deconstruction, or taking apart, revealing underlying texts or discourses and conflicted histories, giving voice to previously oppressed knowledge, and thereby providing explanation for experiences that were never as natural or inevitable as they were made to seem (the story of *terra nullius* is but one example justifying theft of land). Thus, colonial systems and their inner workings are disclosed so that they can be more effectively displaced. The other is reconstruction or rebuilding of the nations, peoples, communities, and individuals through multiple strategies and methodologies. These methodologies are as diverse as are their objectives.

Third World colonial writers offer, in their analysis of the Third World or southern colonial experiences, a deconstruction of history and relations, involving both the subtle and the violent means by which a people is subdued. Much academic literature across many disciplines is examining the colonial experience, deconstructing the colonial gaze and its methods of transforming subjects into objects of study, and the consequences for oppressed people, cultures, and nations, their terrain, territories, and ecology. In history, literature, visual arts, anthropology, for instance, postcolonial critique has informed new ideas and theories about the experience and offered new methodologies for unravelling those experiences. Indigenous writers, feminists, and Third World scholars have offered diverse perspectives and critiques of Eurocentric expansion and colonization. More recently, this criticism has begun to reach beyond the social sciences and humanities to the physical sciences, including the environmental sciences of ecology and biotechnology, and to economic development.

For many of us raised in colonial environments, unpacking this process of colonization and imperialism has helped us identify similarities in the experiences of those in other countries. And we have sought through many dialogues and international venues to discover what can be done to change the discourses and policies that undermine the human condition and community development. Some writers have helped us to see the larger picture. Writers like Edward Said (1978; 1993) show how the West constructed the East as the West's inferior, a manoeuver which strengthened, indeed constructed, the West's self-image as a superior civilization. By creating the "other" with essentializing stereotypes, literary authors created the binary oppositions: civilized and primitive, irrational and progressive, despotic and democratic, and backward and moral. Henderson (2000) argues that the use of backward primitive stereotypes and caricatures was a necessary precondition to establishing Indigenous peoples as incompetent, landless primitives who needed the colonizing superior cultures, religions, and governments to raise them to a level of civilization. Using both theory of universality (all things derive from one European centre) and strategy of difference, colonizers justified their aggression and pacified the homeland while maintaining their control and dominance over Indigenous peoples worldwide. Those strategies of justification remain in our institutions, in our society, and are increasingly probed and countered in cultural studies, feminist, antiracist, and postcolonial studies, and in other voices from the margins and borders.

Colonialism, then, is not just a matter of physical force. Gramsci (1971) rejects the concept of power as a sheer physical force and maintains that power is also an impersonal invisible force operating through a multiplicity of sites and channels (schools, government, media, courts, prisons, universities, research, etc.) constructing a pastoral regime through which it seeks to control its subjects by "(re)forming" them and in so doing, making them conform to their place in the social system as objects of power. This informs the notion of internalized consent and neocolonialism (Memmi, 1965; Noel, 1994). In examining the connections between Western culture and imperialism, Said (1978, 1993) has pointed out all Western systems of cultural description are contaminated with the politics, considerations, positions, and strategies of power. Gramsci (1971) called it hegemony. I see it as a form of "marinating and pickling" of the oppressed. We get so used to the position we are in, so comfortable with the status quo, that we can rarely identify it within our daily work or within the power relations we inhabit. We are so marinated in the schools and books and media, in the language, discourses, and vivid images — none of which is as neutral as it appears — that we come to believe and accept the images imposed on us, and find it difficult to re-inscribe any other image in the public mind or to imagine doing things differently.

III. POSTCOLONIAL THEORY AND EDUCATION

We continue to face the reality that every educated person has been raised and socialized (or marinated) within colonial systems of knowledge, both here and abroad. It is the responsibility and challenge of all of us to understand and counter colonial cognitive frameworks that have disabled us and prevented us from seeing far and realizing our potentials. Unfortunately, the problem is that all of us have been taught the power relations of our own location, our own continent or country. As a result, there has been no homogeneous experience that we all share to

help draw us out of the current structures of power without a full "conscientization" (Freire, 1970) of the process that envelops our thinking and our education. To this end, we as educators must be critical educators and learners of our own current structures and begin the learning process for changing what is embedded in our social constructions of knowledge and identities. We are all virtually new and continuing learners. Indigenous peoples must continue to learn from our elders, cultural leaders, and others about knowledge not cultivated in schools and universities. It is a knowledge that is not available through books, journals, monographs, theses, dissertations, or from Eurocentric-trained professors. Postcolonial thought and its methodologies for change are not in the conventional curriculum of schools. Rather, contemporary curricula are domesticated into fragmented units, thematically indexed, in glossy print with glossaries and dictionaries about dominant thought and power relations — still very much tied to Eurocentric agenda. In effect, there are few places, if any, where postcolonial thought has been ushered in as a foundation of education for the future.

A decolonized curriculum, then, is the shared curriculum for those who have been colonized and those who have colonized. To begin to think beyond the conventional curriculum requires something else, a *sui generis* school curriculum with teachers and administrators who envision themselves as postcolonial leaders. From there can communities begin to inspire new forms of transforming social and economic development, not the economic strategy of handouts from the government nor the economics of gangs of the streets, but creative and motivating processes that will enable thought beyond the welfare box many have come to know. Community development, then, is about ensuring that the knowledge needed to restore, renew, rebuild is drawn from diverse sites, communities, and collectives who hold that knowledge, and that it is connecting rather than fragmenting, and empowering within Indigenous communities.

Indigenous knowledge is not a monolithic epistemological concept, for many diverse nations, languages, and ecologies are represented among Indigenous peoples. There is no unitary Indigenous experience or perspective, no same production of culture or knowledge, and no cultures producing the same knowledge. Therefore, no single methodology has the answers for communities. What is clear, however, is that for too long Indigenous knowledge, methodologies, worldviews, and systems have been neglected or ignored in education and as sources of development solutions for Indigenous peoples. These may serve as part of the solutions untried.

