2010

Foreward

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Introduction

The third triennial Aboriginal Policy Research Conference (APRC) was held from March 9–12, 2009 at the Westin Hotel in Ottawa, Ontario. This APRC, like those before it, brought researchers, policy-makers, and the Aboriginal community together to make connections, hear about leading research, and learn together. While focused on Canada, it also included Indigenous peoples from around the world with more than twenty countries represented. Ultimately this conference hopes to facilitate better outcomes for Aboriginal people across the country and internationally. This conference is the largest of its kind in the world.

The conference goals were to promote interaction between the various actors in the Aboriginal policy field. Government representatives, researchers, academic institutions, Aboriginal organizations, and Aboriginal peoples all came together to present research, hear from others, and debate ideas. The APRC is structured to facilitate better policy development and the expansion of knowledge. The 2009 APRC accomplished all of this while providing an immediate forum and establishing foundations for ongoing deliberations to occur.

The Aboriginal Policy Research Conferences held in 2002 and 2006 planted the seeds for the success of the 2009 conference. In 2002, the Strategic Research Analysis Directorate of Indian and Northern Affairs Canada (INAC) and the University of Western Ontario (UWO) held the initial APRC. The first conference established clearly that there was both a great demand and a need for a conference of this nature. Over seven hundred delegates attended, and the response of those participating was overwhelmingly positive. In 2006 the National Association of Friendship Centres (NAFC) joined INAC and UWO as a co-chair to host the second APRC. While emulating many of the successful features of the 2002 conference, this conference expanded to include a greater emphasis on graduate students and more in-depth collaboration with the Aboriginal community. The revamped APRC was a tremendous success with over 1,300 participants attending. The 2006 conference also introduced international content with delegates from many countries attending. The United Nations used the conference to host one of its world consultations on indigenous well-being indicators.

Each of these conferences provided for greater numbers of partners to participate and for many collaborative opportunities to take place. We, the conference organizers, have learned from our mistakes and our successes to make important

advances with each event. Our aim for the APRC has been to evolve without losing our initial focus and mandate.

As we moved into planning the 2009 APRC, we had hoped to build upon previous successes. The timing of the conference turned out not to be ideal. In late 2008, Canada was clearly entering a recessionary period of unknown duration and intensity. There was great concern about the direction of the economy during the late planning stages of our conference and during the key registration period. This clearly had an impact on the conference. There were those in the government and elsewhere that cautioned us and encouraged drastic cutbacks and even cancellation. We took the prudent path, rejecting calls for cancellation, and in the end decided to proceed with a leaner conference, placing the focus on research and dialogue while maintaining our commitment to infusing culture into the process. In the end, the APRC did not suffer from these actions and feedback has been very positive.

Foundations for the 2009 Aboriginal Policy Research Conference

As with previous conferences, the 2009 APRC was developed to address the need to have an Aboriginal policy-specific process that provided opportunity for dialogue on a wide range of public policy issues. As in past years, a great emphasis was placed on partnering with the Aboriginal community in a new way. The three co-chairs sought to find as many ways as possible to ensure that the broader Aboriginal community was truly involved and cooperated in the delivery of the conference. Three specific actions were taken. Firstly, Aboriginal researchers were invited through a call for proposals process to present their research. This action opened up the APRC to a whole range of public policy actors who did not previously have a natural way to fully participate in the conference. Secondly, the co-chairs invited national Aboriginal organizations to be members of the planning committee and to present their best research at the conference. This helped to ensure that the research priorities of the APRC were reflective of the research priorities of the Aboriginal community at large. Finally, the 2009 APRC ensured that Aboriginal people helped to organize, facilitate, and present all aspects of the conference. This extended from the co-chair position to using Aboriginal businesses and suppliers where they were available. In total, the 2009 APRC represented a best practice for interacting with the Aboriginal community in a truly cooperative and respectful manner.

In addition, this APRC also sought to ensure that a strong focus on the public policy process and its drivers was reflected in the conference. The 2009 APRC provided a forum to hear about leading research on the public challenges of the day. All of our partners—Aboriginal and government—were able to present their research, policy, and programming responses to these challenges. Each of the actors had an opportunity to engage with each other and build bridges to new

understanding. APRC 2009 was no different than past APR conferences, as many workshops on clean water, residential schools, and urbanization of Aboriginal people reflected the headlines of the day and ensured the conference was timely and relevant.

