CHALLENGING THE DEFICIT PARADIGM: GROUNDS FOR OPTIMISM AMONG FIRST NATIONS IN CANADA

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Abstract / Résumé

In contrast to the deficit paradigm's view of First Nations as victims beset with numerous problems, we focus on positive developments for First Nations in Canada since the 1969 White Paper. Four areas are examined: self-government, organizational capacity, structures of opportunity, and resistance to oppression. A profound transformation of the First Nation sociological landscape is observed as First Nation interests have become vested in the Canadian state, marginalization has diminished substantially, and structures of opportunity have opened.

Le paradigme de la faiblesse renvoie aux nombreux problèmes des Premières Nations; ici, on examine plutôt les développements positifs affectant les Premières Nations depuis le dévoilement du Livre Blanc en 1969. Quatre sujets sont examinés: l'auto-gestion, l'augmentation de la capacité d'organisation des autochtones, le perspectives d'avenir, et la résistance à l'oppression. On constate une transformation profonde; les interêts des Premières Nations ont été institutionalisés dans l'Etat canadien, la marginalisation a largement diminué, et les perspectives d'avenir se sont améliorées.

Today, as you are my witness, the Nisga'a canoe returns to the Nass River. It has a cargo—a cargo of hope and reconciliation.

Dr. Joseph Gosnell, Nisga'a Nation
at the initialing of the Nisga'a Treaty, August 4, 1998

Introduction

The purpose of this article is to identify positive developments for First Nations in Canada in the three decades since the Canadian federal government's 1969 landmark "white" paper on Indian policy.[1] This is not a theory-testing endeavour. Nor is explanation part of our mandate here, for space limitations preclude explanation and commentary. Instead, our underlying purpose is to counter stereotypes and to offer encouragement about the state of affairs in Canadian First Nation communities for students, community practitioners, educators, and a more diffuse public. We hope to counter despair, pessimism, fatalistic resignation, "compassion fatigue", and the self-fulfilling prophecies that can arise from them. Our emphasis will be squarely on positive developments for First Nations, although many of the points made are also applicable to the Métis and Inuit people. We shall focus on grounds for optimism in four areas: self-government, organizational capacity, structures of opportunity, and resistance to oppression.

Notwithstanding accounts of resistance (Haig-Brown, 1988), what might be called a "deficit paradigm"—a focus on the woes, conflicts, and other problems of First Nations and on their status as victims—has been very prominent in much social science treatment of First Nations. Examples include the work of Driben and Trudeau (1983), Shkilnyk (1985), Francis (1992), and Boldt's (1993) thesis of cultural crisis and abdication of leadership. Even the reports of the Royal Commission on Aboriginal Peoples are imbued with a vocabulary of crisis, such as in the special report on suicide (1995).

The emphasis on the deficit paradigm is probably due to a variety of factors. One might speculate that these would include the vast disparities between the socio-economic realities (e.g., poverty and racism) experienced by much of the First Nation population and the egalitarian ideals (e.g., Pierre Trudeau's "just society") of the larger Canadian population. The persistence of some stereotypes of First Nations individuals and the claims to victimization made by First Nation political leaders are also relevant here. Further contributing factors would likely be the dominance of small-1 liberalism in the Supreme Court of Canada and in certain mass media, and

the slowness of the Department of Indian Affairs and Northern Development in relinquishing its colonial approach to the administration of First Nations.

Although many of the changes identified herein constitute evidence of a loosening of the colonial grip, we shall resist the temptation to cast this piece as an essay on decolonization. Simply stated, the changes in the sociological situation of First Nations during the last third of the 20th century are so diverse as to defy a single organizing theme. Even our focus on self-government, organizational capacity, resistance, and structures of opportunity omits dozens of noteworthy positive changes that do not bear on those foci.

Admittedly, any holistic attempt to portray the prospects of First Nations would have to take into account a litany of problems and obstacles such as: the colonial and paternalistic *Indian Act*, under funding, scant political will among non-Native politicians, racism among some non-Natives, the quality and type of education delivered, escapist behaviours and other impacts of the residential schools, geographic isolation, rampant unemployment, and generalized community distrust. In our view, such problems and obstacles have received ample attention in the literature.

In our experience in university classrooms, positive aspects of the situation of First Nation individuals and collectivities are too readily overshadowed by such negative aspects as those above. Often the result is that unduly pessimistic impressions come to prevail among First Nation individuals and non-Natives alike, which raises the spectre of hopelessness and perpetuation of the worst aspects of the status quo. We seek to combat that here. Hence, we eschew any attempt to achieve "balance" in our coverage or even to provide an overall assessment of the net effect or probable net outcome of the interplay between the positive developments identified here and countervailing forces. Such a net assessment would involve a complex causal analysis, including weighting of various causal factors, that is beyond the scope of this paper.

As noted, the list of points cited below as grounds for optimism is not exhaustive. Rather, it is a starting point which, one might hope, will look strikingly modest from the vantage point of a third of a century from now.

Two of our focal interests—"organizational capacity" and "structures of opportunity"—perhaps require some explanation. " Organizational capacity" is a broad term used here to refer not merely to the ability of a population to create organizations, but also to the ability of those organizations to thrive. Organizational capacity in the sense of the ability to thrive refers to the degree to which an organization is structured, resourced, staffed, and led so as to maximize both the attainment of its goals and the healthy functioning of organizational units and their members.[2] Sociologists (Kal-

len, 1982) emphasize the importance of ethnic groups building such organizational capacity. Indeed, Ponting (1991) advocated over a decade ago that one of the fundamental goals of Indian policy should be to build up the organizational capacity of First Nations. Similarly, for the success of Aboriginal governments, The Royal Commission on Aboriginal Peoples (1996a) assessed capacity-building as being as important as legitimacy, power, and resources.

As used here, the term "opportunity structures" refers not only to the chance of enjoying a favourable quality of life, but also to the relative ease or difficulty in experiencing upward social or economic mobility and in getting gratifying employment with adequate remuneration and chances of advancement.

To conclude this introduction, a word about value biases is in order. Terms such as "optimism", "encouraging", "positive", "progress", and their opposites, are necessarily subjective. Their usage in this article is based on a bias that positively values the opening of opportunity structures for First Nation individuals, the increased empowerment and self-determination of First Nation individuals and collectivities, the elimination of sociological and social psychological dysfunction, and the enhancement of mutual respect between First Nation individuals and individuals from the larger society.

Demographic Context

The substantial changes in First Nations' organizational capacity have been possible in part because the First Nation population is no longer in a state of demographic crisis. Fundamental demographic transformations have already occurred or are under way in the First Nation population (see Waldram, Herring and Young, 1998; Nault et al., 1993; Loh, 1995). The infant mortality rate, that brutally succinct indicator of Third World status, has plunged from its earlier scandalously high levels, to the point where it has now almost converged with that of the larger Canadian population. Similarly, life expectancy levels of First Nation individuals have increased greatly, such that the gap of about 11 years in 1975 vis-à-vis the larger Canadian society narrowed to 7 years by 1995 (Department of Indian Affairs and Northern Development, 1997). At a base level, this, in and of itself, is an indication of the expansion of opportunity. The First Nation population has undergone the so-called "demographic transition", from high fertility and mortality rates, to low fertility and mortality rates, albeit not as low as those of the larger Canadian population.[3] The First Nation baby boom is over now and those lower fertility rates translate into a greater availability

of First Nation women to take advantage of opening structures of opportunity.