As there is no monolithic Indigenous knowledge, it is important to point out as well that there are no homogenous peoples or homogenous experiences with colonialism. Postcolonial writers have emphasized the diversity of experiences of people within colonial systems. People are differentially oppressed depending on their gender, race, religion, class, as well as sexual orientation, abilities, or other "othering" categories. We must be alert to these multiplicities and the location from which people speak, just as we should not use universals to categorize all Indigenous peoples. We are a diverse group and each of us speaks from many locations.

Indigenous postcolonial writers have significantly shaped my understanding of Aboriginal experience. In the work and writings of Indigenous authors and leaders, I have understood more fully the nature of colonization and the impact of that experience not only on myself and my people but also on Aboriginal peoples' identities, on our communities, our relationships with our land/environment, and the resulting fragmentation, isolation, and alienation we feel. Postcolonial writers have helped me to understand colonial cultures and systems, the reproductive strategies of those systems found in the dominant English language and discourses, in the assumptions underlying a Eurocentric curriculum (cognitive imperialism), in the culture of schooling (cultural reproduction and hegemony), in theories of Indigenous capacity (culturalism), and in the socialization of power and privilege that creates inequities, underachievement, loss of benefits, and injustices. Most of us have lived that experience in most profound ways.

Linda Smith's book, *Decolonizing methodologies: Indigenous peoples and research* (1999), is especially informative on the paradoxical position of Indigenous people. In critiquing the western interest in and academic gaze on Maori people as objects, Linda Smith examines a tradition all too familiar to many of us, wherein anthropologists, historians, or other conventional social scientists have created their disciplines on the backs of Indigenous people. Rather than have white researchers continue describing and labelling the Indigenous experience from within their own research gaze, she maintains that

Indigenous peoples should understand their own history and research in their own ways, writing back and talking back, and engaging education for their own purposes and in their own ways, and, more important, teaching non-Aboriginal people about the appropriate place they can have in decolonization. She urges researchers to undertake research, not for their own external or private purposes, but for its shared benefits with the communities in which they seek to conduct their research. She points out that the work of decolonization is not the rejection of theory and research or western knowledge:

> Decolonization is about centring our concerns and world views and then coming to know and understand theory and research from our own perspectives and for our own purposes (Smith, 1999, p. 39).

Indigenous research is derived from a different base of knowledge and relationships. When most non-Indigenous researchers do research, they have institutional, disciplinary, and professional contexts that frame their research. Indigenous researchers are judged on "insider" criteria — family, background, status, politics, age, gender, religion as well as technical ability. With these, Indigenous researchers then "tend to approach cultural protocols, values, and behaviours as an integral part of methodology, factors that are built into the research explicitly, declared openly as part of the research design, to be discussed as part of the final results of a study and to be disseminated back to the people in culturally appropriate ways and in a language that can be understood" (Smith, 1999, p. 15).

Among Aboriginal people, the evidence of postcolonial work is found in multiple sites. It is found where resistance to conventional practices and hegemonies is articulated and defended; where Aboriginal voices are raised to tell their own stories; where reconnecting with their own inner selves, with elders, and with family and community relations is part of a healing process. It is also found where reconstruction of language and culture is advocated; where new Aboriginal language curriculum in schools is emerging; or where history becomes inclusive of the Aboriginal experience, such as has been the case in the treaty curriculum of the Office of the Treaty Commissioners; and where communities frame their work in reclaiming, renewing, and restoring their Aboriginality. This Indigenous renaissance is being experienced throughout the world.

Well before 1972, when Indian Control of Indian Education was accepted as government policy, many Indigenous scholars and postcolonial writers were imagining new restorative education and practices. Most Indigenous people understood the crisis they lived and felt the urgency for reform. They, like the authors of RCAP, have helped to illuminate an important key to reform in education, where Aboriginal peoples' poverty and future capacity could be effectively addressed.

Each community must implement a full range of practices that will enable everyone to acquire an Indigenized postcolonial curriculum that moves away from merely adding on Aboriginal illustrations to an expanded curriculum that includes tribal histories, representation of Aboriginal experience, and even a critique of the system that excludes, the deconstruction of the prejudices held, the privileges that it engenders, and the ignorances it sustains. Such a decolonized education must speak loudly to diversities and creative solutions made possible when multiple views are put to the task. To do this, communities must be fully engaged in decision-making. However, how can this be achieved, especially when colonialism and school curriculum go hand in hand?

While decolonization of existing Eurocentric thought is under way in the works of many scholars, the Maori experience is significant in its double strategy of decolonizing education and enabling and sustaining the Maori renaissance and resistance. The Maori have emerged as significant models among many Indigenous peoples in their revolution that has swept their small country of Aotearoa, or New Zealand. Their revolution was not achieved when they had their Maori language and culture used as the language of instruction in their schools, nor when Maori language legislation was established that made Maori an official language in New Zealand in 1980. They currently have over 400 Maori schools developed. Rather, the Maori revolution was formed when they politicized all new parents to a Maori conscientization, a critical consciousness (Freire, 1970) of the politics of their identity and their place and their personal role in making change in their country and among their people. All new parents became engaged in the struggle for self-determination and could see how their own consciousness

would have to change in order for their children to inherit the new spirit of their renaissance. It was not a movement that rejected all western knowledge and education, but it created a new space in which Maori peoples' knowledge, identity, and future were calculated into the global and contemporary equation of knowledge production and usage in New Zealand (Smith, G., 2000).

Three features of the theory of decolonization are framed by Dr. Graham Smith (1997, 2000), whose early work was cultivated in the emerging Maori immersion language nests. Through the work of parents and activists, they began to articulate the vision and purpose of language revitalization. Graham Smith builds upon conscientization, resistance and transformative action as fundamental tools to critical theory and change. Conscientization is about becoming aware, awakened to the reality of the existing hegemonies and practices which entrench Eurocentric dominant social, economic, gender, cultural and political privilege and destroy people's centre within their own cultural context. This conscientization requires a critical consciousness to activate questions and concerns about inequalities in society and to interrogate the cultural and structural issues evident in public goods like education, health, and justice.

