Position Paper

"Being Good Neighbors":
Methods of Indigenous Consultation for Resource-based Research - Moving from tokenism to relationship building in the 'duty to consult' for resource-based developments, a case study of tourism in Northern Ontario

July, 2019

Project Team:
Kevin Eshkawkogan, Indigenous Tourism Ontario (Co-PI)
Rhonda Koster, Lakehead University (Co-PI)
Steve Antoine, Sheshegwaning First Nation
Jeremy Capay, Lac Seul First Nation
Neil Debassige, Island Sunrise Cottages
Laurie Marcil, Nature & Outdoor Tourism Ontario
David MacLachlan, Destination Northern Ontario
Brian McLaren, Lakehead University

Participants & Contributors:
William Antoine, Sheshegwaning First Nation
Jocelyn Bebamikawe, Wiikwemkoong Development Corporation
Laurie Brownlee, Ministry of Tourism, Culture & Sport
Al Errington, Errington's Wilderness Islands
Marty Kalagian, Destination Northern Ontario
Shelba Millette, Manitoulin Tourism Association
Tanya Panamick, Indigenous Tourism Ontario
Hazel Recollet, United Chiefs and Councils of Mnidoo Mnising
Rod Raycroft, Northeastern Ontario Tourism
Sandra Taibossigai, Indigenous Tourism Ontario
Margaret Watson, Sudbury Aviation

Executive Summary
The focus of our event was to determine appropriate ways to foster respectful relationships between both Indigenous and non-Indigenous people to develop best practices for research processes and for forms of consultation between Indigenous communities, industry and government, through an examination of the resource and nature-based tourism sectors. The report mirrors our gathering and is organized in four sections. SECTION 1 provides an overview of the academic context of our work, illustrating that Canada's Indigenous peoples and the settler population have very different perspectives on interactions with the land. Sadly, settler interests in resource developments have predominated the development of policies at both the federal and provincial government levels to the exclusion of Indigenous rights and interests. Governments and industry have responded to calls for Indigenous participation in decision making around natural resource developments, which resulted in "duty to consult" processes. We have reviewed the industry approaches to developing natural resources while attempting to engage Indigenous people in a way that respects their knowledge systems and experiences, including Land Use and Occupancy maps, legal negotiations, and Impact and Benefit Agreements. Though there has been some success with these strategies, the researcher is often perceived to be advancing the interests of industry, with little trust in the process by Indigenous people, who want to protect their interests and rights in maintaining fair access to the land and their culture. Like resource development processes, research processes have been similar, with settler scholars advancing research "on" Indigenous communities without input or provision of research outcomes back to the community. We know that conventional Western qualitative and quantitative approaches to inquiry are inadequate to generate the level of understanding of Indigenous knowledge systems and experiences. This is despite the fact that Indigenous scholars have advanced appropriate methodologies that have not been embraced by industry, government, funding agencies or the wider academic community. Action is required to create the relationships necessary to build trust, reciprocity and better outcomes for all, and for Indigenous communities in particular. In SECTION 2, we have taken the time to explain our process of gathering, as it is these elements that are central to creating the necessary environment to bring people from different cultures and perspectives together and respectfully engage in conversations to share knowledge, find solutions and move forward in a good way. It does not matter if it is for the purposes of research or consultation – this methodology transcends disciplinary or industry sector boundaries. In SECTION 3, we provide a summary of our discussions. One of the overriding elements associated with any engagement process was identified by our participants as governance; the idea that good governance is focused on achieving the purpose and outcomes determined for and by the groups involved, with clearly defined processes and responsibilities for all parties. At its core, a good research process should establish good governance from the outset. To accomplish this, we realized that discussing the foundational similarities and differences in our business cultures provided a basis from which to further examine the importance of our communication strategies and meeting organizational structures. Doing so illustrated how challenging it is to come together to work on an issue, as we are rarely beginning from the same understanding. Further, we determined that while good processes may exist, it is the outcome and actions that follow that are key elements to building good relationships. We discussed a current issue within the resource based tourism industry that is creating tension between Indigenous communities and settler tourism operators. Through sharing differing perspectives, we determined that being a good neighbor, getting to know each other and determining what you have in common is foundational to having good outcomes when challenging situations arise. This discussion helped us in framing our best practices for guiding research with Indigenous communities, as discussed in SECTION 4. We determined several guiding principles (understanding our national history, knowing each other & sharing values, meeting/research protocols, capacity building, clear purpose, collaboration, communication & language, and community approval), as a necessary foundation for an ethical research/consultation process. The process should begin with a project developed in partnership between the researcher(s) and community, which is then approved by the community. At that point, a working group including appropriate community members should be established, responsible for the co-development, implementation and outcomes of the project. We also determined a specific requirement for Tri Council funding of research with Indigenous communities: all research that takes place on Reserve, Traditional Lands and/or Territories, regardless of whether it involves humans or not, be required to have approval from both the university and from the Indigenous group(s) involved. This acknowledges a different way of knowing and being on the land, and thus fully recognizes and respects the way of life of the people that have always lived here. This approval should be in place prior to funding being released.

Introductory comments

The title of our proposed project was," Methods of Indigenous Consultation for Resource-based Research: Moving from tokenism to relationship building in the 'duty to consult' for resource-based developments, a case study of tourism in Northern Ontario". While we have used a central and common issue in the resource-based tourism sector to bring us together and as a point of conversation, our main focus in this report has been to determine appropriate ways to foster mutually respectful relationships between both Indigenous and non-Indigenous people so that we can develop best practices for addressing issues of common concern in a good way, ultimately to create and mobilize knowledge and partnerships that will lead to reconciliation.

