

**COLLECTIVE BIO-CULTURAL HERITAGE: MEANINGFUL INDIGENOUS
PARTICIPATION AND CONSULTATION IN LAND AND LAND USE**

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**WHY COLLECTIVE BIO-CULTURAL HERITAGE: MEANINGFUL INDIGENOUS
PARTICIPATION IN CONSULTATION IN LAND USE**

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Dedication

I dedicate this thesis to the people of the Piikani Nation, past, present and future. I sincerely hope you grow as a strong and bountiful Indigenous Nation that is proud of who you are.

I also dedicate this thesis to my wife Ruth and daughter Aryelle Viola Molly who have stood beside me and inspired me through their words and experiences, and above all their love. I also dedicate this to my children Tyrone, Miracle and their families who have guided me to keep our culture protected and intact.

Abstract

The Piikani Nation, a vibrant Indigenous community, has enjoyed their territory since time immemorial. In 2006 the Mikisew Cree won a precedent-setting case proving the need for government and industry to appropriately and adequately consult with Indigenous Nations who have interest in areas proposed for development of public or Crown lands. Since this Mikisew decision, industry, government and Indigenous nations alike have struggled to develop effective and efficient methods to conduct consultation with Indigenous communities. Government and Industry want to develop resources to ensure that their concerns regarding equal opportunity in resource development is attained while respecting their Indigenous ties to the land. Through six conversations, this thesis explores collective bio-cultural heritage as a central concept in authentic consultation and as a way to meaningfully address these concerns through an Indigenous Research Methodology in consultation processes and for re-understanding land, land use, and land planning.

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List of Abbreviations

AANDC	Aboriginal Affairs and Northern Development Canada
ACO	Aboriginal Consultation Office
AEP	Alberta Environment and Parks
AER	Alberta Energy Regulator
APPF	Aboriginal Policy Framework
BBK	Blackfoot Body of Knowledge
CAU	Consultation and Accommodation Unit
CBM	Community-Based Monitoring
CER	Canadian Energy Regulator
CICADA	Center for Indigenous Conservation and Developmental Alternatives
CRAA	Ceremony Research Action Advocacy
CTA	Calls to Action
EDS	Electronic Disposition System
FNMI	First Nations, Métis and Inuit
FNMI-EPF	First Nations, Métis and Inuit Education Policy Framework
IA	Impact Assessment
IAC	Indigenous Advisory Circle
IKCMCS	Indigenous Knowledge Community Monitoring & Citizen Science
IRM	Indigenous Research Methodology
OMRD	Old Man River Dam
MOU	Memorandum of Understanding
NGO	Non-Government Organization
PBPP	Piikani Bio-cultural Protocol Program
TLU	Traditional Land Use (Study)
TOC	Terms of Reference
TRC	Truth and Reconciliation
UNDRIP	United Nations Declaration on the Rights of Indigenous People

CHAPTER 1: INTRODUCTION

Oki, Niksokowa. Niistoakoak Piikanikoan. Ira Provost

Greetings, all my relations. I am Piikani Man. Ira Provost

1.1 LOCATING MYSELF IN THE RESEARCH

I am Piikani.

Who I have been, who I am and who I will continue to be is Piikanikoan, my Blackfoot name given to me in ceremony that means, in English, *Piikani Man*. Piikani as defined by the Piikani people are those who are connected to the ancestral land where the Piikani have lived since time immemorial located as far north as the North Saskatchewan River, to the south, the Yellow Stone area in present-day Wyoming, the Rocky Mountains to the west and where the North and South Saskatchewan Rivers meet in the east. I am the sum of all my relations, which includes experiences, ancestral prayers and aspirations for my community of Piikani. My being and way of life have been informed by knowledge that came from a lifelong observation and active participation with Indigenous Elders, traditional knowledge keepers and ceremony.

I have lived, studied and worked side-by-side with Indigenous and non-Indigenous people in many professions and ways of life. Throughout my career and lifelong learning history, a common thread that has linked all my experiences together was the fact that there was a broken relationship between the paradigms of my Blackfoot culture and the dominant settler society and that I made a career out of building bridges of understanding to bring them together.

After a career in cross-cultural education, and being a change agent for understanding, I believe this thesis and research is my natural progression in the

development of my academic, professional and personal life journey. I believe the stories I can tell and share with academics through academia will help repair the tarnished relationship that “research” and “engagement/consultation” has with my community, the Piikani Nation.