The First Nation population has grown dramatically, because of such factors as the baby boom, Bill C-31[4] and improvements in health care and standard of living. Moderate growth projections call for it to reach almost 900,000 by the year 2015 (Nault *et al.*, 1993). The disappearance of the First Nation population, an implicit goal of the 1969 White Paper, is simply not going to happen. Indeed, the First Nation population has amassed some political and economic "clout" by virtue of its numbers in some political constituencies and local economies. Furthermore, the population increase is giving rise to certain economies of scale (e.g., in service delivery), is creating more viable home markets for First Nation entrepreneurs, and is even making it possible for serious consideration to be given to the "community of interest" model (Royal Commission on Aboriginal Peoples, 1996b:584-587) of self-government in various off-Reserve communities.

The shape of the First Nation population pyramid is undergoing a pronounced rectangularization (Ponting, 1997). This means that the youth dependency ratio—the ratio of persons under age 15 to the population aged 15-64—is declining dramatically (from 1.04 in 1966 to .49 in 1995 and a projected .39 in the year 2015). This can be a significant contributor to an increase in the standard of living of First Nation families. For instance, whereas the broad base of the First Nation population pyramid of an earlier era depressed female labour force participation rates, female labour force participation can be expected to increase with rectangularization of the population pyramid.

Migration data reveal a small-scale reversal of the earlier population drain from the Reserves (Clatworthy, 1995). That is, notwithstanding the fact that over forty percent of the First Nation population lives off-Reserve, there is now a small net in-flow of Registered Indian migrants to the Reserves from the large cities, from the small cities, and from the rural off-Reserve areas, respectively. As with population growth based on natural increase, this is heartening from several standpoints related to the notion of "critical mass" or minimum population size needed to sustain certain organizations and activities. That is, in-migration is good news for on-Reserve entrepreneurs and it also offers an economy of scale in the per capita cost of service delivered by First Nation governments on-Reserve. It also contributes to an increase in the institutional completeness of on-Reserve communities. In-migration is also welcome news from a human capital perspective, in that it contributes to cultural preservation, especially language retention. Data from Statistics Canada's 1991 Aboriginal Population Survey (APS) clearly show Reserves to be an incubator for First Nation

languages; language retention rates are significantly higher on-Reserve than off-Reserve.[5]

Migration data compiled by Clatworthy also contradict any stereotype of First Nation individuals as highly transient (Clatworthy, 1995). An annual average of only about 4% of the entire Registered Indian population would be classified as migrants (as opposed to "non-migrant movers"—those who change residence within the same community or narrowly defined geographic area) during the 1986-91 period, according to the 1991 APS, and only 2% of the Registered Indian population reported more than one change of residence in the twelve months prior to the 1991 APS. Hence, there is much more continuity in the social environment of First Nation individuals, families, and organizations than many casual observers might have assumed. The data reveal that only the off-Reserve population can be considered to be in a high state of flux (*Ibid*:55).

Human Capital Development and Healing

Human capital theory holds that deficiencies in the skills and aptitudes required by advanced industrial and post-industrial economies contribute in a major way to the high rates of unemployment experienced by First Nation individuals. Otherwise stated in terms of our focal themes, deficiencies in human capital constrict the opportunities available to First Nation individuals and limit the organizational capacity of First Nation governments and other First Nation organizations in civil society. However, various indicators demonstrate that there have been enormous gains in human capital in the First Nation population. We turn to these momentarily. The significance of that data is that we are now seeing the emergence of a class of First Nation worker who possess the analytical and other skills needed by government and by other organizations which operate in the complex, contemporary world. The pool of human capital is deepening and First Nation individuals are becoming better equipped to take advantage of job opportunities that arise on- or off-Reserve.

With a majority (57% in 1996-97) of First Nation elementary and secondary students now enrolled in Band-operated schools (Department of Indian Affairs and Northern Development, 1998), with the hiring of qualified First Nation individuals as teachers, and with the incorporation of Elders into the formal education of the children, school drop-out/push-out rates have declined dramatically. For instance, the proportion of on-Reserve students remaining in school until Grade 12 (or 13) for consecutive years of schooling increased from 3% to 75% over the thirty-three year period ending in the 1996-97 academic year (*Ibid*:31). The participation rate of First Nation individuals in post-secondary schooling has also experi-

enced a pronounced increase such that the gap between First Nations and the larger Canadian population has narrowed significantly; for the population aged 17-34, the post-secondary participation rate for First Nation individuals in 1996 was 6.9%, while for the total Canadian population the rate was 11.0% (*Ibid*:33). For that same age group, the university enrolment rate was 3.7% for First Nations, while the rate for all Canadians was 6.6%.[6] It has become commonplace for First Nation university students to express the desire to complete their programme of studies in order to help their community or their people more broadly speaking. Now that a generation of First Nation individuals has surmounted the post-secondary wall and is available as role models to First Nation youths, those youths are more likely than before to regard university and other post secondary institutions as a viable option for themselves. The "intimidation factor" has diminished considerably.

Other educational attainment data are also heartening. The 1996 Census identified 13,085 First Nation individuals holding at least one university degree[7] and degree holders from the seventy-seven non-enumerated Reserves would be in addition to that. In 1996 alone, over 3,900 First Nation individuals graduated from post-secondary institutions, including over 1,400 with baccalaureate degrees and over 200 with post-baccalaureate degrees (Department of Indian Affairs and Northern Development, 1997). In the ten years from 1988 to 1997, the number of Registered Indian (and Inuit) people enrolled in all post-secondary institutions almost doubled from 14,242 to 27,487 (*Ibid*:32). Over a quarter of the on-Reserve First Nation population aged 15-49 and almost forty percent of the off-Reserve First Nation population, as compared to half the total Canadian population, had at least some post-secondary education, according to the 1991 APS (Statistics Canada, 1993b).

The distribution of First Nation students across post-secondary disciplines is also changing in a positive manner, in that there is proportionately less clustering in social work and education and more representation across a wide variety of fields. These trends augur well for the future, regardless of whether the graduates of these programmes find employment in on-Reserve communities or, conversely, enter the off-Reserve economy where their involvement will challenge prevailing stereotypes.

Healing initiatives are also vital to the development of human capital in First Nation communities. Opportunities can become available, but those First Nation individuals in need of major healing might be unable to take lasting advantage of those opportunities in the absence of healing programmes. The fact that the recommendations of the Royal Commission on Aboriginal Peoples[8] reflected the acute need for healing initiatives and

provided empowering examples of communities (e.g., Alkali Lake, Hollow Water, Uashat mak Mani-Utenam) that have developed successful models of collective and individual healing, is very important. So, too, is the $350 million which the federal government, acting in response to the Royal Commission, made available for healing initiatives.[9] While very small in comparison, the $1.25 million Reconciliation, Solidarity, and Communion fund established by the Roman Catholic Church[10] in 1998 and the even smaller Healing and Reconciliation Fund of the Anglican Church[11] are signs that the churches are coming to recognize that words are not enough in addressing the violation of Native children in residential schools.