As we had done for our gathering, we have organized this report in four sections, out of respect for the importance of that number within Anishinabek culture. Our report begins with the context and summary of relevant academic literature, followed by the process and organization of our gathering explaining the intent behind its design. In the third section, a summary of our discussion is provided, which resulted in recommended best practices for appropriate engagement with Indigenous communities, whether it is for research or consultations, as presented in the fourth and concluding section.

Before proceeding, we would like to acknowledge two things. We have used Anishinaabemowin words (the original people's language) throughout our report when we are discussing the local context of our project, out of respect for the people that both comprised our team and who worked with us on the project, and in recognition of the lands where we met as belonging to the Anishnaabek of Mnidoo Mnising. Our intention however, is to be inclusive of all First Nations, Metis and Inuit peoples, as we believe that while cultural differences must be learned and incorporated, the process outlined in this report is intended to be applicable at a national scale and so we have also used the term "Indigenous" to illustrate how the process can be generalized to other regions in Canada. Second, we wish to note that all members of the team and those who attended our gathering are identified as authors to this report. We undertook three rounds of review and approvals for this document from the entire group in order to adequately include and reflect the voices of all involved; we have included some direct quotes from group members to illustrate the commitment to moving forward in a good way.

1. THE ACADEMIC CONTEXT - RESOURCE-BASED ENGAGEMENTS AND RESEARCH METHODOLOGIES WITH INDIGENOUS PEOPLES

Canada's Indigenous peoples have a holistic worldview in which all aspects of life are in relation to one another, they are interdependent and therefore respectful interaction is paramount; people do not hold a place of prominence in these relationships with land, water, animals and plants, and there is not a concept of ownership. Rather, the worldview is one of human responsibility, respect and reciprocity, living in relationship with the land, water and all creatures. In contrast, the settler population's predominant worldview is one of dominance, ownership and rules to govern the use of the land, plants, water and animals for the benefit of humans, under the domains of natural resources management and economic development. While outlined in an overly simplistic way, these divergent worldviews form one significant element in the range of the challenges facing Indigenous and settler relationships. The settler worldview is the dominant one, and has had a dramatic impact on the settlement and development of Canada as a country, resulting in the forced placement of Indigenous peoples on reserves, the creation of the Indian Act that placed Indigenous people under Federal government control, and ultimately created an impossibly negative situation where settler interests in resource developments have predominated the development of policies at both the federal and provincial government levels to the exclusion of Indigenous rights and interests. It was not until the latter part of the 20th century that governments began to define the Crown's duty to consult and the ways in which to satisfy it, in response to calls for Indigenous participation in decision making around natural resource developments; this, of course, has resulted in "duty to consult" processes. In some cases, collaborative resource governance structures have emerged (Wyatt et.al, 2013; McGregor, 2011).

Like resource development processes, research processes have historically been similar, with settler scholars advancing research "on" Indigenous communities without input or provision of research outcomes back to the community (Koster, Lemelin and Baccar, 2012). These conventional Western qualitative and quantitative approaches to inquiry are inadequate to generate the level of understanding of Indigenous knowledge systems and experiences (Davidson-Hunt and O'Flaherty, 2007). What in the engagement process can assist these approaches that researchers take? To answer this question, we can review the industry approaches to developing resources while attempting to engage Indigenous people in

a way that respects their knowledge systems and experiences: these have included Land Use and Occupancy maps, legal negotiations, and Impact and Benefit Agreements. And regardless of intent, the researcher (or team) is often perceived to be advancing the interests of industry, and there is little trust in the process itself by Indigenous people, who want to protect their interests and rights in maintaining fair access to the land and their culture. A common result has been relationships between Indigenous communities and governments, with extractive industries (primarily logging, mining, oil and hydroelectric development) and with scholars that are fraught with tensions. Adding to the apprehension, there are also unresolved issues of protecting the quality of access to traditional harvest areas, and the risks of theft and desecration of culturally sensitive areas.

Land Use and Occupancy maps are a partial solution, as they are attempts to represent spatially the oral histories of a community. Unfortunately, traditional harvest areas and other cultural and sacred spaces are often only depicted as points or polygons on these maps, despite the fact that these locations are also connected by real and intangible pathways to culture in the form of travel routes and storytelling (Tobias, 2000). In a perfect world, these intimate scenes of life would be kept within the community. Unfortunately, negotiations, mediation, and litigation are all based on examination of the merits of concrete documentary evidence. Geographical diversity is another element of the tension. Canada recognizes over 600 Indigenous governments (Statistics Canada 2017), which represent communities that do share one trait: an intimate relationship with the land, which includes the harvesting of fish, wildlife, and plants (Tobias 2000). These traditional activities often leave little physical traces on the landscape. Instead, they are kept in the minds of the people who experience and travel the land, a mental map of their homeland of memories embroidered with intricate details and knowledge based on both the community's oral history and the individual's direct relationship to the land and its resources (Kunkel, 2017). These elements are very difficult to convey on a paper map or Geographical Information System built with information technology.