The conference demonstrated yet again that the original cross-cutting design remains relevant today. Stakeholders from across Canada and the world came together to interact. The structured dialogue that the APRC provides allowed for all public policy actors to work through some of the most challenging issues. The 2009 APRC provided an opportunity to learn lessons from past conferences and apply them. There were clearly some challenges to growing the conference in a difficult economic environment and remaining committed to its original vision and mandate. We believe that the 2009 APRC succeeded.

Aboriginal Policy Research Conference 2009

The goals for the 2009 Aboriginal Policy Research Conference were as follows:

- To expand our knowledge of Aboriginal issues
- To provide a important and neutral forum where these ideas and beliefs can be openly discussed and debated
- To integrate research from diverse themes
- To highlight research on Aboriginal gender issues
- To highlight research on urban Aboriginal issues
- To allow outstanding policy needs to shape the future research agenda

In pursuing these goals we sought to make some improvements upon past conferences. Three innovations took place at the 2009 conference. As previously mentioned, this APRC sought greater collaboration with national Aboriginal organizations. After the 2006 APRC, some organizations felt the conference could be strengthened with greater, more in-depth collaboration—and they were right. Organizations were brought on as partners and involved in planning and preparations for the conference. These organizations were also provided with opportunities to present their research.

In addition, a greater international focus was present at the 2009 APRC. Many countries around the world are dealing with the same issues we face in Canada. A larger number of international delegates came to participate in the 2009 conference. Representatives from the United Nations Permanent Forum on Indigenous Issues also participated in our sessions.

Finally, we sought to deepen our commitment to and support of Aboriginal students at this year's conference. A new scholarship for Aboriginal graduate students, which will be delivered through the National Aboriginal Achievement Foundation, has been developed. The scholarship is named after Gail Valaskakis, a tremendous Aboriginal policy advocate who touched all who knew her. The Gail Valaskakis Memorial Aboriginal Policy Research Conference Bursary will

provide $7,500 over three years to Aboriginal graduate students. It is a fitting tribute to a remarkable woman who was our friend and conference partner.

In addition, the NAFC reached out to the private sector to find resources to bring Aboriginal students from across Canada to attend the conference. After a call was sent out, over fifty youths were brought to Ottawa. Graduate students were also provided with the opportunity to participate this year; a specific call for papers was made to graduate students to present their research at the 2009 APRC. All ten graduate students that were selected in the cross-Canada competition won a scholarship from the conference.

The 2009 APRC also saw the first ever Cinema N' Chat series during which Aboriginal films and films about Aboriginal issues were shown with some commentary from the filmmakers or special guests. The films ran concurrent to the conference and allowed APRC attendees to explore this medium and learn from the films and their makers. This is one example of the variety of activities that take place during the conference to help facilitate dialogue; among the other activities were dozens of dance, music, singing, and art performances presented around the clock. We had visiting artists from several other countries performing at plenary sessions, evening socials, and in the hallways.

These new innovations were not the only improvements made at the 2009 conference. As in past years, two calls for papers were sent out for interested parties to present at the conference. A call for papers for the academic community was overseen by UWO. In addition, the NAFC conducted a second call for papers by Aboriginal communities wishing to present research at the conference. In the end sixty academic and thirty Aboriginal community researchers were selected, and their work complemented our partner's papers.

The 2009 APRC also saw expanded partnerships. As previously discussed, a new category of Aboriginal organizations was brought on-board as planning partners. In addition, we reached out to government organizations to become financial and planning sponsors. As a result twenty government partners and twenty Aboriginal partners helped to make the conference a success. It should be noted that the 2009 APRC saw Ontario come on-board as a funding and planning partner, the first province to do so. It is the co-chairs' hope that this type of partnership will be expanded at future conferences.

So how did we do? Despite some of the challenges we faced, the 2009 APRC was our most successful yet. Over 1,300 delegates attended the conference. Over 150 workshops and 459 research presentations were provided. Plenary sessions and pre-conference workshops added to the wide range of discussions that took place. Numbers are only part of the story—feedback from participants was enthusiastic concerning relevance, quality, and opportunity to make connections with others concerned with like issues.