The second critical tool is resistance or the oppositional actions needed to form shared understandings about collective politics. Maori people most clearly evidence a collective politic found in the Kaupapa Maori, a theory that embraces both theory and action. These collective activities respond and react to dominant structures of oppression, resolving and acting to transform existing conditions.

The third is a praxis or reflective change that is both reflective and reflexive with respect to theory and practice (Smith, 1997, p. 38). This last point is not merely about developing a critique of what has gone wrong, but is concerned with developing meaningful change by intervening and making a difference in everything we do and every site of struggle we take on. It is about thinking, reflecting, and dialoguing and dreaming with each other about our work and the struggles. It is about reflecting on what has been the role of schooling, what barriers need to be found and countered that have excluded some voices and participation in schools, and what perceptions do others hold that prevent them from fully benefiting from what schools can offer.

What the work of the Maori made clear was that any attempt to decolonize colonized spaces and people and to resist actively colonial paradigms was and is a complex and daunting agenda. Indigenous peoples continue to strive for a decolonized context in a hysterically antagonistic Eurocentric canon, a context in which Indigenous cultures, languages, and knowledge have not been able to exist legitimately and safely. As Indigenous peoples bring forward their analyses, syntheses, and their solutions, a public discourse emerges in which Aboriginal experience of emancipation and liberation is contrasted with other peoples' "exclusions" as the mainstream tries to maintain its privileges, creating another form of difference and another set of obstacles to overcome. Becoming aware of how difference is named and classified is to begin to understand how hegemonic relations are asserted and how discourses of power operate. Indigenous peoples are too aware of the continuing threats to our existing way of life — the threats entailed in the commercialization of our Indigenous knowledge and heritage, and in the bias of modern thought and research — to be complacent about the future. Decolonization cannot be achieved without taking into consideration the historical context that has created the fragmentation of identity and community in the first place. Nor can a postcolonial framework be constructed without Indigenous people renewing and reconstructing the principles underlying their own world view, environment, languages and thereby redefining our Aboriginality.

To achieve these ends, we need protocols and practices that ensure that Aboriginal knowledge is not appropriated and domesticated without the consent of the owners of that knowledge. Each project undertaken in Aboriginal communities must have protocols and practices in place for accessing Aboriginal knowledge and sources, and regulatory frameworks for deciding what is appropriate to study or remove from the context of Aboriginal peoples. Not all knowledge is for all company and for all occasions. There is knowledge in Aboriginal communities that has special purpose and function and is owned by specialists because they have earned the right to protect it in special ways. There are principles and guidelines that programs, projects, schools, universities should use as a basis for deciding what is

appropriate for their purposes, including what can or should be removed or repackaged for other audiences.

Decolonizing education can and must be undertaken by everyone because all peoples' lives can be enriched in the process. This is not a call for Aboriginal people alone to do this. Nor is it to be done in one location or site, but in many sites and locations, in the many places where educators recognize the centrality of Aboriginal concerns, protocols, and knowledge. For Aboriginal people, their history, current accomplishments, future challenges, and enabling options will inevitably be experienced in contexts predominantly non-Aboriginal. Hence, all teachers and students need the assistance of the most current decolonizing scholarship if we are to achieve "a shared and sustainable future". For those who do not yet feel comfortable with the decolonizing task, it is each of our individual responsibility to request assistance in a dialogue of collaborative community growth. Such humble and honest requests rarely go unheeded, for it is the work of the community of educators who view education itself as inclusive to facilitate change as an enabling option for all.

Dialogue is not only a means to an end but must also be understood as an essential "product" as well, a postcolonial path where monologue and enforced silence have too often prevailed. But such dialogue must be self-aware and respectful. The fact, for instance, that many dialogues occur in the English language cannot be allowed to conceal the crisis for Aboriginal languages and the role of the languages in preserving, promoting and enhancing Aboriginal knowledge. Nor should it be allowed to feed a Eurocentric culture of presumption — namely that English is the medium of "civilized" exchange, the means of access to economic modernity and social progress. The language of instruction can also be the language of destruction, unless the classroom is a historically informed and respectful place. The patient and sensitive creation of postcolonial, transcultural contexts of exchange will enable education and economic enterprises to achieve the academic, economic, and social benefits and opportunities desired for themselves and others by the vast majority of Canadians.

IV. CONCLUSION

In the Canadian Constitution of 1982, the principle of maintaining respect for Aboriginal rights and treaties has been articulated. This is an important constitutional framework for those undertaking economic pursuits in Aboriginal communities. Canada has a responsibility to live up to its reputation as a compassionate and innovative nation on the way to becoming a truly just society. To arrive at this truly just society, we must recognize our dependencies on Aboriginal knowledge, values, and visions and our renewed investment in holistic and sustainable ways of thinking, communicating, and acting together. Our constitutional framework creates new ways to understand the ecology and new inclusive ways of looking at ethics and values.

Indigenous knowledge offers Canada and other nation-states a chance to comprehend another view of humanity as they never have before. It should understand Indigenous humanity and its manifestations without paternalism and without condescension. In practical terms, this means that Indigenous peoples must be involved at all stages and in all phases of our planning as articulated in the United Nations Working Group's draft principles and guidelines for the protection of the heritage of Indigenous people (Weissner & Battiste, 2000). Such standards offer each nation-state an opportunity for rededication to protecting humanity, redressing the damage and losses experienced by Indigenous peoples, languages, cultures, and properties, and enabling Indigenous communities to sustain their knowledge for their future.

Aboriginal peoples continue to see in education a hope for their future, and a source of their own economic self-determination as education fulfils its promise (RCAP Vol. 3, pp. 433–34). RCAP's Final Report, the dedicated efforts of the UN Working Group on Indigenous Populations, and other Indigenous researchers and postcolonial scholars and leaders, have made this much clear. No longer can institutions justify their inaction by claiming that "We don't know what they want" (Haveman, 1999, p. 70). The record is both ample and unambiguous.