Herein lies a problem with legal complexities: when Indigenous land title is brought to a court for adjudication, the onus is on the Indigenous community to prove their use and occupancy within the Canadian legal system (Roness and McNeil, 2000). There is inherent difficulty in using oral history to prove use and occupancy in a court, even if they show up on a map; oral histories are considered hearsay and they often contain other elements of expression common to the Indigenous culture – symbolism, morals, spirits – which do not fit comfortably in the rules of Canadian law (Napoleon, 2007). In areas without Treaties – BC, Quebec and most of the Atlantic provinces – provincial governments have steadfastly ignored Indigenous land title and refused to negotiate with Indigenous peoples (Kunkel, 2017).

Another iteration of the engagement of Indigenous communities in the shaping of resource development, usually limited to discussion of the benefits derived from it, is the Impact and Benefit Agreements (IBAs), especially common to the mining industry. IBAs do not change the norms: they still require a legal arrangement (in the case of IBAs it is usually a confidential two-party contract) and a governance process (defined in the contract), both of which must honour the intent of protecting the relationship of Indigenous people with the land (Craik et al., 2017). As a case study in Aroland First Nation in Northern Ontario teaches us, the relationship is all too frequently eroded by the activity of industry, leading ultimately to health and wellbeing issues (LeBlanc et al., 2011). The case study of the Victor Diamond Mine and the Mushkegowuk Cree, also from Northern Ontario, shows that the private contractual arrangements (confidentiality) of the IBA makes it more difficult to ensure that the broader public interest in adhering to environmental and social norms, the expectation of state governance of these norms, is being respected (Craik et al., 2017). As Craik et al. (2017) share, a common public perception, within and outside First Nations communities is encapsulated in statements such as, "It was a lousy, lousy deal…and these guys make billions"; such understandings harm the public interest and continue to prevent reconciliation between Indigenous and settler Canadians.

The same issue with confidentiality can result in withdrawal of state responsibility, stifle information sharing and prevent understanding of long-term social impacts of development; it can also thwart subsequent objections to the development and its impacts and reduce visioning about the type and pace of development that is desirable (Caine and Krogman, 2010). In the worst perspective on how they operate, IBAs can be seen as 'buying' the social licence to operate on traditional territory, because almost invariably, members of an Indigenous community are not well versed in the science and technology on the benefits and impacts of a resource development (Peterson St-Laurent and Le Billon, 2015).

What can be concluded for the future with respect to research? Face-to-face meetings are critical: building capacity and change means moving beyond reorganization of current government structures, legislative frameworks and polices, to facing the realities of the colonial attitudes in our institutions (Larose,

2009). Meeting on the land to engage in dialogue, jointly redefining our understanding of one another, acknowledges the, "failed values, attitudes, concepts…[as] a problem that cannot be 'side-switched' without radical changes in the underlying motive forces" (Rowe, 2002). In addition, methodological principles or protocols used in research must recognize that cultural literacy, as defined by Lertzman and Vredenburg (2005), is usually learned from an early age, as skills requiring years of instruction and mentoring, often involving arduous physical and intellectual training. Even so, some cultural literacy can be passed interculturally, forming the basis for ethical research. Usually, the engagement in research will take the form of bicultural standards of verification (Lertzman and Vredenburg, 2005). Murphy and Arenas (2010) and Spiro Mabee and Hoberg (2006) provide reviews of the possibilities. As a striking contrast, Booth and Halseth (2011) provide a list of what can go wrong in engagement, especially from an outsider's perspective.

Indigenous research paradigms are based on worldviews that are suitable to Indigenous cultures and provide the potential for research outcomes that respect and benefit the community, thus avoiding potential negative consequences of research centered on non-Indigenous methods and philosophies (Smith, 1999; Louis, 2007; Wilson, 2008; Kovach, 2009). These paradigms do not reject existing research practices (Smith, 1999; Wilson, 2008), but illustrate that there are other ways of conducting research that respect and protect Indigenous people, that stop further misrepresentation and colonialization (Louis, 2007), and create authentic research outcomes, even when carried out in the discourse of Western research (Kovach, 2005).

Though there is not one Indigenous paradigm, there are common principles, including a recognition that there are ways of designing research beyond those of the Western-based processes, that research objectives should be determined in ways that are respectful and ethical, and Indigenous perspectives are a fundamental part of the research design and implementation process (Louis, 2007). Louis (2007) suggests there are four concepts common to Indigenous paradigms - relational accountability, respectful representation, reciprocal appropriation, and rights and regulations. Relational accountability acknowledges that Indigenous ways of knowing are based upon relationships between all life forms, which in turn are based on respect for and appreciation of what each can provide (Kovach, 2005). When applied to research, relational accountability assumes that all parts of the research process are interconnected, requiring that a true partnership between the researcher(s) and the community are developed (Kovach, 2005; Louis, 2007). Respect requires researchers to co-create the research process with Indigenous people, being willing to accept the decisions of the community and working together to determine how the knowledge gathering will be conducted, shared and used (Louis, 2007). Reciprocal appropriation recognizes that all research has elements of appropriation and therefore requires adequate benefits for both parties involved in the research. This implies that although the benefits for each party involved may be different, they each can expect to receive something from the research and that the outcomes must help or serve the collective (Kovach, 2005; 2009). Rights and regulation refers to developing and adhering to a research process that is collaboratively created based on Indigenous protocols, defined goals, impacts of research and how the knowledge gathered will be used (Smith, 1999; Louis, 2007). It also means determining how the community will confirm the results, how (or if) the data will be published and reported, and how the findings will be written-up to ensure accessibility for not just the academy and policy arenas but also the community.