An encouraging development in the healing process is that both individuals and representative organizations have acknowledged the abuse and have committed themselves to monitoring the progress of various healing initiatives. The courageous disclosures of individuals have given others the strength to break the silence that has surrounded abuse in residential schools, in families, and elsewhere. While the federal government's statement of regret for abuses of the residential schools falls far short of the apology that some sought, for some residential school abuse victims it probably does provide external validation and recognition of the pain they endured. Further empowerment, healing,[12] validation, and vindication will come for many from their decision to pursue their abusers in the courts, as thousands of individuals have done.[13]

No single approach to healing will be sufficient or appropriate for all First Nation individuals who suffered abuse related to the residential schools. Nevertheless, many First Nation individuals and communities are returning to traditional healing practices involving the Elders, healing circles, smudging, sweat lodges, the medicine wheel, etc. This is a positive development, for it offers individuals a spiritual connection to their cultural roots and to an extensive, holistically integrated world view and system of meanings.

"Women's issues"—primarily issues of child care, community programming, and family violence—are also beginning to be addressed. Child care facilities are being built on many Reserves, which allows women to attend school or work. Programs that assist women and families are appearing in the community. For example, distance learning programs help Aboriginal people gain educational credentials without having to leave their communities. Programs such as Aboriginal Headstart have been implemented to assist Aboriginal children with educational school readiness (Voyageur, 1995). Further, family violence—a once taboo topic—is now the subject of frequent and well-attended conferences.

Whether healing be in response to the injuries inflicted by family violence, residential schools, racism, poor parenting, or something else, it can often increase an individual's self-esteem, personal pride, and/or cultural pride. These, too, are important gains in human capital, as is the role-modeling which people in the healing process can provide to others. In addition, as healing progresses, wounded individuals no longer feel that they must hide their problems and suffer internally.

Human capital is augmented by infrastructure improvements made on-Reserve. For instance, electrification is now nearly universal on-Reserve, three-quarters of the population has flush toilets, and housing conditions have improved markedly even though a housing shortage still exists (Ponting, 1997). These infrastructure improvements have a positive impact on the health of Reserve residents, particularly in decreasing the likelihood of the spread of communicable diseases.

Human capital is also augmented by cultural revitalization. Notwithstanding claims made in some quarters (Boldt, 1993) of a cultural crisis among First Nations, a compelling case can also be made that a veritable cultural renaissance swept over First Nation communities in the last third of the 20th century (Ponting, 1997). The various dimensions of that renaissance include: concerted efforts at language preservation and language training; repatriation of artifacts from museums (Bell, 1995); the flourishing of First Nation artists and authors; renewed respect for the Elders (Meili, 1991); reclamation of traditional songs, dances, stories, and drumming; deep spiritual development and re-discovery; and control over an increasing number of media outlets. Clearly, First Nation people are reclaiming their voice. Furthermore, being more firmly grounded in the cultural traditions of their staff and clientele offers increased strength and meaning to First Nation governments and other First Nation organizations.

In concluding this section on healing and human capital development, it is important that we maintain perspective on conditions in First Nation communities, on-Reserve and off-Reserve. Let us remember that even among those persons subjected to the trauma and hardships of residential schools, family violence, etc., some have derived strength and not vulnerability from the experience. Furthermore, as a student once remarked about the government's and churches' efforts at cultural genocide, "They left a spark of the fire and we have built upon that."

Economic and Employment Development

First Nation communities and individuals are exhibiting significant progress in throwing off the yoke of colonialism, through safeguarding some aspects of the traditional economy and through participation in the economy

of the larger society. The so-called "Kamloops Amendment" (Bill C-115) to the *Indian Act* in 1988 is a legislative change that facilitates participation of non-Indian actors in on-Reserve economic development. This expands employment opportunities for on-Reserve members.[14] It provides for the leasehold surrender of designated Reserve land to non-Natives for economic development under conditions considered more reasonable to banks than the *Indian Act* had previously contained. That is, the leasehold interest can be seized pursuant to sec. 89 (1.1) of the *Indian Act* and can thus be used as collateral for a loan or mortgage. The Kamloops Amendment also allows for Bands to tax non-Native businesses on designated lands with obvious consequent advantage to Band governments.

The creation of First Nation banking institutions is another very positive development. Peace Hills Trust Company was created by the oil-rich Hobbema bands in Alberta and the First Nations Bank of Canada was formed as a partnership between the Saskatchewan Indian Equity Foundation and the Toronto Dominion Bank. These First Nation controlled institutions increase the likelihood that capital will circulate in First Nation hands, rather than leaving First Nation communities without providing ripple effect benefits to First Nations. In theory, the emergence of such financial institutions also increases the likelihood that First Nation organizations will have access to the financial resources which they need to expand. Unfortunately, these lending institutions are too new for any systematic empirical data to be available to substantiate this assertion.

The mainstream banks have finally discovered that First Nation individuals and corporations have money. This increases the availability of capital in First Nation communities. Banks are also becoming more involved in First Nation communities and institutions. For instance, banks are establishing Aboriginal banking departments, advertising in Aboriginal newspapers and periodicals, providing financial support for such institutions as the Banff School of Management's Aboriginal Leadership Program (on-going from the Canadian Imperial Bank of Commerce), and funding some First Nation ventures that would not have been funded in the past. One result is a degree of de-marginalization of the First Nation community *vis-à-vis* the mainstream economy. The latter is illustrated by the proactive campaign of a vice-president of The Royal Bank of Canada who, in the late 1990s, made frequent speeches to business audiences in an attempt to get them involved in business opportunities in First Nation and other Aboriginal communities. Such involvement also offers employment opportunities for First Nation individuals.

Land claim settlements also emphasize the creation of economic development opportunities. For instance, the 1975 James Bay and North-

ern Quebec Agreement not only provided a guaranteed income for persons engaged in the traditional trapping economy, but also provided the capital that led to the creation of such modern corporate entities as Air Creebec. Similarly, in British Columbia, the Nisga'a Treaty provided for a $10 million government contribution to a fisheries conservation trust and an $11.5 million contribution to enable the Nisga'a Central Government to increase its capacity, in the form of licences and/or vessels, to participate in the west coast commercial fishery.

First Nation organizations are now managing the bulk (83%) of the over $4 billion annual budget of the Indian and Inuit Affairs Program of the federal Department of Indian Affairs and Northern Development (DIAND). The administration of those funds, even when constrained by DIAND's policies and procedures, provides valuable experience for First Nation organizations. In contrast to stereotypes of First Nation people as being unable to manage money, only about one fifth of Band administrations receive a failing audit, according to the Assembly of First Nations.

First Nation professional careers and entrepreneurship, including women's, are burgeoning (Wuttunne, 1992; Elias, 1995). Industry Canada's website reports the existence of over twenty thousand Aboriginal-owned businesses (including Métis and Inuit owners) as of early 1999. Similarly, Aboriginal professionals and players in various sectors of the economy are organizing to identify and pursue common interests through professional and industry associations like the Council for the Advancement of Native Development Officers, the Indigenous Bar Association of Canada, the Calgary Aboriginal Professionals Association, The Indian and Inuit Nurses Association of Canada, the Native Investment and Trade Association, and the National Aboriginal Forestry Association, to cite just a few. Such professional associations offer benefits (e.g., networking, professional development workshops) likely to accrue to the organizations in which those members work, thereby enhancing their organizational capacity.