The Constitution of Canada has affirmed Aboriginal and treaty rights, the courts have affirmed our right to Aboriginal knowledge and its validity in the modern context, and Canada has affirmed the validity of Aboriginal

knowledge in the Convention on Biological Diversity. The Convention on Biological Diversity (CBD) is a multilateral treaty that Canada has signed which applies to Indians as part of the exclusive federal jurisdiction (s. 91(24) *Constitution Act, 1867*) and as constitutional holders of Aboriginal and treaty rights (ss. 35 and 52 *Constitution Act, 1982*). It complements the existing treaty right and recognizes our constitutional rights. The Convention affirms a significant role for Aboriginal and treaty rights in creating national or provincial legislation regarding conservation and sustainable development. It affirms the importance of traditional knowledge and establishes an important role for holders of the knowledge in formulating law, policy, and implementation. Aboriginal and treaty rights are based on Aboriginal peoples' traditional and sacred knowledge, and together they forge an old *sui generis* sustainable development system that is now constitutionally protected. Appropriately based on the approval and involvement of our knowledge holders, Canada has promised to promote the application of principles of traditional knowledge in its law and policy and to encourage the equitable sharing of benefits among the knowledge holders or their chosen institutions. Now it is the challenge we all have in all our multiples sites of relationships, where we work, where we raise children, where we create books, where we choose discourse and language, values, lifestyles to use all the available tools to decolonize ourselves first and then engage that thought in the work needed to be done. It is also about new capacity building in economics and new capacity building through the law.

Postcolonial strategies have been taken up in politics and law, and are actually affirmed in the courts and by the Canadian government in the Constitution and in Canada's signing of international covenants. Postcolonial economic development then urges new conceptualizations of the strategy and a practice of transformation. It is an act of hope. Sakej Henderson pointed out earlier (see pp. 43–58) that it is a twofold project of re-conceptualizing the boundaries of current thought and re-conceptualizing those rationalizations that prevent people from making inroads. Whether it is in economics, or law, or education, it involves a tremendous amount of work among people whose experiences are quite diverse to undertake new ways of thinking about the old formulaic expressions of law, education, and economics and make a fresh start from new locations taking into account the positionalities of those once silenced.

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BUSINESS MIND OF THE ECONOMIC WARRIOR

Wanda Wuttunee

Greetings, Elders, brothers and sisters.

For me when I reflect upon value(s) added, I think of what has been brought by my passion and my desire, my heart and my emotions to my work. Part of that connection is a spiritual connection and is most honestly shared through song. [A song is sung honouring the children.]

Now for the matter at hand, I am the last keynote speaker and I want to address some issues that we have not had time to examine in the three prior presentations. Some of the things I am going to tell you because they caught my interest as a researcher observing Aboriginal economies, and some follow from issues raised by colleagues.

For me, it is most important that we honour the things that we as Aboriginal people can bring to the business table. I do not think that the mainstream has a lock on the best way to do business. The best way is for us to learn and share together. We have to take time to reflect on our decisions to enter into the mainstream economy. The costs and implications must be clearly understood for us in relationship to our visions that we have for our communities. That was really very nicely set up at the beginning of the conference. It is not a question of whether or not we will develop our economies. There is clear successful development occurring across the country but now, it is more a question of how we want to develop our economies that must be reflected upon by our leaders, elders, and our citizens. I think that there are ways to honour our own culture as we seek to develop our economies.

Please remember that I am not particularly prescriptive. I like choice and I like diversity and that is what we are all about as a community. For example, while I do not gamble, many communities are taking advantage of the opportunity to build casinos. There are employment opportunities and economic spinoffs, but we have to go that extra step to value the social costs to our communities so that the integrity and strength of communities are not undermined. It has to be part of the way that we look at business.

We need to support diversity in the education options we offer our students. In my work as director of the Aboriginal Business Education Program at the University of Manitoba, I work with Aboriginal students seeking a B. Comm (Honours) degree. As a professor in Native Studies, I teach a variety of students from diverse ethnic backgrounds who want to understand our history and current passions as

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Aboriginal people. We also reach out through an Aboriginal Business Studies major that is part of the commerce program. We were thinking about Aboriginal students who wanted to go back and work in their communities or who wanted to go back to work in the mainstream usually with companies that are working with Aboriginal customers. We also have much to offer any student who wants to develop an edge in a very competitive marketplace. The major is relatively new and is slowly gaining support. The point for me is that there is a lot of work to be done, not only in our communities but also in the learning institutions.

The commerce program at the University of Manitoba is fairly mainstream but yet they saw value in this type of major and in the support program for Aboriginal undergraduate students. Diversity of choice is critical. It goes hand in hand with offering our students the opportunity to support a choice such as the First Nations University of Canada. I support quality choices for our students in a variety of institutions. I think we need that diversity but am I going to go work there? Probably not. I am entrenched, I admit, after eight years at the University of Manitoba and there are really cool things that are happening there. I would like to be a part of it. My role in the mainstream institution there is quiet yet critical so we cannot forget that there are voices, Aboriginal voices, in all walks of life.

As an Aboriginal scholar my tradition does not include the terms that have been used throughout this conference such as colonization, decolonization, or post-colonization. These were not part of the mainstream business education that I received in my undergraduate and graduate work. Just did not do it. When I talk about history with my Native Studies students, I am drawn to the Royal Commission on Aboriginal Peoples that conceptualized Aboriginal peoples' and the newcomers' experiences in terms of relationships. That does it for me. Listening to these incredible presentations today about terms and their meanings underlines the value in trying to conceptualize our experience but there must be understanding that there are Aboriginal scholars who come with different perspectives and deserve to be encouraged as well.

We need definitions. When I was doing my PhD, one of my elders was talking about the term "sustainable development". He said, "Well that is Aboriginal wisdom. It is not sustainable development and anyway what does that term mean? We do not use it." I think we really do need to begin to develop terms that better define our experience and build on what we know. I listened to a presentation recently by a master's student. She is not my student but our students get a chance to make presentations in Art History and it was on Aboriginal Art. I did not understand a word she said. Not one. The terminology and the jargon of that particular way of understanding Aboriginal art was obscured to me, though I am sure my cousin, Dr. Gerald McMaster at the Smithsonian Institute, might have understood.