Koster et al. (2012:207) argue that "basic human decency grounded in respect for one another, openness about needs and responsibilities, and willingness to reciprocate and build relationships is essential to productive and respectful research collaborations". They argue that these principles should serve as the foundation for research interaction with any community. For these researchers, the three prepositions (on, with and for) illustrate the direction of benefit, and can be summarized as: when research is conducted ON a community, the main beneficiary is the researcher; when conducted WITH, both parties receive benefit, and research FOR the community may result in benefits mainly for the community. We would argue that research should only ever be conducted with or for an Indigenous community in order to achieve reconciliation.

2. SUMMARY OF OUR ENGAGEMENT PROCESS

While it may not be considered a normal element to include in a "position paper", we have taken the time to explain our process of gathering, as it is these elements that are central to creating the necessary space (emotionally, psychologically, spiritually) to bring people from different cultures and perspectives together to respectfully engage in conversations to share knowledge, explore solutions and move forward in a good

way. It does not matter if it is for the purposes of research or for consultation – this methodology transcends disciplinary or industry sector boundaries.

Committed to modelling appropriate ways of meeting between Indigenous and non-Indigenous people, our team met face to face in December, to spend a day discussing appropriate content, who to invite, and how best to organize a gathering, given the limited timelines. We also wanted to meet in a location that allowed us to maximize the number of people we could invite and which was preferably owned and operated by Indigenous people. We chose the Manitoulin Hotel and Convention Centre, in Little Current, Manitoulin Island, Ontario, with a meeting date of January 15-17, 2019. We invited 26 people who share an affiliation with the resource-based tourism sector of Northern Ontario, including Indigenous and settler owned tourism outfitting companies, regional and provincial tourism associations, provincial ministries and economic development; 18 people attended.

We began our two-day gathering in the evening with a welcome to the territory by Chief Corbiere of Aundeck Omni Kaning and Tribal Chair of Mnidoo Mnising. We then shared a meal, served family style to encourage interaction through the passing of food. This was followed by a tour of the hotel facilities, to share the story of how the facility came to be, and to illustrate the cultural elements that were mindfully incorporated into its design. We gathered together to formally introduce our project and our goals. Steve Antoine, a member of the Sheshegwaning First Nation, then provided cultural teachings in the form of stories and songs, creating the space for people to feel welcomed to ask questions.

The second day we shared breakfast and then moved into our discussions, by first offering a smudge, with explanations of why this ceremony is important to Annishnaabek people and how it can positively affect any gathering. Our day was intentionally organized in four segments: 1. Understanding the differing 'business' cultures among Indigenous organizations/businesses, settler organizations/businesses, government and agencies; 2. Differentiating aspects of communication; 3. Examining a case study, and; 4. Identifying the important aspects of engagement. We had three different members of our team taking notes throughout the day. In the evening, we again gathered to share a family-style meal, followed by a sharing circle lead by Elder William Antoine, of Sheshegwaning First Nation. The importance of these times of cultural sharing and teaching cannot be overstated; the stories shared by William, (of his own life experience at a Residential School, his encouragement that all of us need to look for the positive aspects of every situation, and his acknowledgement that human suffering at the hands of others is a universal condition sadly experienced by many people), was instrumental in bringing the group together and helping us to share and converse openly.

Following the evening activities, members of the team worked to summarize what we had heard into a power point presentation. During the morning of our last day together, and following a shared breakfast, we began the day with a blessing[1] from Elder William Antoine and a smudge. We then discussed the summary as presented through the power point slides, as a way to share what had been heard, seek clarification, and change any misinformation. This provided an opportunity for all those at the gathering to validate the knowledge generated, before the initial draft of this report was created. We also identified what an appropriate process of engagement should look like (for research or through a "duty to consult" process), based on the conversations from the prior day. Importantly, as a team, we did not come with a solution, but with questions: do we have this correct? what are we missing? The conversation was engaging, constructive, and lengthy; again notes were taken and clarification sought. Two commitments were made: that after an initial draft was created by the team, it would be sent to the entire group for further input and vetting, which the team would then take and use to create the document that would be shared for the National Roundtable hosted by SSHRC, and; that all members of the gathering would be identified as authors to this report.

Our gathering ended with an exchange of gifts to recognize and thank everyone for participating. Our closing was conducted by Steve Antoine and included an explanation and singing of the Travelling Song.

---

[1] this is also known as a prayer or thanksgiving, depending on the region and the Elder who is facilitating the ceremony or opening

3. SUMMARY OF OUR DISCUSSIONS

To honour the conversation and the voices of our gathering, we wish to provide a narrative summary of the views shared, which have led to the creation of a series of best practices and recommendations as outlined in section 4. We have provided our synopsis through the four conversation topics that framed our gathering. One of the overriding elements associated with any engagement processes was identified by our participants as governance; the idea that good governance is focused on achieving the purpose and outcomes determined for and by the groups involved, with clearly defined processes and responsibilities for all parties. At its core, a good research process should establish good governance from the outset.

Business Cultures – Understanding each other

We wanted to acknowledge the different perspectives and ways of "doing business" that Indigenous and non-Indigenous groups hold, as a way to understand the fundamental differences at the core of relationships. One of the ways of seeing those differences was by looking at the Four Aspects of Humanity [physical (food clothing, shelter), intellectual (education), emotional (personal), and spiritual (beliefs)] and how these are prioritized by each group.