Collectively-owned economic ventures are also flourishing in various First Nation communities. One spectacular example is Casino Rama, which is owned by the Chippewas of Rama First Nation near Orillia, Ontario. It has become a major player in the off-Reserve economy of the district. Employment opportunities created at the casino itself include such jobs as dealer, pit boss, change-maker, security staff, valet parking attendant, limousine chauffeur, food-server, chef, "busboy", accountant, marketing and public relations specialists, employee relations officer, groundskeeper, electrician, maintenance worker, clerk, receptionist, buyer, receiving dock worker, and special events promoter. Other examples of collectively-owned First Nation enterprises abound, especially in the tourism/recreation indus-

try. Indeed, cultural tourism and eco-tourism hold considerable promise for expansion of opportunities for enterprising First Nations who can tap the eager western European and Japanese markets.

An employment development initiative which also offers some hope for expansion of opportunity structures is employment equity. While Voyageur's (1997) analysis of federal data collected pursuant to the *Employment Equity Act* and the contract compliance programme shows that this initiative is no panacea and has important shortcomings, the picture is by no means entirely gloomy. For instance, employment of Aboriginal people under the program grew substantially (a 78% increase over the initial 3,862 employees in 1987) during the first nine years of implementation of these initiatives and Aboriginal people were less likely than the other target groups to be laid off during the economic recession. Furthermore, over the nine reporting years, both Aboriginal men and Aboriginal women exhibited a slight proportionate increase in the so-called "good jobs"—those in the managerial, professional, supervisory, semi-professional/technical, and foreman/forewoman categories. That is, in 1995, over one-fifth of the Aboriginal full-time labour force in the firms covered by the federal *Employment Equity Act* consisted of females in "good jobs" and almost a quarter consisted of males in "good jobs" (*Ibid*:121-122). The job category exhibiting the greatest growth over the nine years for Aboriginal females was managerial occupations.

Some First Nations have locational advantages that have yielded economic opportunities. For instance, windfall revenues from natural resources have accrued to a small number of First Nations who have used those revenues to diversify the local economy, up-grade physical infrastructure, improve social and educational services, fund political initiatives, etc. Some others, such as the Mohawks of Kahnawake near Montreal and the Tsuu T'ina Nation adjacent to Calgary, are situated close to the large markets of major urban areas and have taken advantage of the retail, real estate, or recreational opportunities inherent in their situation.

Trust and Responsibility

If trust is the glue or cement of society, the taking-on of responsibility can be considered the seminal element in organizational life. A refrain which winds through political discourse, through reports by First Nation researchers such as Dion Stout (1997) and through retrospectives by First Nation leaders (Monture-Angus, 1997; Crowfoot, 1997) is the need for First Nation people to strengthen and "buy into" an ethic of personal responsibility—the need to reject the colonial mindset of the paternalistic *Indian Act* regime. The recognition of that need and the willingness to reject the

security of dependency and to take risks for individual and community development are much more in evidence today than even twenty years ago. Examples are to be found in various forms of direct relevance to our focal themes. These examples include self-government initiatives (e.g., the Manitoba agreement to have First Nations take over the responsibilities of DIAND), individuals' decisions to pursue advanced education even when criticized within their own community for doing so, and individuals' challenges to local First Nation politicians whom they believe to be corrupt.

Strater Crowfoot of the Siksika Nation in Alberta, is an example of a First Nation leader who has challenged nepotism and colonial modes of thinking within First Nation communities:

> [W]e need a paradigm shift in our thinking, away from the cynical, defensive, dependent, entitlement mindset that has been inculcated in us under the colonial *Indian Act* regime, and toward a more trusting, assertively proactive, persevering, visionary, affirming, meritocratic, and inclusive orientation... If First Nations do not experience a drastic shift in leadership and followership... our very future as First Nations will be jeopardized... (*Ibid*:323).

This strikes to the heart of our concern with organizational capacity, opportunity, and self-government, for nepotistic regimes deny opportunity to qualified individuals whose skills could help boost the organizational capacity of First Nation government organizations.

Trust is an issue raised by Crowfoot in his call for a paradigm shift in First Nation thinking. Trust is also a form of social capital which facilitates risk-taking and combats the cynicism which Crowfoot attacked. Trust, whether it be in individuals or institutions, is a fundamental building block in any human community. It is the glue of social life and the lubricant of the co-operative relations that are part of community development and organizational performance. Trust begets trust, because trust begets co-operation which, in turn can augment trust; the causal arrows are reciprocal. Without trust, some would say, there can be no hope.

There are many reasons why some First Nation communities have been characterized by a generalized sense of distrust. These include the example of the larger society, the residential school experience, the betrayal of the spirit of the treaties by the federal government, strategies of favouritism and of "divide and conquer" pursued by Indian agents, nepotism and abuse of power by First Nation politicians, dysfunctional families, rumour and gossip, conditions and a mindset of scarcity, and others.

Are there grounds for predicting that the stock of trust within First Nation communities will increase? The very fact that some of the causal factors in

the previous paragraph are eroding, is grounds for optimism. Similarly, the mere fact that trust is receiving greater attention in the larger society, such as in the works of Barber (1983), Fukuyama (1995), Govier (1997), and others, is another ground for optimism. Just as mechanical technology diffuses, so, too, do ideologies and social technologies. As the literature on trust-building strategies grows, we can expect its influence to reach into First Nation communities. In addition, in self-government negotiations, the Government of Canada's emphasis on transparency and accountability to the grassroots First Nation population will likely yield fruit in the form of enhanced levels of trust within those communities. Increased trust is already in evidence in the operations of various organizational entities in First Nation governments and in civil society. Examples here include tribal councils formed by multiple Bands, justice committees and sentencing circles within First Nation communities, and Aboriginal professional and trade associations. The increased acceptance of First Nation businesses and professionals within First Nation communities is another sign of growing trust. Of particular importance is the fact that in many First Nation communities Elders are receiving much more respect and their wisdom is being more frequently sought. Rooted as it is in their history of their people since time immemorial, Elders' imparted wisdom is likely to prescribe behaviours and mindsets which enhance community integration and trust-building.

The role of women in First Nation communities also provides solid ground for optimism. In many, perhaps most, First Nation communities (e.g., the Lubicon Cree studied by Brown [1996]), it is the women who have been the pivotal actors who are largely responsible for the community's survival through a dark era of clashing cultural and economic systems in which the men have been stripped of some of their most important roles. It is on the women that such communities' prospects for healing, survival, and development largely depend. Across Canada the late 20th century witnessed a reassertion of agency on the part of First Nation women, as they organized to resist violence and paternalism and to more assertively pursue their and their families' needs through taking on responsibility at the level of the family and the community and beyond to the national and even the international arena. Fiske (1990) provides one such case study. Women are now taking an overtly active political role and many have pursued elected political office at the local level and beyond (e.g., women elected as Chief or councilor, the candidacies of Delia Opekekiw and Wendy Grant for the leadership of the Assembly of First Nations) (Voyageur, 2000).