Terminology and language are critical for sharing ideas and building meanings that are useful. I am sensitive as an academic not to get caught up in our own academic language. Labels are important because there can be clarity for people. Still, I believe that we have to question our choices and revisit them. For example, the term "colonization" means many, many things including power relationships. I want to include everyone in whatever that term is for our history because our history is so critical and all of those people have such a strong impact. I think that Auntie Mae was not included in the current defining of that concept. She was a fighter, she had life and she survived. Actually, Auntie Mae was not related to me. I met her before she passed away. She was an incredible woman, a trapper woman who lived in northern Manitoba. I think she had her thumb and her pointer on one hand. She had a great sense of humour, outlived three husbands; just a fighter and you know we all have those people in our history. The term "colonization" is too narrow, comes out of victimhood, and does not capture our heroes and their legacies. We need to develop our own more meaningful and comprehensive terms.

The underlying theme is our quality of life that points to the children who sit at the centre of our families and communities. In economic development, we can think about the impact of our decisions on the children. For many communities, this is not too difficult. For other communities, meeting the dire needs of those in the present has overwhelming consequences that overshadow the needs of the future unborn. It is important to recognize those leaders who have limited resources, where development of those resources will have serious impacts on the

environment but it means that some citizens will have employment opportunities. It comes down to survival. I was impressed to hear the speakers today who are beyond basic survival issues. We are rising to challenges in ways that we never had the opportunity to use in the past.

Companies are noting the possibilities of working with our communities in a business context. They have to develop their programs and persuade the leaders, shareholders, and fellow employees or these projects fail. They are serious. What I think was fascinating was a group that were up at 7:30 in the morning to hear me and some other people talk about building relationships and strategies. Many choices exist again for skilled Aboriginal people to work in mainstream companies with a particular business culture. We have to know what that culture is and accept it so we are prepared to work in it. It is good to have those kinds of choices to participate in mainstream society. If you choose to work in an Aboriginal-owned organization or corporation, you hopefully have some additional choices that are somewhat different and reflect the values of your community.

For example, consider the experiences of the First Nations Development Institute (FNDI) out of Virginia. Rebecca Adamson who is Cherokee and Sherry Salway Black started it more than twenty years ago. Those women have done an incredible job. I am very impressed because they developed a model that identifies critical elements of development that build on the strengths of the Aboriginal approach to development and community and considers other aspects besides the bottom line. Bottom line has a place but there were other elements and they are actually trying to measure them qualitatively.

One of the big projects that they are working on right now is called the Native Agriculture and Food Systems Initiative. They are focusing on a secure food system because development for many communities is about dealing with poverty first. These projects bring up empowerment and ability to focus on economic development. FNDI is very successful at fundraising; they act as the middle person and approach all of the huge foundations, which is much different than in Canada. This year (2002) they attracted the Kellogg Foundation that funded this initiative and now communities with traditional food projects come to FNDI for funding. FNDI is making concrete efforts to create target project objectives that are sensitive to Aboriginal values and our own type of success. So, think of the projects in your community. Now consider health, safety, and the sense of security in the community. A food secure indicator might be the way in which the project increases the availability of nutritious food resources or introduces new food sources into the community, the amount in pounds produced each year, or an increase in access of community members to a nutritious food resource.

The qualitative side highlights important aspects of projects that we miss when we focus only on profits. Another indicator is social respect. This refers to the networks and partnerships formed between the community and others present in all Aboriginal communities. Building social capital is critical to a project's success and can be measured by the number of new partnerships or networks formed by a project.

A third indicator is hope and future orientation. In all my years of business school, we never talked about these. The level of community investment in its future and people is what we are talking about in this particular measure. One measure is how elders and youth are involved in the project: that is, actually bringing that into the evaluation of the project rather than talking about it as something good but removed from the overall analysis of success.

Finally, there are productivity skills — matters of employment, knowledge and skills. One indicator of change is an increase in employment opportunity so we are not ignoring the usual kinds of indicators of success. Another indicator is an increase in the skills and knowledge of the community in a very specific and concise way.

For those of you who are not familiar with the rest of the model they have a great article on their website. I will just talk briefly about some of the indicators that they thought were critical for Aboriginal people and development. One set, of course, is economic and financial changes in the development process. So, indicators for income, trade and exchange and productivity skills, informal trade networks are critical. The second set of elements refers to leadership, community and institutional capacity and security. The third set focuses on social, political and cultural changes. The fourth set refers to planning opportunities and sustainability. Finally, a set of four major linkages ties the whole model together and includes control of assets, personal attitude, kinship, family and spirituality.

Spirituality is the one that really keeps my interest. The closest we came to ethics, not even spirit, in my business school training was Machiavelli! So this is not something that you say in the same breath, "business and spirituality". Kinship is another element that we do not pay attention to in mainstream approaches to development. Yet these are essential to our understanding of Aboriginal communities while bringing all of those things together in a concrete way for the development process. That is what I find really fascinating.

In considering the links with spirit, I was looking at an interesting book that compared culture, spirit and economic development in Third World countries including Latin America, Asia and Africa. The author spoke to over 200 people on the topic of spirit within their total rejection of the western approach to development, as we have talked similarly in the last couple of days. They talked about the total secular approach of the western approach to development that is at all times rational and reasonable. It is convinced of its belief in linear progress by which it defines development but yet cannot capture the fluidity of development. Now starting a development conference with a song, I found it fascinating that again spirit is important in this particular work. There is a challenge in trying to see where we can fit that in. For myself, it is my hope that it will be an important part of Aboriginal business when we come right down to it, when we actually stop and think, "Do we have to do it the same way as everybody else, all the time, in every situation?" Maybe we don't. Family, spirit in its broadest sense, ethics, right to tradition, those are the things that are inspiring to me in terms of what we can bring to the business table.