From an Indigenous perspective, "business" values and interactions are focused on sharing and relationship building; it is about prioritizing the creation of opportunities for the communal good, holding community integrity, connection to the land and to family as core values. For this group, the spiritual aspects of society are often foremost, though all 4 elements are integral. Non-Indigenous perspectives on "business" are less about sharing and community as businesses get larger and as corporate headquarters are more distant from the location of business. Competition and efficiency is prioritized, even in smaller businesses, over relationships. In this sense, the physical and intellectual aspects of society are often foremost.

In contrast, non-governmental organizations (NGOs) are often guided by a code of ethics, and serve to assist members to work within government rules. There are often strong connections between administration and membership, cultivated through a culture of service and advocacy, and these relationships are further fostered through innovation in spending due to limited resources. In these situations, the physical and intellectual aspects of society are often foremost, unless these are Indigenous organizations, in which case the spiritual elements are also present.

Those in attendance viewed government ways of "doing business" as quite different and not in alignment with Indigenous ways. Government operates in a hierarchical structure that determines chains of authority and communication; their ministries and departments generally have specific mandates, which creates silos, limiting functionality and integrated solutions. Reporting requirements are onerous, restrictive, and further create silos. The group did acknowledge that despite these larger institutional structures, at the individual level, there are some really good people in government trying to work in a good way. The priorities and structure of government indicate that the physical and intellectual aspects of society are at the forefront.

Communication – Understanding each other

While we agreed that in principle there are many well-articulated strategies for consultation/research, where relationships often falter is when groups come together to enact a plan. In essence, action matters more than words on paper. As such, communication, and the ways of communicating are paramount. We identified the following necessary elements for positive communication:

- not coming into a "consultation" with a solution;
- being authentic and genuine in the ways you work with people;
- being genuine about using feedback, and;
- ensuring that action results from the conversation, and is informed by feedback.

Meeting face to face is an important element, and one which is often lost in the current digital age and under the regulatory and process timelines of government decision-making; this is even more critical when Indigenous and settler people are working together on an issue. Conversation, getting to know one another in a context outside the meeting, builds relationship and ultimately trust. It provides an opportunity to listen to what a person's interests are, learn about what is important to them and see where all involved may have much in common. It is important to take the time to understand the values of each party, which can help in determining how core values might be aligned. This in turn can aid in formulating a shared sense of the desired outcomes and what process will work to achieve those shared goals (in other words, establish good governance).

We settlers have to learn to respect Indigenous land values. I sit on two committees and there are Indigenous members, but they do not talk. We need to find out their thoughts …. how do we do this, how can we work together? I would like to attend a session where they only are allowed to talk, we stay quiet and make notes! (Margaret Watson)

We did an activity near the end of the day that illustrates the significant differences between how Indigenous and non-Indigenous peoples understand one another's culture of meetings and communication. We split those gathered into Indigenous and a non-Indigenous groups, and asked each to identify what they knew about or perceived to be the protocols for meetings with the opposite group. What we found was that the non-Indigenous group, by the end of the day having asked questions and being taught different cultural elements, had learned a lot about what Indigenous meeting protocols involve; the Indigenous group provided their view and experience of how non-Indigenous people organize and run meetings. What was incredibly instructive about this exercise was that we could clearly see how our two cultures (broadly speaking) had very different approaches as illustrated in Table 1, and how that can and does affect outcomes.

Table 1: What we think we know about…

…Indigenous protocols for meetings (non-Indigenous perspective)	…non-Indigenous Protocols for meetings (Indigenous perspective)
• need to build relationships by spending time - don't wait until you want something; preferably, ask to be invited • ask for help • meet in person • bring a gift • be authentic in your communication • go to listen and not speak, not to present idea/decision • need to know the access routes for approval and acceptance of research/engagement • expect an initial informal process, not a strict agenda	• impersonal • tell instead of ask • agendas that are purposefully hidden, so can't trust • scheduled and structured meetings that follow a hierarchy • no inclusion of cultural elements (land acknowledgements are just new) • there are no cultural elements (physical or other) involved, simply business all the time

Finally, we identified that a key factor of communication is language. The difference in languages spoken (Anishinaabemowin versus English) is one element that challenges both the ability to speak and to understand different groups, but perhaps less obvious, is jargon. The words used by industry, government and academics is often foreign to those outside. Words have power, and perhaps none more so than jargon; if all parties are not familiar with the acronyms and words used, then exclusion from a fulsome discussion and decision-making is a result. Time, therefore, needs to be taken to not only translate but explain the meaning and implications of words.

Our case study: Hunting & Fishing Lodges– How to handle a challenging situation to obtain a good outcome?

Central to our gathering was the opportunity to figure out way to address concerns (whether it is for research, a duty consult or some other reason for engagement) to achieve a better outcome than is often the case between Indigenous and settler people/organizations/government. Within the resource-based tourism industry, there are historic injustices and ongoing inequities that are resulting in conflict as Indigenous groups assert their treaty rights to the land. Based on a current issue (but maintaining the anonymity of parties involved) the team outlined the scenario and asked those gathered to share thoughts on how the situation could be handled to achieve a positive outcome for all involved.