Politics and Policy

Various First Nation individuals have been elected as Members of Parliament (e.g., Ethel Blondin, Elijah Harper, Willie Littlechild, Jeannie Marie Jewel, Nellie Cornoyea) or appointed as senators (the late Len Marchand and the late Walter Twinn). They are not the only Aboriginal parliamentarians. These individuals are able to inject Aboriginal perspectives into caucus debate, and bring insights into the functioning of the larger polity back to their people.

Some major policy and legislative victories can be credited to First Nations. Among those perhaps most relevant to our themes of self-government, organizational capacity, and creation of opportunity have been the comprehensive land claims policy, settlements, and implementing legislation. While these certainly fall far short of First Nation leaders' demands, they have been a major stimulus for self-government and have yielded major benefits for First Nations and, in the case of Nunavut, for other Aboriginal people. Take, for instance, the Nisga'a treaty of 1998. Among many other positive features, it provides an estimated $196 million (in 1999 dollars) in compensation,[15] recognizes Nisga'a ownership of all mineral resources on or under Nisga'a lands, recognizes Nisga'a entitlement to a guaranteed share of the harvest of salmon and other marine and wildlife species, guarantees a specified volume of flow from the Nass River for Nisga'a uses, recognizes Nisga'a legal jurisdiction over Nisga'a children, repatriates various Nisga'a artifacts from the provincial and federal museums, and protects certain Nisga'a sites under the provincial *Heritage and Conservation Act*. Highly significant, also, is the considerable political will demonstrated by the then-Premier of British Columbia, Glen Clark, in proceeding with the treaty despite considerable vocal opposition from many high-profile non-Natives in British Columbia. For a century the Government of British Columbia had refused to negotiate unextinguished Aboriginal title. Similarly, in the face of the Reform party's concerted attack in the House of Commons (e.g., introduction of over 450 amendments), the Chrétien federal government remained resolute in its determination to pass the enabling legislation for the treaty.

A legislative accomplishment on a much more modest scale is the Sechelt self-government model. It attracted considerable interest from First Nation leaders, despite being roundly denounced by many First Nation politicians at its inception. No model of self-government is appropriate to all First Nations, but the Sechelt model was deemed acceptable by the Sechelt people as a means of lifting from them some of the constraints of the *Indian Act*.

Another policy victory by First Nations is to be found in the various program and structural changes introduced by the federal government to accommodate Aboriginal people. Just a few among dozens of examples demonstrating the expansion of opportunity structures would be the creation of an Aboriginal fishery on the Fraser River and the precedence given to it over the non-Native commercial fishery, the Options for Youth Programme, the creation of "Studio 1" (Aboriginal projects) within the National Film Board, the Public Service Commission's National Indigenous Development Program to improve the representation of Indigenous people at middle and senior levels in the federal public service, the adoption of a preference for Aboriginal suppliers in purchasing by DIAND and other federal departments (the Procurement Strategy for Aboriginal Business), sentencing circles in the criminal justice system (La Prairie, 1992), and the inclusion of Aboriginal people as a designated group in the 1986 *Employment Equity Act* and the related Contract Compliance Programme. The recognition and affirmation of Aboriginal and treaty rights in *The Constitution Act, 1982* might be one of the most important of these structural changes, especially to the extent that the view prevails that this was a tacit recognition of an inherent right to self-government. None of these changes is beyond serious and just criticism from Aboriginal perspectives, but all represent tangible benefits that Aboriginal people did not enjoy prior to the 1969 White Paper and all provide a "foot in the door" for the wider opening of structures of opportunity for First Nation and other Aboriginal people. To the extent that some of these programmes and policies seek to combat systemic discrimination, they are particularly noteworthy sources of optimism.

Other policy accomplishments of First Nations are to be found in the realm of devolution of administrative powers from the federal government to First Nations. Noteworthy examples include the "Indian Control of Indian Education" policy which was launched in 1974, the 1994 agreement to dismantle the Manitoba operations of DIAND and turn DIAND's responsibilities over to the Manitoba First Nation governments,[16] and the 1998 Nova Scotia tripartite education agreement which made the federal, provincial, and First Nation governments equal partners in the education of First Nation students in Nova Scotia.[17]

Some policy victories have been won at the provincial level. Particularly important among these is the change in various provinces' child welfare policy such that when First Nation children must be apprehended, concerted efforts are made to place them in their own community or with other Native foster/adoptive parents, rather than in culturally alien non-Native

homes. Also, some provincial legislation requires that First Nations be notified if First Nation children are apprehended.

The historical period under examination reveals that in their relations with the larger society, First Nations are enmeshed in power relationships that are in a state of flux. That is, the empowerment and disempowerment of First Nations is a phenomenon that can ebb and flow. First Nations encounter much change, some victories, and some setbacks. However, one important implication of that state of flux is that few defeats are irreversible. Another implication is that as First Nations' power becomes institutionalized—as a web of other actors with vested interests in new First Nation power arrangements develops around First Nation interests in a symbiotic relationship—it will be less precarious (Ponting, 1997). With that more solid power base will come an enhanced ability to influence the politics and legislation of the larger society to better take into account First Nations' interests.

Supreme Court Of Canada Decisions

At the time of the 1969 White Paper the prevailing attitude in the federal government of Pierre Trudeau was a social darwinian "survival of the fittest" culture. Neither the human rights of First Nation individuals nor collective Aboriginal rights were recognized and the White Paper sought to terminate the treaties. The leaders of Canadian society, as embodied in the Supreme Court of Canada and the federal cabinet, have come a long, long way since then. This section chronicles some of the landmark court decisions that have been handed down during the decades under examination and that are of most relevance to our focal themes. These include Supreme Court of Canada rulings since the entrenchment of Aboriginal and treaty rights in *The Constitution Act, 1982*.

In 1970, the Supreme Court handed down its decision in the landmark Drybones case.[18] That decision recognized that individual Indians have the same human rights as other Canadians. More specifically, the court found that the section (then Sec.94[b]) of the *Indian Act* which made it an offence for Indians to be intoxicated off-Reserve was a violation of the Canadian Bill of Rights. The rationale was that it denied Indians the "equality before the law" which the Bill of Rights guaranteed, for the offence applied only to Indians and not to other persons. The Bill of Rights, however, was not entrenched in the constitution and the need for constitutional protection of the rights of Indians was demonstrated in1974 when Jeannette Corbierre Lavell and Yvonne Bedard[19] lost their Supreme Court case in which they used the *Bill of Rights* to challenge sex discrimination in the membership provisions of the *Indian Act*. In pursuing the same legal issue, Sandra

Lovelace eventually won her case before a United Nations tribunal, which was an important contributing factor to the recognition of the rights of Aboriginal women in Sec. 35(4) of the amended *Constitution Act, 1982*.

The court's decision in the Calder (also known as the Nishga or Nisga'a) case[20] in 1973 was instrumental in making the federal government recognize Aboriginal rights. A court of Trudeau's intellectual peers had ruled that Aboriginal rights do exist, even though the Nisga'a lost the case on an unrelated technicality—they neglected to obtain the Crown's permission to sue the Crown. That eventually led to the Nisga'a treaty initialed in 1998.