I titled my talk, "Business Mind of the Economic Warrior." I am sure you are all thinking about what I mean. My meaning comes from influences in these last couple of days and last October when I was thinking about the title. In some of our societies it is understood that a warrior carries the burden of peace. Economics, we heard, means to make a home. So, the economic warrior carries the burden of making a home in peace. Business for me is relationships. Mind is reflection. Nurture relationships in a good and thoughtful way. I think of that as the gift that we have to celebrate and honour as Aboriginal people. Just because they do not talk about us in mainstream businesses does not mean anything. I think we have a lot to offer.

The connection to the land I find is a really interesting challenge. When we talk about communities, we mean discrete communities with land on reserves and when I talk about urban people it is often thought that they are disconnected from the land, that it stops at the city boundary and turns to nothingness. Community is a challenge in an urban centre. I am an urban Indian. Most of us, 50 percent, live in urban centres. I cannot believe that we have changed so much that we cannot have a connection to the land somehow and I think that is a challenge for First Nations people. I think diversity is critical. Urban people that I know do not act in ways disconnected from the land. They make their way to the land in their own way. The challenge is to think about urban-based Aboriginal people when we talk about development.

We also need to think about the children like mine who are second generation and removed from the reserve. That is evolution. That is change. They know my culture, as much as I can give them, they know how to pray in our language, and they know my songs. I married a Guyanese from South America. So they know Trinidadian calypso, Caribbean music and food. That is the reality and as a parent I want them to understand and be proud of their Aboriginal heritage. That is the reality that we are talking about here. It is always an interesting challenge.

So, who is the economic warrior? Each of us in our own way can look for responsibility, take responsibility, nurture relationships in a good and thoughtful way. Stop and say some of us are stuck in our history in ways that are not working and they need our support to move forward. The gift that my father gave me was the gift of seeing the beauty in our culture. He was born on Red Pheasant reserve here in Saskatchewan, left in grade twelve, won a scholarship to McGill University for law and ended up finishing law school here at the University of Saskatchewan.

The gift that he gave me and to my brothers and sisters was not to pass the burden of the pain that our people have been through to the next generation. I have always understood that I could do anything especially as a woman. I always understood that I could do anything and that was the gift that he gave me. I was talking to a colleague and she was very upset.

She just came from a house full of her friends who often talked about bombing Afghanistan. She said, "We have to stop this. Every time a bomb drops I think a thousand terrorists are born." We can only stop it in our own homes.

The challenge is to understand our history and, embracing all of the strengths and the beauty of what we have had and understanding our relationships and how we are moving to stronger relationships with our neighbours, know that we do not have to carry that pain or pass that pain to our children. That was the gift that my father gave me and I did not appreciate that until a grad student said to me, "I have interviewed five or ten other women and you are the first one who does not have a problem with her identity, who did not have to deal with a lot of baggage." I phoned my Dad and said, "Thank you. Thank you." We have enough to deal with in this life. So it comes back to the children: we need to give them gifts of hope, strength and love — . Thank you.

Editors' Introduction

Isobel M. Findlay, Warren Weir,
and Louise Clarke

In this section, we include highlights of the remaining presentations representing a range of theory and practice, models, sectors, and locations — from rural to urban, from coast to coast, from natural resources to the new economy, from theories of social capital to traditional knowledge, and from entrepreneurship to co-operative enterprise and democratic participation.

COMMUNITIES IN ECONOMIC TRANSITION: SHARING INSIGHTS FROM FOREST-BASED COMMUNITIES IN B.C.

Stephen Ameyaw
Community Economic Development Centre, Simon Fraser University

This research study features two non-Aboriginal towns and two Aboriginal communities that are adapting to economic and social transitions. It contains dynamic, analytic stories from the local citizenry teams. It offers contextual and comparative data on the areas, and reveals aspirations, goals and strategies and future plans made possible by strong partnerships. The study highlights capacity-building initiatives and the role of universities in building social and economic capacities in rural areas. It shows how for both Aboriginal and non-Aboriginal communities the challenge of rural economic diversification requires participation of local jurisdictions within the context of wider agriculture, forestry, fishery, ecological zones and socio-cultural systems.

ABORIGINAL ECONOMIC DEVELOPMENT IN THE NEW ECONOMY

Robert B. Anderson
Faculty of Administration, University of Regina

Scott MacAulay
University College of Cape Breton

Carl Beal
Saskatchewan Indian Federation College

Stephen Ameyaw
Simon Fraser University

Ross Smith
Simon Fraser University

This paper reports on the preliminary results of the first two stages of a six-stage research project being undertaken by the authors; in fact, it is the third stage. The six stages are: (1) the refinement of a historical perspective on the evolving place of Aboriginal people in the once colonial now global economy; (2) the development of a theoretical perspective synthesizing emerging theories on economic development and political economy in the new economy; (3) a critical symposium to present preliminary results of stages 1 and 2 to a group of practitioners and experts in Aboriginal economic development; (4) the refinement of the theoretical perspective and the formulation of testable hypotheses; (5) primary data gathering, analysis and publishing; and (6) preparation of an application for an Initiatives in the New Economy Research Grant to implement the developed research agenda.

ECONOMIC DIVERSIFICATION IN SASKATCHEWAN'S NORTHERN FORESTS

Allyson M. Brady
Saskatchewan Environmental Society

Saskatchewan is in the midst of a major forestry expansion. In April 1999, the provincial government announced that it was going to double the forest industry within the next three years. One of the focal points of this announcement was the declaration of anticipated partnerships with Aboriginal and northern communities to create economic development in the north based on conventional forestry. As the Saskatchewan Environmental Society has demonstrated in our report, "Deforestation: Lack of Regeneration in Saskatchewan Forests", conventional forestry has sustainability problems associated with it, including a lack of forest regeneration following harvest.

The above, combined with the statistic that indicates that 80% of Aboriginal communities in Canada live in productive forest areas, but only 2% of the Aboriginal labour force is employed in the forest products industry, illustrates that we need to explore other opportunities for sustainable economic development for people living in forest communities. The SES will demonstrate that long-term community sustainability depends on a diversity of community-driven, low-consumptive economic development opportunities that are intrinsically linked to intact, healthy and vibrant forest ecosystems.