Ultimately, it is the new knowledge and learning that come out of these discussions which will speak to the success of the 2009 APRC, and we believe that it is

the very structure of the APRC that will help to ensure its success. The workshops were developed in such a way as to encourage broad reflection on a host of areas and how they affect each other. Justice, social, economic development, health, governance, infrastructure, demographic, and urban issues, among others, are all part of the same story. We are chasing the answers to important questions, and as the conference unfolded we could see progress being made.

Building a Collaborative Environment

As in past years, at the 2009 APRC we sought to ensure the conference environment helped to support our goals. Elders opened each session. Drummers helped to set the overall tone and mood of the conference. Fiddlers, throat singers, and dancers demonstrated the vibrant First Nation, Métis, and Inuit cultures that thrive in Canada. These were not side events or additions to the conference, but critical pieces that helped to ground conversations and support our collective efforts.

Ultimately, all of these efforts are made to help ensure that we create a better policy and research environment. Policy-makers require solid, evidence-based research to make decisions. Policy-makers also need to ensure that decisions are being made in a collaborative way that addresses the articulated needs of communities. The 2009 APRC provided the policy/research nexus, in a supportive environment, for this collaboration to take place.

The next conference will be in 2012; we hope you will be involved.

Proceedings

The co-chairs have decided that we will continue our tradition of publishing the best papers from the conference in our book series, *Aboriginal Policy Research*. Volumes VI through X of the series do not represent all of the work discussed at the conference, but a cross-section. The following section describes what is included in this volume of the series. Consider these proceedings our invitation to you to join in the next journey.

Introduction

Jerry P. White and Julie Peters

This is the last of five volumes that present a small number of the high-quality papers that were presented at the Aboriginal Policy Research Conference in 2009. The papers in this volume explore various issues in the areas of justice, governance, and research methodology.

Part One: Politics and Governance includes a range of diverse papers related to voting, self-government, and economic development. **Chapter 1** draws on data from the Equality, Security, and Community survey to examine Aboriginal voter turnout in federal elections. Allison Harell, Dimitrios Panagos, and J. Scott Matthews find that Aboriginal voter turnout is significantly lower than the national average and seek to contextualize this finding by considering the extent to which a traditional resource model of political participation can explain this difference. Based on their analysis of the survey, they argue that while resources, especially socio-economic resources, do play a role in Aboriginal voter turnout, because of the unique relationship of Aboriginal peoples with the state and the history of oppression their voting behaviour requires more nuanced explanations and understandings.

In **Chapter 2**, Dr. Lesley A. Jacobs frames voting as a form of rights mobilization. Beginning from this perspective, Jacobs argues for the importance of mapping the legal consciousness of First Nations voters as a means of providing insight into why First Nations voters may or may not mobilize their right to vote. Drawing on the history of voting rights for First Nations peoples in Canada, Jacobs identifies three forms of legal consciousness that she believes may inform different beliefs and symbolic meanings tied to voting among First Nations peoples. She then offers a number of policy recommendations to engage First Nations voters.

In **Chapter 3**, John Graham and Jodi Bruhn step into the contentious area of First Nations taxation. The authors present theoretical arguments linking taxation and good governance, and draw on traditional Indigenous resource-sharing practices to make a case for taxation in First Nations communities. While introducing tax regimes is always a difficult sell, Graham and Bruhn argue that doing so can help First Nations governments increase their legitimacy and performance, while also providing an increased resource base to pursue community priorities. They provide a number of policy and research options for First Nations communities and the federal government to consider.

Community governance in an Australian context is the focus of **Chapter 4**. Michael Limerick presents case studies of three Aboriginal councils in north

Queensland to better understand the governance structures that contribute to successful Indigenous community government. In addition to outlining institutions and practices found to be central to good community government performance, he also looks at contextual factors that shape the particular approach to governance that an Indigenous community may take.