The Court's decision in the 1984 Musqueam (Guerin) decision[21] was another victory for First Nations, for it upheld the federal government's fiduciary (trustee-like) obligation to First Nations. This proved to be a significant incentive for the federal Department of Indian Affairs and Northern Development to curtail its involvement in the day-to-day administration of the affairs of individual First Nations. A corresponding expansion of activities by First Nation governments ensued.

Before the end of the century, the Court's unanimous decision in another British Columbia case, that of Delgamuukw (Gitxsan-Wet'su-wet'en) in 1997,[22] proclaimed that, in the absence of treaties, Aboriginal title to the land is unextinguished and the First Nations are entitled to use such ancestral lands almost entirely as they wish. Furthermore, in what must be seen as a cultural victory for Aboriginal peoples, the Court also ruled in the Delgamuukw case that the lower courts must take into account Aboriginal oral histories. This decision has been a powerful lever for First Nations in land claims negotiations since it was issued.

Earlier Court decisions on the Nowegijick,[23] Simon,[24] Sparrow[25], and Sioui[26] cases, had expounded on, and given an expansive interpretation to, the recognition of "existing Aboriginal and treaty rights" in *The Constitution Act, 1982*. The Court ruled not only that the treaties must be interpreted in a flexible manner that takes into account changes in technology and practice, but also that the treaties must be construed by the courts in a liberal manner with ambiguities resolved in favour of the Aboriginal people, for the honour of the Crown is at stake. The same principles were invoked in the ruling in the 1999 decision in the Donald Marshall Jr. case, where the Court upheld the Mi'kmaq Treaties of 1760-61 and thereby permitted Mi'kmaq and Maliseet fishers to fish out of season, without a licence, and with nets that violate provincial fisheries regulations.[27] The Sioui decision also stipulated that the treaties cannot be unilaterally altered or extinguished by either side, while the Sparrow decision required governments to justify any legislation that has an adverse impact upon Aboriginal rights protected under Section 35 of *The Constitution Act, 1982*.

Another Court decision pertains to justice in criminal trials. In the Williams case of 1998, the Court ruled that prospective jurors may be questioned about their racial views, in order to root out those whose prejudices could destroy the fairness of a criminal trial.[28]

Numerous other lower court decisions have also gone in First Nations' favour, but at time of writing had not been tested before the Supreme Court of Canada.

Much legitimation and recognition of First Nations' grievances, rights, perspectives, etc. has come from court decisions and government policies identified above.

Resistance

The resistance which First Nation people have exhibited to various aspects of colonization down through the generations has received little emphasis in media coverage of Aboriginal affairs, but somewhat more attention from historians and feminist academics in general. For instance, Miller (1996) treats students' and parents' resistance to residential schools in considerable detail. The last third of the 20th century saw considerable resistance in a variety of forms and venues. These included sit-ins, hunger strikes, international lobbying, court injunctions and suits, defiance of court orders, boycotts, blockades, stunting, armed confrontation, unilateral as-sertion of sovereignty, and others. Places like Anicinabe Park (in Kenora, Ont.), Gustafsen Lake, Ipperwash, Restigouche, Old Man River Dam, and, of course, Oka, Kanesatake, and Kahnawake, have become symbols of First Nation resistance to colonialism, as have individuals and groups such as the Warrior Society, the American Indian Movement, Elijah Harper, the James Bay Cree, and the Lubicon Cree. Through varied forms of resis-tance, First Nations have demonstrated the truth of the sociological maxim (Parkin, 1979) that there is a two-way flow of power in relations of subordi-nation-dominance.

First Nation resistance has constrained the federal government's exer-cise of its power in tangible ways (such as the lessons learned through Oka) and has empowered First Nations in the process. The radicalization, actual and potential, of some First Nation youth is part and parcel of this constrain-ing effect. Regrettably, international embarrassment and domestic coercion (violent or non-violent) have been two of the very few tactics that have been successful in creating the political will for genuine change in the minds of non-Native politicians. Yet, the fact that such tactics have accomplished that mustering of political will can be seen as a source of optimism for First Nation people, for First Nations retain the resources to be able to exercise coercive or internationally embarrassing tactics.

Resistance to actual or perceived corruption in local governance has emerged at the grassroots level of various First Nations. Examples include the Stoney Tribe, Ermineskin (Lunman, 1998a), Alexander (*Canadian Press,* 1998), Tsuu T'ina (Lowey, 1998) and Beaver Lake (Lunman, 1998b) First Nations in Alberta and the Poundmaker Nation (Lunman, 1998c) in Saskatchewan, whose administrations have experienced protests by Nation members seeking greater financial accountability among elected leaders. In response, the Assembly of First Nations established a working relationship with the Certified General Accountants Association of Canada to improve accounting standards and develop a related code of ethics for First Nations' local financial management (Alberts, 1998).

Resistance to paternalism and family violence has also emerged more visibly in recent years. One important forum was the Royal Commission on Aboriginal Peoples, where various intervenors came forward not only to critique the colonial roots of some family violence, but also to tell their stories and urge the commissioners to attack the pro-male bias exhibited by many Chiefs and councils on matters of domestic abuse (Stout, 1997). With the organized support of their First Nation sisters, First Nation women have also begun to publicly resist a related pressure from First Nation men—namely the pressure to remain silent on issues of family violence so as not to undermine the drive toward self-government. In place of silence, organizations such as the Native Women's Association of Canada have demanded tighter accountability provisions for Chiefs and councils under self-government, such as through bringing First Nation governments squarely under the jurisdiction of The Canadian Charter of Rights and Freedoms. The Royal commission endorsed their demand, as does the Government of Canada.

Resistance is also facilitated by increased access to information technology and by the growing number of world-wide web sites controlled by First Nation individuals and organizations. Such sites are being used to critique federal policy proposals (e.g., AFN's trenchant critique of DIAND's proposed *Indian Act* revisions in 1996) and generally to give voice to First Nation perspectives (e.g., during episodes of intense conflict such as the stand-off at Gustafsen Lake, B.C.). In a very real sense, information is power. Crawford and Crawford[29] point out that swiftly evolving information and communication technologies and networking infrastructures are already playing an expanding role in supporting the self-determination of peoples and emergent nations. Thus, it is significant that Industry Canada, an arm of the federal government, has launched the Aboriginal Community Access Project to link four hundred First Nation schools to the "information highway". The marriage of computers and telecommunications technology

offers an important resource in combating the disempowering effects of the geographic dispersion of First Nations in Canada.

First Nation and other Aboriginal people are also proclaiming Aboriginal voice in academia, the mass media and other spheres (for example, Perreault and Vance, 1990; Miller and Chuchryk, 1996). In the realm of history (for example see Dickason, 1997; Treaty 7 Elders *et al.*, 1996), literature (e.g., Louise Halfe, Molly Chisaakay, Jeannette Armstrong, Thomas King), feminism (e.g, Janice Acoose/Misko-Kìsikàwihkwè (1995), Joyce Green, Emma LaRocque), entertainment and other fields (e.g., the Aboriginal Achievement Awards) Aboriginal people are now being heard directly, rather than through non-Native intermediaries as was common in the late 1960s.

Self Government

In the preceding pages, we have mentioned various ramifications for self-government which will flow from other social changes, such as constitutional changes and changes in the human capital of the First Nation population. That ground will not be covered again here. Instead, let us first consider here the terms of the discourse surrounding self-government, for the terms of discourse are important to the definition of the situation which eventually comes to prevail as the basis for policy development.