In summary, the scenario involved concerns regarding management of lakes, a common situation for both First Nations and Indigenous/non-Indigenous lodge owners who share a distrust of government oversite and regulations. It occurred in a region where the Indigenous and non-indigenous residents were not well acquainted with one another, lacking established good neighbor relationships. The First Nation was frustrated with how the fish population was being managed by government, and sent a letter to lodge owners requesting money to support an independent study. They included an additional legal-looking document that indicated that henceforward, use of their Traditional Territory by lodge owners was going to be managed through the band for a fee. When these were received by the lodge owners, they went to their advocacy organization (Nature and Outdoor Tourism Ontario - NOTO) to seek guidance. NOTO contacted colleagues within the Ministry of Natural Resources and Forestry as well as an Indigenous tourism representative to seek advice on the issue and the approach that might be taken to help facilitate a discussion between the lodge owners and the First Nation. While a discussion did occur, resolution was not found and both parties remained frustrated.

After describing the scenario, our group entered into a lengthy sharing of perspectives. The conversation centered on trying to understand where the different parties may have been coming from, why this might have been the case, and how all parties could have handled the situation in a better way. We have summarized the perspectives and learning from both Indigenous and non-Indigenous participants. How the situation could have been handled better is answered in the process section of this document. In essence, our group determined that being a good neighbor, getting to know each other and determining what you have in common is foundational to having good outcomes when situations arise.

The Anishinabek at our gathering indicated that some communities have established processes of engaging with government and industry, but they may or may not follow it. Generally speaking, and within the context of this situation, the band should have brought together community members to discuss their concerns and determine if and how they wanted to move forward. Once a decision had been reached, they should then invite the involved parties (in this case, lodge owners and NOTO) together to discuss what the concerns are, determined if they are shared, and what they may want to do together. Those who have worked in this industry for some time indicated that the best way to move forward is to begin with both Indigenous and non-Indigenous operators figuring out a solution, and then engaging with government to seek resolution within policy requirements (if possible!). Participants identified that compassion and understanding is necessary; like many small, rural communities, there are limited human resources within First Nation communities to undertake the work that is required, and limited support may be in place for the person tasked with a particular portfolio. The individual is likely doing their best within such constraints, which may result in less positive communication, and negative outcomes. Additionally, it

> Indigenous people innately have a stronger connection to their homeland being that they are the ancestral founders and foundation to this country - Turtle Island. Clearly, the Indigenous way of life is at the strong original root of Canada's identity and it can still be sensed today – peace keeping, all embracing of cultures and always willing to talk and find paths to move forward in a 'good way.' The Seven Grandfather Teachings are innately in play country-wide or we would not even be half the great Island / country we are today; I for one am more than happy to be part of a country based largely on *Nibwaakaawin* (Wisdom), *Zaagi'idiwin* (Love), *Minaadendamowin* (Respect), *Aakode'ewin* (Bravery), *Gwayakwaadiziwin* (Honesty), *Dabaadendiziwin* (Humility), and *Debwewin* (Truth). Indigenous beliefs such as these almost seamlessly spread the critical connecting fibers that continue to create the strong fabric of who we are as 'Canadians'.
> (Shelba Millette)

was noted that outside groups (those who are non-Indigenous, not local and who hold tourism related interests in an area) may significantly influence a particular issue due to the power they hold over nature-based resources. This is often to the detriment of the First Nation, its tourism-related businesses and further challenges relationships with government and surrounding municipalities.

The non-Indigenous people at our gathering realized from the discussion that more education is required for Canadians on the full history of colonization including what treaty rights are, what traditional territory means and where the boundaries lie, what self-government means and how attempts at self-government are currently playing out. There needs to be greater understanding of how traditional territories are an integral part of an Indigenous way of life which acknowledges the interconnectedness of people with the land, animals, plants and seasons. In essence, there is a need to understand our colonial history and its contemporary outcomes, to become a better neighbor. On the basis of our learning, it was suggested that perhaps there would be greater alignment of values between groups if a political, legal and ethical approach were adopted that recognizes watersheds and connections across the land, because we collectively realized that "watershed" as a concept, is common to all parties. Most importantly, there was recognition that as settlers receiving challenging communication from Indigenous neighbors, (that is, when the tables are turned as this kind of communication is commonly received by First Nations communities), we need to reflect on how such language affects us all and limits positive outcomes.

In discussing this case, it was recognized that while positive communications may not have been initiated by the First Nation, the reality is, Indigenous people have been on the receiving end of this kind of communication for generations. It is time to learn about, build relationships with, and be respectful of our Indigenous neighbors. As the leader of our team (Kevin Eshkawkogan) says, "the regions that figure out how to work best with Indigenous people are going to be the most successful regions in the world".

4. RESULTANT RECOMMENDATIONS: BEST PRACTICES FOR DOING RESEARCH AND CONSULTATIONS

What our gathering identified as an appropriate process for doing research or engaging with Indigenous communities is not "new"; as indicated in the first section of our report, many Indigenous scholars have developed and advocated for similar methodologies (for example Smith, 1999; Wilson, 2008; Louis, 2007; Kovach, 2009 & 2005). What is important about the best practices we have determined is that they resulted from conversation between Anishinabek and settler Canadians, representing various positions within the resource-based tourism sector in Northern Ontario. By working together through a scenario that is contemporary, filled with conflict, and involving government, organizations, Indigenous groups and settlers, we shared perspectives and learned from one another. Based on our dialogue and subsequent learning, the group identified best practices and a collaborative research process, as summarized below.