ABORIGINAL PARTICIPATION IN AN URBAN CED PLANNING EXERCISE IN DOWNTOWN SASKATOON

Louise Clarke
Department of Industrial Relations and Organizational Behaviour/Centre for the Study of Co-operatives, University of Saskatchewan

Cynthia Fey
Department of Educational Foundations, University of Saskatchewan

The paper reports on Aboriginal representative and direct participation in a broad-based CED strategic planning process in the core neighbourhoods of Saskatoon where Aboriginal people represent about 27 to 44 per cent of the population. Quint Development Corporation, a community-based provider of CED services, is initiating and co-ordinating the planning process. To assist the process they have invited a wide range of groups, including Aboriginal people, to send a representative to sit on a planning advisory council. Community workshops on various themes, e.g., housing, racism, security and training, as well as a survey of households, are also planned. The purpose of the research is to explore — through direct observation and interviews — the extent to which Aboriginal people are willing and able to participate in the process both as representatives and directly. Conversely, what are the limitations for real voice(s) for Aboriginal participation in an urban CED planning process?

CIRCLES CLOSED: CO-OPERATIVE ENTERPRISE AND SUSTAINABLE ECONOMIC DEVELOPMENT

Michael Gertler
Department of Sociology/Centre for the Study of Co-operatives, University of Saskatchewan

Sustainable communities require organizations that resolve economic, social and environmental problems simultaneously — organizations that deliver eco-social justice. Can co-operatives or related forms of collective or community-based enterprise meet such standards? Can they be usefully adapted to the requirements of Aboriginal community economic development? Building on field studies in Canada, Costa Rica, and elsewhere, this paper focuses on institutional, social, and organizational factors that affect the ability of co-operatives and related forms of enterprise to contribute to sustainable local development. The history of various organizations is examined to reveal pathways and their consequences. The examples highlight opportunities for further social innovation as well as the strengths of particular models and the conditions necessary for their success.

ABORIGINAL CO-OPERATIVES IN CANADA: CURRENT SITUATION AND POTENTIAL FOR GROWTH

Lou Hammond Ketilson
Department of Management and Marketing/Acting Director
Centre for the Study of Co-operatives, University of Saskatchewan

Of about 133 co-operatives in Canada in which the membership is predominantly Aboriginal, the largest number is in the northern Arctic, mostly among Inuit and Inuvialuit. The Aboriginal co-operatives serve a wide variety of needs: the provision of food and supplies in remote communities; marketing of

arts and crafts, wild rice, fish, and shellfish; housing in urban communities, a crucial need with considerable potential for future development.

This paper reviews the contexts within which Aboriginal co-operatives exist, considers the suitability of a co-operative model for what Aboriginal leaders say about the kind of economy they wish to encourage, and draws upon the findings of eleven case studies to make a series of conclusions and recommendations about the potential for growth for co-operatives owned by Aboriginal peoples for their own purposes.

BUILDING SOCIAL CAPITAL IN FIRST NATIONS COMMUNITIES TO SUPPORT ABORIGINAL ENTREPRENEURS

John McBride
Community Economic Development Centre, Simon Fraser University

Ray Gerow
Aboriginal Business Development Centre, Prince George, BC

Few administrators work to build the relationships within the community, and between communities, that are important to support Aboriginal entrepreneurs. According to research, much of the success of Aboriginal economic development and Aboriginal entrepreneurs in particular is dependent upon the relationships (social capital) between the community and outside agencies and institutions, and the relationships within the various parts of the community. Drawing on the Harvard Project research (Cornell and Kalt, 1995) and the WED/SFU study (Vodder, Miller, and McBride, 2001), this address identifies those relationships, describes an assessment tool developed, and reports actions taken by other First Nations to build these relationships to strengthen the social capital of the community.

AERI: BUILDING COMMUNITIES THROUGH PARTNERSHIP

Kenn Ross
Aboriginal Economic Renewal Initiative, Toronto

The Aboriginal Economic Renewal Initiative (AERI) started in 1998 as a unique partnership between the federal government, the province of Ontario, and the Aboriginal and non-Aboriginal business communities. Such a partnership had never been done before and serves as one model for community economic development across Canada. AERI has hosted twenty events with over 1,000 participants.

The term *renewal* is at the core of the AERI identity. The work that is done is not just to introduce Aboriginal people and communities to economic possibilities, but to reaffirm the Aboriginal tradition of trading goods and services over great distances from a time well before European contact. Whereas today an Aboriginal entrepreneur might use the Internet, our forbears travelled Turtle Island's river systems and forest paths to the same effect.

If Aboriginal communities and individuals are to participate in the promise of the national economy, partnerships are essential. This paper identifies barriers and elaborates successful partnerships across Ontario between Aboriginal and Non-Aboriginal communities in IT, energy, forestry, tourism, among others.

BREAKING AWAY: THE ECONOMIC DEVELOPMENT EXPERIENCE OF TWO NOVA SCOTIA MI'KMAQ COMMUNITIES

Fred Wien
Maritime School of Social Work, Dalhousie University

One of the more interesting questions in the economic development field has to do with the factors that combine to make it possible for a community to break away from longstanding patterns of pov-

erty and dependence. In this paper, I will be examining the experience of two Nova Scotia Mi'kmaq communities that have recently seized opportunities for economic development. The economic development strategies of the two communities differ from each other in that one is geared primarily to joint ventures with large multinational corporations while the other is directed to service sector/retail development based on a favourable location. However, the underlying factors that have given rise to these development efforts may be similar.

CONCLUSIONS
Keeping the Agenda Alive

Isobel M. Findlay, Warren Weir, and Louise Clarke

Delegates deemed the Value(s) Added Conference such a success, the quality of the presentations so high — one student participant judged the conference "a life-changing experience" — that they asked organizers to build on the success by making the findings widely accessible and by organizing future conferences. In addition to publishing this special issue of the *Journal of Aboriginal Economic Development*, we are planning with colleagues in Latin America and the Pacific Islands a 2005 conference on Indigenous Women's Development.