At least three terms in public discourse First Nation matters are particularly important. They are: "First Nation", "inherent right to self-government", and "nation-to-nation" relationship. Some observers might add "third order of government" as a fourth such term. Their importance stems from two facts: they facilitate or augment claims to legitimacy which First Nations make for certain institutional power-sharing arrangements and they define First Nations in collectivistic, rather than individualistic, terms.

The 1969 White Paper enunciated what was essentially a termination policy couched in a discourse of equality, sameness, and individual rights. It called for the atomization of the First Nation population, rather than a strengthening of First Nation collectivities. While *The Constitution Act, 1982* recognized and affirmed Aboriginal rights, the Penner Report (1983) was instrumental in laying the groundwork for putting "meat" on those constitutional "bones" in ways that would involve meaningful power-sharing. Indeed, the Penner Report and the Coolican Report (1985) were crucial in impressing on non-Native politicians the message that workable solutions to problems in relations between Aboriginal peoples and the larger Canadian society would have to involve meaningful power-sharing. Furthermore, in contrast to the framers of the White Paper, but in a tradition that was established by the Berger Commission on the Mackenzie Valley Pipeline

and later was to be adopted wholeheartedly by the Royal Commission on Aboriginal Peoples, the authors of the Penner Report engaged in meaningful consultation with First Nations. Out of those consultations came a framing of issues which gave an enormous boost to the legitimacy of First Nation claims and aspirations. The Penner committee not only institutionalized the term "First Nation", but also endorsed a wide range of powers for First Nation governments and signaled that First Nation governments should be treated as a "third order" of government in Canadian federalism.

The constitutional negotiations of the 1980s were intended to elaborate and define Aboriginal rights in the constitution. The debate came to focus on Sec. 35 of *The Constitution Act, 1982* as referring implicitly to an Aboriginal right to self-government. Most of the First Ministers strenuously resisted Aboriginal leaders' key demand—constitutional entrenchment of an "inherent", as opposed to delegated or contingent, right to self-government. Instead, First Ministers insisted on definition of self-government before constitutional entrenchment. Just a few years later, after Elijah Harper and Mohawk Warriors had flexed First Nation political muscle, the 1992 Charlottetown Accord recognized Aboriginal peoples' inherent right to (undefined) self-government and offered many more gains. The federal government subsequently adopted a policy which claimed to recognize the inherent right to self-government.

The Aboriginal provisions of the Charlottetown Accord were diametrically opposed to the entire thrust of the 1969 White Paper. That the First Ministers agreed to such provisions is substantial progress, even though the Accord was defeated in the national referendum. The Royal Commission on Aboriginal Peoples went even farther than the Charlottetown Accord on many dimensions. For instance, the Royal Commission called for an expanded land base for both Métis and First Nations and offered the legal opinion[30] that Sec. 35 of *The Constitution Act, 1982* encompasses an inherent right to self-government, even to the point of separate Criminal Codes. The Royal Commission also endorsed the notion of Aboriginal governments as a "third order of government" (as opposed to "mere" municipalities) in Canadian federalism and recommended that the federal and provincial governments enter into a "nation-to-nation" relationship with Aboriginal governments under new or renovated treaties. Thus, as politico-judicial discourse has evolved over the decades, the goal posts in the debate have continued to move farther away from those who seek to block meaningful Aboriginal self-government and neutralize First Nations' treaty rights. A pattern of gradualism has been established whereby governments' initial resistance to First Nation leaders' claims gives way to token recognition which is followed by enhanced legitimacy through judicial and parlia-

mentary recognition, after which come more meaningful (albeit seemingly begrudging) concessions which open the door to substantial reforms by the most assertive First Nations.[31] In that final point there is further basis for optimism; that is, there is manoeuvering room for the unilateral assertion of sovereignty by determined First Nations, as the Mohawks of Kahnawake have demonstrated. The establishment of Nunavut can be viewed in similar light as a portent of things to come for some First Nations.

In concluding this discussion of gains in the realm of self-government, two important matters should not be overlooked. The first is on the symbolic plane and refers to the fact that with gains in the powers of First Nation governments. First Nation individuals come to see themselves reflected in the symbolic output of the (First Nation) state. In this regard, Breton (1984) points out that individuals who cannot recognize themselves in the symbolic output of the state are more likely to become alienated and to withdraw legitimacy from the state. As First Nation governments take up jurisdiction and attend to not merely the instrumental, but also the symbolic, aspects of exercising that jurisdiction, the legitimacy-based loyalty of First Nation individuals to First Nation governments is likely to grow. The second matter is on the organizational plane. Simply put, the end of the 20th century witnessed a much greater organizational density among First Nations than was the case at the time of the 1969 White Paper. This reflects not only the development of human capital, but also an expanded resource base. At the time of the White Paper, the Assembly of First Nations and its predecessor, the National Indian Brotherhood, did not even exist and local band councils were often dismissed by the constituents as puppets of DIAND. Intermediate-level associations, other than provincial political organizations, were rare. Now there is a dense network of national, provincial, tribal-level, and local organizations encompassing political, economic, and cultural goals. While Band councils are still highly constrained by DIAND, they have much more autonomy than before and are much better equipped to challenge DIAND than ever before.

Conclusion

What are we to make of the preceding inventory of social changes? Due to limitations of space, we shall confine our remarks here to just one of our focal interests, organizational capacity, for it has been identified by both academics and practitioners as being of vital importance.

We believe that the time has come for social scientific inquiry to move on from the deficit /victimization /conflict paradigm to instead address ways in which organizational capacity can be bolstered. More particularly, we believe that agencies which fund research in First Nation communities

should give priority to research projects which tackle such organizational and community development issues over research rooted in the deficit paradigm. Beyond labour force training, such as in the realms of policy analysis and the collection and analysis of statistical data, what can social science contribute to the development of organizational capacity by First Nation organizations? From an organizational capacity perspective, the optimal organization, deployment, and management of the First Nation labour force becomes a research matter of considerable importance. Some examples of research questions which social science could tackle in the service of First Nation organizational development are:

- how can norms of professionalism be reconciled with Aboriginal cultural imperatives? (see Royal Commission on Aboriginal Peoples, 1996a). In particular, how can norms of nepotism be countered at least political cost?
- what are the features of First Nation governments that have a high level of legitimacy with their constituents and how do those features differ from the features of non-Native governments that enjoy high levels of legitimacy with their constituents?
- what organizational forms (e.g., matrix vs hierarchical vs some adaptation of the circle) are best suited to First Nation needs and cultures?
- what models of collaboration and decentralized organization are most appropriate for delivery of services to an off-Reserve diaspora?
- what incentives are most effective for skilled First Nation workers and how can the rate of turnover of skilled personnel be optimized?
- how are First Nation community members reacting to the changes occurring within their community organizations, such as when educated individuals return to the community to take up positions within those organizations?
- what "public relations" strategies have proven most effective in minimizing resistance of non-Native communities as First Nations have augmented their organizational capacity and achieved a shift in the local balance of power to their favour?