Chapter 5 looks at possibilities for and implications of land tenure reform in First Nations communities in Canada. Jamie Baxter and Michael Trebilcock draw on international experiences to assess a proposed First Nations land title system. They note that because of the diverse nature of First Nations communities, each community must take into account its own history, geography, and social, economic, and political goals when considering the potential costs and benefits of land tenure reform. They argue that any federal land tenure reform legislation will need to allow for the creativity and flexibility necessary to meet the diverse needs and perspectives of First Nations communities.

In **Chapter 6**, Jean-François Savard, Madeleine Moreau, and Michelle Jacob call on us to rethink the role of universities in supporting Aboriginal self-government. They employ a model of political cycles to explore the politics of empowerment and self-government possibilities for Canada's Indigenous communities. Their primary aim is to illustrate that because self-governing requires considerable knowledge transfer, it stands to reason that universities can be very helpful to Indigenous communities. They conclude, however, that current policies do not sufficiently recognize or allow for universities to fill such a role. This, according to our authors, works to the detriment of all involved.

In **Chapter 7**, Stephen McGilligan examines the impact of the Supreme Court of Canada on First Nations self-government claims and negotiations. He argues that while self-government is best determined through negotiation rather than litigation, Court decisions provide an important backdrop for negotiations and can affect the relative bargaining position of each actor. Thus, he outlines the jurisprudence surrounding the constitutionally recognized right of self-government and finds that the Court has failed to provide real substance to this right.

Access to capital as an essential element of economic development is the starting point for **Chapter 8**. In this chapter, Tom Cooper and the Ulnooweg Development Group assess the potential risks and rewards of Indigenous communities initiating and controlling financial services organizations as an economic development strategy. Utilizing data from a 2007 market demand study commissioned by the Atlantic Canadian First Nations, it is argued that there is a window of opportunity for First Nations communities to develop and control their own financial institutions, and that with sound planning and risk management these can contribute to the long-term prosperity of Indigenous communities.

Part Two: Research Methodology looks at methodological issues in research involving Aboriginal communities and peoples. **Chapter 9**, by Brian Walmark, outlines the development and work of the Keewaytinook Okimakanak Research Institute. The institute, formed by the Chiefs of Keewaytinook Okimakanak,

uses participatory research methodologies to conduct respectful research projects that prioritize the needs of the community and that develop and employ local researchers. Walmark discusses the problems with traditional research conducted by academic researchers in First Nations communities, the need for community-developed and community-controlled research, the possibilities for building links with academic researchers, and some of the continuing challenges of community-based research.

In **Chapter 10**, Anishinabe scholar Deborah McGregor looks at developments in the environmental and forestry sectors brought about by Indigenous research and theory. McGregor traces the evolution of Indigenous research paradigms in Canada and looks at increasing demands that traditional knowledge be incorporated in environmental decision-making. While Indigenous theories and methods have begun to be incorporated into forestry research, McGregor calls for an Indigenous research paradigm in forestry research and outlines a number of steps that can be taken towards this goal.

In **Chapter 11**, Élisabeth Kaine discusses the exchange of expertise that took place between Canadian and Brazilian Indigenous communities from April 26 to July 11, 2008. We learn about the work being done to identify, record, and transmit traditional culture through training videos, photography, interviews, graphic design, and exhibition design. The exchange between Canada and Brazil had four specific aims: (1) to share experiences between Canadian and Brazilian organizations and between representatives of Indigenous groups; (2) to enhance cultures; (3) to create tools for development and dissemination of culture; and (4) to develop participatory approaches by sharing common experiences.

Chapter 12 discusses the work of Mamow Sha-way-gi-kay-win, the North-South Partnership for Children. Judy Finlay, Anna Nagy, and Connie Gray-McKay describe the nature of the partnership, provide background on its development, and outline what it has accomplished and it's long-term goals. The authors see Mamow Sha-way-gi-kay-win as a model for other communities and organizations that wish to develop respectful, working relationships between Aboriginal and non-Aboriginal peoples.

On behalf of the Native Women's Association of Canada, in **Chapter 13** Jennifer King writes about the methodology and research process used by the Sisters In Spirit initiative. Sisters in Spirit is a vitally important research, education, and policy initiative that aims to address the alarmingly high number of missing and murdered Aboriginal women in Canada. By reflecting on the strengths and limitations of the initiative's community- and relationship-based research framework, King provides a number of best practices that can be drawn on by other individuals and organizations.