BEST PRACTICES: Key Principles to Guide Research with Indigenous Communities
   a. ***Understanding our National History.*** Truth and reconciliation requires us as non-Indigenous people to do the hard work of learning our nation's full history, of understanding the resultant and ongoing colonization processes, and requires us to do something to create better relations. That something can begin with acknowledging that we may not know where or how best to start, because in so doing, it illustrates a respect for the Indigenous people we are working with (Cook 2019; King, 2019). As Shelagh Rodgers, in her 'Forward' to *Speaking my truth: Reflections on Reconciliation and Residential Schools* (2012:7), suggests, "The longest journey is from the head to the heart. Let us open our hearts so that we may help carry the pain that Indigenous peoples in Canada have been carrying for centuries".
   b. ***Knowing Each Other & Sharing Values.*** Building respectful relationships is key, as all individuals involved need to understand who we are, where we are coming from and what our values are. Culturally appropriate ways of doing this are ideally to first simply spend time visiting, outside of the "business" context. This may not be possible, so a sharing circle at the start of a meeting, perhaps led by an Elder, can create the necessary environment to nurture a relationship among a group. The "what we know about each other" exercise outlined in this document may be an appropriate frame for the sharing circle. This would create a bench mark of the knowledge and perception each party has of the other, leading to a shared understanding.
   c. ***Meeting/Research Protocols.*** A way to protect the values of First Nation communities would be for each community to develop a list of protocols that outline for researchers and outside agencies what is expected when coming to start research or consultations with the community. This would

create clear expectations, address the uniqueness of each community and aid in creating positive relationships. (An excellent example comes from the Inuit Tapiriit Kanatami and Nunavut Research Institute, *Negotiating Research Relationships with Inuit Communities: A Guide for Researchers*, available online, and listed in the references section)

d. ***Capacity Building.*** Any research process should be an opportunity for education and capacity building for all involved (this is a responsibility of the researcher).

e. ***Clear Purpose.*** There must be a clear statement of purpose regarding what is intended by engaging with the community. There can be no hidden agenda, which has been all too common in engagement processes whether it is for research or "duty to consult".

f. ***Collaboration.*** Segregation in the engagement process should never be a tool. In many instances, keeping Indigenous discussions separate from non-Indigenous working groups has perpetuated continued colonialization and fostered distrust. Groups must be brought together to nurture collaborative learning and solution finding. However, some Indigenous communities may want to maintain separate meetings for some aspects of projects, as they may wish to keep sensitive information within their community; research or other consultative projects must keep this option open to respect the wishes of the community.

g. ***Communication & Language.*** Communication is key to building trust and understanding. Everyone must be given the opportunity to speak, and time must be taken to allow for this. Language used must be understandable, and definitions and meanings provided when it is necessary to do so. The information that is shared must not be misused or misrepresented to serve a different purpose than was intended.

h. **Community Approval.** All research projects (academic or other) should be known to and approved by the community. In many cases, health research ethics boards already exist that vet proposals and make recommendations on approving research; it may be that their terms of reference and membership could be expanded to include any research (i.e., in the case of the granting councils, of any research funded by CIHR, SSHRC or NSERC) that will be conducted within their communities and traditional territory. Indigenous communities have the right and responsibility to develop a common vision on how research is to occur within their region, ensuring that research will not be used to their detriment. (A good example is available through ACUNS, *Ethical Principles for the Conduct of Research in the North,* available online, and listed in the references section).

Best Practices for a Collaborative Research Process
a. The project is to be led by partners, the Researcher and Community Member, who together may have an initial idea for a research project.
b. This idea is approved by the Indigenous community (see h. above) through an established process.
c. A working group is established, comprised of the project leads and appropriate community members.

The working group has responsibility to develop the terms of the research project at the outset, including the following:

- Setting goals and objectives for the project;
- Discussing how funding is going to be allocated and by whom (academic institutions and funding agencies have various funding restrictions and requirements that need to be openly shared and discussed);
- Developing appropriate data collection methods (surveys, interviews, focus groups, etc.) and assisting with question development (to ensure the questions will be clearly worded and understandable);
- Identifying how to begin the research process in the community and any inclusion of cultural elements;
- Determining who will be involved in collecting data (working group, local community members, graduate students, etc.);
- Discussing and creating an agreement on the use (or not) of Traditional Knowledge, how/if it will be gathered, how it will be used and who will use it;
- Determining how any information being gathered will be used, who has ownership and authority over the data's use;
- Determining "authorship" and how information will be shared

d. Once these elements have been discussed and agreed upon, data collection will begin. Once the data has been collected, the working group will:

- Assist with interpretation of results
- Validate findings
- Identify areas missed in the current project and what might be needed in future studies
- Help determine how best to share results both with the community [however that is defined] and with academic audiences
- Participate in dissemination of results, both academic (through writing of academic papers and presentations) and other as deemed required and necessary.

Broader recommendations for Tri Council funding of research with Indigenous communities

Currently, research involving humans is evaluated in each Canadian university by the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans, or "TCPS 2 (2014)" and in particular, if research involves Indigenous people, is further evaluated by guidelines in Chapter 9. In addition to their university, health researchers must also have approval from hospital or integrated health network boards; often, First Nation Reserves have similar approval mechanisms in place for health related research. If all research is to move us towards Truth and Reconciliation, then all research, regardless of whether it involves humans or not, but which takes place on Reserve, Traditional Lands, or Traditional Territories, should be required to have approval from both the university and from the Indigenous group(s) involved (First Nations, Inuit and Metis). This approval should be in place prior to funding being released. In so doing, we are recognizing the Indigenous worldview that holds all elements in relation to one another. We are acknowledging a different way of knowing and being on the land, and in so doing, are finally, fully recognizing and respecting the way of life of the people that have always lived here. All researchers working in the north have been guided and/or required to do this since the late 1980s (see ACUNS, 2003, *Ethical Principles for the Conduct of Research in the North*, page 8). It is time for these requirements to extend throughout Canada.