Thus, delegates wanted to keep the agenda alive, to keep adding values to current debate, making up for the deficits in public discourse, understanding, and education in multiple ways and in multiple sites. And delegates gave much food for thought in their own deliberations in talking circles and in a final agenda-setting day. They were clear that the task facing those working in Aboriginal CED can be a daunting one, but that it can be made easier by unmasking and multitasking. Unmasking the costs of colonialism and getting beyond shame and blame and multitasking because there is no single remedy, just as there is no single meaning for "traditional values", no single map of the past that can be made to achieve a just, prosperous, and secure future for Aboriginal peoples. And there are rich resources (in RCAP, treaties, and the Constitution, for example) and immense community potential to dream, create, and celebrate together. In all of this education (of the sort commended by Marie Battiste) is vital.

There remains a need to rediscover traditional economies while developing treaty, knowledge, and other economies, as Sakej Henderson suggested. We are not helpless, participants stressed, in the face of mysterious natural forces but can creatively reshape what cultures and discourse shaped in the first place. Things are not just the way they are, but can be changed by changing whose and which stories are heard. Delegates were equally clear that we are limited only by our imaginations, and that CED projects can only be successfully developed when values are discussed and integrated from the beginning, when partnerships displace paternalism, and when community participation is strengthened and made more meaningful.

Like Wanda Wuttunee and other speakers, they stressed a foundation of Aboriginal world views, spirituality, land, and languages and the importance of a focus on the long term and the big picture, on the seven generations rather than short-term survival, as well as the need to ground theory in practice and values and to ground practice and planning in holistic theory. Only then could CED planning and practice arbitrate the claims of culture, the needs of business, and

the interests of communities and the environment. If there was commitment to keeping politics and business separate, there was also a recognition that we need to be ready for their convergence at regular intervals to complicate and broaden notions of economic value. Perhaps too, we need to have the sort of critical dialogue David Newhouse recommended on the meanings of politics and the variety of practices politics may include.

Delegates reinforced some other key themes in recommending these strategies in rethinking Aboriginal CED:

- involving the Elders and the youth
- revaluing diversity, while uncovering commonalities we share
- decolonizing thinking and promoting respect and reciprocity, co-operation and collaboration
- honouring urban and rural communities
- building institutions to promote ethical development
- turning community assets into active capital

Within this broad framework, participants aimed to chart and rechart the course for Aboriginal CED in the 21st century. In particular, they came to consensus on these priorities:

- to enhance choices and promote change through education
- to bridge the generational gap within communities
- to underline the possible and break down unproductive barriers
- to develop multiple strategies for multiple audiences
- to develop culturally appropriate policies and protocols

Keeping the agenda alive and enhancing a new Aboriginal CED culture, they agreed, means interdisciplinary and cross-cultural co-operation; sharing voices and networking; rediscovering traditional economies while developing treaty, knowledge, and other economies. It means restructuring and rethinking Canada and Aboriginal/non-Aboriginal relations, rewriting discourses and curricula to remake meanings and relationships, and re-imagining big stories that nourish local realities. And so the conference concluded with a postcolonial hope and determination to dream, create, and celebrate together again — this time in a conference around Indigenous women's CED, particularly grassroots and "flaxroots" women and the academics who have worked with them.

The purpose of the planned follow-up conference is threefold:

1. To provide an opportunity for exchange on culture, themes, and projects — especially "best practices" — relevant to Indigenous women's community development (recognizing the broad range of experiences within and among the three regions);
2. To begin a process of working together to build alliances for mutual assistance in sustainable development;
3. To commit to specific action plans and outcomes for the next three years.

The organization of the conference attempts to reflect a holistic view of community development in a wide range of settings rather than being built on specific themes. Nevertheless, we anticipate that the following specific themes will figure prominently in our presentations and action planning: health, education, rights, language and culture, gender, work/family/community, urbanization, information and communication technologies, credit, business training, mentoring, and networking. In these ways, we aim to keep the agenda alive and enhance a new Aboriginal CED culture in the making.

Journal of Aboriginal Economic Development

Submission Guidelines

The Journal of Aboriginal Economic Development is a peer-reviewed journal for practitioners and scholars working and researching in areas relevant to Aboriginal economic development. Its intent is to explore ideas and build knowledge in the field of Aboriginal economic development theory and practice. The journal prefers a broad interpretation of research and knowledge and encourages a wide variety of forms of contributions in this area.

JAED features four sections: **Learning from Experience**, **Lessons from Research**, **Reviews of Current Books and Literature**, and **Toolkits** — each with its own editor(s). Please send five copies of your manuscript. Contributions may vary in length, depending upon the section they are written for. We are looking for submissions in the range of 20–25 pages, or about 5,000 words for research papers, book reviews of about 1,000 words, and experience sections of about 2,000–3,000 words. Manuscripts submitted should be single spaced with 1.5 inch margins all around and page numbers at the bottom middle. The title page should indicate the section for which you are submitting. All identifying information should be restricted to this one page. Review for publication will take approximately 6–8 weeks from time of receipt.

Manuscripts should be sent to: JAED (CANDO@edo.ca), CANDO, 9635 — 45 Ave., Edmonton, Alberta, T6E 5Z8. A copy of the final revised manuscript, in Microsoft Word® format, saved on an IBM-compatible disk should be included with the final revised paper copy. Research submissions should conform, where practical, to the *Publication Manual of the American Psychological Association* (4th edition), however the journal is flexible in its format and encourages creativity and innovation.

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Learning from Experience from practitioners, academics, consultants and executives include interpreted case studies, evaluation and commentary on popular and current approaches and tools of Aboriginal economic development, advocacy of particular approaches and solutions, successful or failed efforts, and the identification of important economic development problems that are in need of solutions.

Lessons from Research from academics features scholarly inquiry, debate and commentary on how we frame, perceive, interpret, research and contribute to the field of Aboriginal economic development.

Reviews of Current Books and Literature features recent literature exploring aspects of economic development relevant to Aboriginal peoples.

Toolkits showcases practical articles that contain information and tools useful to practitioners in their day-to-day activities.

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