Not just any qualified researcher can obtain the entré needed to properly research these questions and not just any knowledgeable expert can effectively disseminate the findings of that research such that First Nation organizations take ownership and grant the applicability of the findings to their situation. This takes us back to the labour force training issue, for what is needed is a cadre of skilled Native researchers to address

these research questions. We submit that one of the most important policy issues to arise from the preceding pages is whether universities and funding agencies will take up this challenge to produce this cadre of applied social science researchers. One government agency, Statistics Canada, has already answered the call through special statistical training sessions for public servants in Nunavut and elsewhere. It is vital that other institutions follow suit, for many of the gains cited throughout this article can be solidified and magnified with proper organizational development strategies. Otherwise stated, little has been gained if First Nations win political and legal victories which transfer authority and resources to First Nation governments and skilled First Nation individuals are hired, if those First Nation government organizations are at such an early stage of organizational development as to have a low organizational capacity. Indeed, in such a situation the full potential for change is most unlikely to be realized and cynicism and disillusionment could set in.

Our survey of positive changes in the situation of First Nations in the last third of the 20th century has been highly selective, of necessity. What we have found has been quite heartening in many respects and has provided a counterweight to those who would focus exclusively on the deficit paradigm. Of course, much remains to be done on these and other fronts and in consolidating the gains achieved to date. Many of the changes have been primarily facilitative in nature (e.g., the dependency ratio declining in First Nation communities; the Supreme Court changing one or another of the "rules of the game"). One can look forward another third of a century to conducting such a cataloguing of social change in these four focal areas and finding how these opportunities were actually exploited.

The transformation of the First Nation sociological landscape in Canada has been profound and can be seen as indicative of a new era in First Nation affairs. That new era does not yet qualify as the "paradigm shift" for which Weaver (1991) called, but it does contain the seeds for an optimism which, we contend, is definitely warranted. Countervailing forces are formidable and in some places will prevail, but along numerous dimensions the prospects for First Nations are much brighter at the dawn of the 21st century than they were thirty years earlier. First Nations have moved from a position of marginality to a position where First Nation interests often must be taken into account by decision makers and others in the larger Canadian society. First Nation interests are not only becoming vested in the Canadian state (Breton, 1989), but are also infusing civil society in Canada. First Nation concerns and interests are far from occupying a position of centrality in Canadian society, but their marginalization has diminished substantially

and opportunity structures have opened for individuals to an extent not imaginable even thirty years ago.

Notes

1. Readers unfamiliar with the "1969 White Paper" can find an excellent account of its development in Weaver (1981). Suffice it to say here that it was highly assimilationist in its orientation and provoked a major and successful political mobilization of resistance by First Nation leaders across the country. See Gibbins (1997) (especially pp.31-33) for a discussion of its significance.

2. Thus, an organization with an highly developed organizational capacity has the ability to perform environmental scanning and adjust to salient changes in that environment; recognize and respond to the human needs (including spiritual needs) and potential of staff members; effectively manage the flow of information within the organization; maintain its legitimacy and trustworthiness in the eyes of its clientele; formulate and adjust its goals and its strategies for achieving those goals; and procure needed input resources.

3. See Siggner (1986) and Statistics Canada Daily, 98-01-13.

4. For a discussion of Bill C-31 and it's impact see Royal Commission on Aboriginal Peoples (1996b:33-53).

5. Statistics Canada (1993) and Ponting (1997). Fifty-seven percent of on-Reserve First Nation adults can speak an Aboriginal language, whereas only 20% of off-Reserve First National adults can.

6. University enrolment rates are for 1993-94. The age range of 17-34 years captures only about 80% of First Nation university students, but about 95% of all Canadian university students.

7. Special tabulation, Statistics Canada, courtesy of Ms. Heather Tait, whose assistance, along with that of Mr. A.J. Siggner, we gratefully acknowledge.

8. See, for example, Royal Commission on Aboriginal Peoples (1995; 1996c; 1996d).

9. For detailed information on this fund, see the DIAND web site at *http://www.inac.gc.ca*

10. CBC Radio News, 98-06-16.

11. See *http://www.anglican.ca/ministry/rs/healing* for a list of grants made by this Anglican fund since its inception in 1992.

12. Notorious retired Roman Catholic Bishop Hubert O'Conner, formerly of the Cariboo Indian Residential School, participated in an healing circle with victims at Alkali Lake. See Canadian Press, "Ex-bishop's

apology, healing circle end legal action in sex abuse case", *Calgary Herald*, June 18, 1998, p. D6.

13. To April 1, 2000 The Anglican Church of Canada alone reported that it was involved in 359 lawsuits pertaining to 1,485 plaintiffs. See "Residential School Lawsuits Served Against the Anglican Church of Canada and Dioceses to April 1, 2000" *Anglican Journal*, 126, 5 (May 2000):3. In June 2000, The *Calgary Herald* reported a total of about 7000 lawsuits launched against all of the churches. See Joe Woodward, "Lawsuits cloud future of Anglican church", *Calgary Herald*, June 10, p. OS 11.

14. The "Kamloops Amendment" clarified the fundamental difference between "designated lands" surrenders and absolute surrenders. It allows Bands the opportunity to lease their lands to non-Natives for commercial, industrial, or residential development while retaining Band jurisdiction over these lands.

15. The compensation formula is extremely complex and contains contingency factors which make it impossible to offer a firm figure here. The inflated figures offered in media reports at the time of the initialling of the treaty probably included other benefits, whereas the reference in our text is to only the compensation component of the settlement.

16. "The Dismantling of the Department of Indian Affairs and Northern Development, The Restoration of Jurisdictions to First Nations Peoples in Manitoba, and Recognition of First Nations Governments in Manitoba: Framework Agreement, Workplan, Memorandum of Understanding", December 7, 1994.

17. CBC Radio News, June 19, 1998.

18. R.V. Drybones, [1970] S.C.R., 282

19. Attorney-General of Canada v. Lavell; Isaac v. Bedard (1973), 38 D.L.R. (3d) 481.

20. Calder v. Attorney-General of British Columbia (1973), 34 D.L.R. (3d) 145

21. Guerin v. The Queen, [1984] 2 S.C.R., 335.

22. Delgamuukw v. British Columbia (1997) 3 S.C.R., 1010. For a journalistic account of this important decision, see Mata *et al.* (1997).

23. Nowegijick v. The Queen, [1983] 1 S.C.R. 29.

24. Simon v. The Queen, [1985] 2 S.C.R., 387.

25. R. v. Sparrow. [1990] 1 S.C.R., 1075

26. R. v. Sioui [1990] 1 S.C.R., 1025

27. R. v. Marshall [1999] S.C. Reference 26014. Decision rendered September 17, 1999. Publication pending.

28. R. v. Williams. Decision rendered June 4, 1998. Publication pending. For a journalistic account of this decision, see Makin (1998).

29. Mark Crawford and Kekula Crawford, "Self-Determination in the Information Age." Posted at the Hawaii Nation website at *http://www.isoc.org/HMP/PAPER/230/abst.html*

30. Recall that the Co-Chair of the Royal Commission, Hon. René Dussault, is a Justice of the Québec Court of Appeal and another Commissioner, Hon. Bertha Wilson, is a former Justice of the Supreme Court of Canada. Accordingly, the legal opinions expressed by the commission cannot be taken lightly.

31. See Ponting (1997:360) for a schematic model of First Nations' fluctuating sovereignty.

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