References

ACUNS (Association of Canadian Universities for Northern Studies), 2003. *Ethical Principles for the Conduct of Research in the North*. Ottawa, Ontario. Available online: https://www.nri.nu.ca/licensing-resources

Booth, A., and Halseth, G. 2011. Why the public thinks natural resources public participation processes fail: A case study of British Columbia communities. Land Use Policy 28: 898-906.

Caine, K.J., and N. Krogman. 2010. Powerful or just plain power-full? a power analysis of Impact and Benefit Agreements in Canada's North. Organization and Environment 23: 76-98.

Craik, N., Gardner, H., and McCarthy, D. 2017. Indigenous-corporate private governance and legitimacy: Lessons learned from impact and benefit agreements. Resources Policy 52: 379-388.

Cook, J.M. (2019). How to do a territorial acknowledgment. *Folio*. Accessed at https://www.folio.ca/how-to-do-a-territorial-acknowledgment/ February 1, 2019.

Davidson-Hunt, I.J., and O'Flaherty, R.M. 2007. Researchers, Indigenous peoples, and place-based learning communities. Society and Natural Resources 20: 291-305.

King, H. (2019). 'I regret it': Hayden King on writing Ryerson University's territorial acknowledgement. CBC Radio – Unreserved. https://www.cbc.ca/radio/unreserved/redrawing-the-lines-1.4973363/i-regret-it-hayden-king-on-writing-ryerson-university-s-territorial-acknowledgement-1.4973371. Accessed February 1, 2019.

ITK and NRI. (2006). *Negotiating Research Relationships with Inuit Communities: A Guide for Researchers*. Scot Nickels, Jamal Shirley, and Gita Laidler (eds). Inuit Tapiriit Kanatami and Nunavut Research Institute: Ottawa and Iqaluit. 25 pp. Available online: https://www.nri.nu.ca/licensing-resources

Koster, R., Lemelin, R.H. and Baccar, K. 2012. Moving from research ON, to research WITH and FOR Indigenous communities: A critical reflection on community-based participatory research. Canadian Geographer. 56: 195-210.

Kovach, M. 2005. Emerging from the margins: Indigenous methodologies. In Research as resistance: Critical, Indigenous and anti-oppressive approaches, ed. L. Brown and S. Strega. Toronto, ON: Canadian Scholars Press/Women's Press, 19-36. http://www.scribd.com/doc/27360298/1/Margaret-Kovach1.

Kovach, M. 2009. Indigenous methodologies: Characteristics, conversations, and contexts. Toronto, ON: University of Toronto Press.

Kunkel, T. 2017. Aboriginal values and resource development in Native Space: Lessons from British Columbia. The Extractive Industries and Society 4: 6-14.

Larose, D. 2009. Adapting to change, perceptions and knowledges in the involvement of Aboriginal peoples in forest management: A case study with Lac Seul First Nation. MSc Forestry thesis, Lakehead University.

LeBlanc, J., McLaren, B., Pereira, C., Bell, M. and Atlookan, S., 2011. First Nations moose hunt in Ontario: A community's perspectives and reflections. Alces 47: 163-174.

Lertzman, D.A., and Vredenburg, H. 2005. Indigenous peoples, resource extraction and sustainable development: An ethical approach. *Journal of Business Ethics* 56: 239-254.

Louis, R. 2007. Can you hear us now? Voices from the margin: Using Indigenous methodologies in geographic research. Geographical Research 45(2): 130-139.

Murphy, M., and Arenas, D. 2010. Through indigenous lenses: Cross-sector collaborations with fringe stakeholders. *Journal of Business Ethics* 94: 103-121.

Napoleon, V. 2007. Thinking about Indigenous legal orders. Research Paper for the
National Centre for First Nations Governance. June, 2007.

Peterson St-Laurent, G., and Le Billon, P. 2015. Staking claims and shaking hands: Impact and benefit agreements as a technology of government in the mining sector. Extractive Industries and Society 2: 590-602.

Roness, L.A., and McNeil, K. 2000. Legalizing oral history: Proving Aboriginal claims in Canadian courts. Journal of the West 39:6 6-74.

Rowe, J.S. 2002. Home Place: Essays on Ecology. NeWest Press, Edmonton. 245 pages.

Smith, L. 1999. Decolonizing methodologies: Research and Indigenous Peoples.
 Dunedin, NZ: University of Otago Press.

Spiro Mabee, H., and Hoberg, G. 2006. Equal partners? Assessing co-management of forest
resources in Clayoquot Sound. Society and Natural Resources 19: 875-888.

Tobias, T. 2000. Chief Kerry's Moose: A guidebook to land use and occupancy mapping, research design and data collection. A joint publication of the Union of BC Indian Chiefs and Ecotrust Canada.

Wilson, S. 2008. Research is ceremony: Indigenous research methods. Halifax, NS: Fernwood Publishers.

Wyatt, S., Fortier, J.-F., Natcher, D.C., Smith, M.A., Hébert, M. 2013. Collaboration between Aboriginal peoples and the Canadian forest sector: A typology of arrangements for establishing control and determining benefits of forestlands. Journal of Environmental Management 115: 21-31.