By the term consultation, I am referring to the requirement that one party must seek the informed advice of the other in order to proceed with development of a proposed project. As rigid as that sounds, I make the argument that both parties in a consultative relationship need to consider consultation beyond a simple requirement and think long-term in the establishment of relationships to reach the state where a community can deem a company trusted and a project properly consulted upon.

Conducting the research for this thesis has afforded me the time to study my community in a critical way and explore options for improvement in methodologies that critical inquiry may suggest. I work in what could be called a “grass roots” level in my nation actively engaging with outside parties who are mandated, or forced by government policy, to work with our community in a “meaningful” way. At the present time there appears to be a significant disconnect as to what the term and intent of “meaningful” means to Indigenous communities and non-Indigenous people.

Therefore, my place in this research engages me as a multifaceted stakeholder with many interests and accountabilities to my nation in my profession as a Manager, community member, researcher, Elder and scholarly graduate student studying and working at the University of Lethbridge.

1.2 THE ROAD LEADING TO A THESIS

My initial goal for pursuing a Master’s degree was to use the opportunity to study the challenges and opportunities of Aboriginal education and how to make it better. This goal was based on my direct experience working in the field of Aboriginal education for over a decade. As a “Native Liaison” in the Lethbridge school district my role was to get Aboriginal students to school. I did not possess a teaching degree, so this position gave me a unique opportunity to become an Indigenous community leader in the City of Lethbridge and use my many experiences and learnings in education.

No matter who I worked for throughout my career, I felt that supervisors, co-workers and various educational leaders did not generally, or thoroughly, understand my Piikani Nation community and their culture/heritage. Educators of all types struggled to understand why Indigenous students attended and performed below the average and why many did not complete their high school education. For years I worked one-to-one with Indigenous students, spoke with the parents of the students, and heard concerns why students had low attendance rates at regular school programming. I, as a person who came from their community, understood many of the individual situations that contributed to their concerns and advocated on their behalf. It was my role to then communicate the obstacles to the governing bodies that rate and assess the student’s performance and subsequent placement of the students in various educational programs.

I left the organization feeling that I had not accomplished my goal of helping Indigenous students improve their overall academic performance in their education or enabling the teachers to understand why that improvement in their performance in academics were not attained. I believe that if the teacher, and the education system as a

whole, took more time to thoroughly understand the Indigenous values of the Indigenous student learner, the relationship between engagement, attendance, retention and performance would improve, and thus students' overall academics would improve. I heard the comment consistently from parents year after year that teachers were in need of cross-cultural education.

After leaving education, I changed careers and entered the field of inter-governmental relations as a Manager of Consultation for my First Nation, the Piikani Nation. My role as Consultation Manager is to help my Nation assess and maneuver its way through preliminary working relationships with external actors (government, industrial companies, various entities with public and private interests) who are seeking approval to develop lands and land use within Piikani Territory that then leads to further relationships in employment, economic development and so forth.

The Piikani, like many other Indigenous nations, have unique protocols, rules and responsibilities enshrined in their sacred and natural laws that have governed their nations' daily operations as a fully functional society since time-immemorial. Only recently, the Piikani Nation has begun to address its community's need to develop their protocols into forms that can also be understood by others. They are developing methods and protocols to ensure that external actors respect their sacred and natural laws, values, and decision-making processes, particularly those concerning stewardship of their territories and areas for traditional use and access.

I came to realize how similar the average educator and business person seeking development of traditional Piikani lands are in terms of their lack of understanding of Indigenous culture and relationships. Historically college and university graduates have

inadequate training and/or have knowledge of the Indigenous territory in which they live and work. The common denominator is that both lack a fundamental knowledge base of Indigenous, and therefore Piikani, worldviews that should have been ideally acquired throughout their primary, secondary, post-secondary and/or trades education.

Prior to studying Indigenous Consultation, my initial research led me to focus on the education of the pre-service teacher. At this time, I chose pre-service teachers as I was in search of where in the cycle of education of a teacher best incorporates the ability to change attitudes in the willingness to infuse new ideas such as Indigenous concepts into curriculum and learning strategies. In my experience existing teachers working in the field were not always receptive to learning new ideas in Indigenous initiatives. I personally organized and set up many professional development sessions for practicing teachers and experienced low attendance and turn out. My unconfirmed hypothesis was that the ideal time to infuse Indigenous content into practice was at the beginning of a teacher's education and subsequent certification.

Since the Truth and Reconciliation Commission (TRC) Report of 2015 and its 94 Calls to Action (CTA), there is a concerted effort to infuse Indigenous content into the curriculum for students as well as provide various professional development learning opportunities for teachers and staff. My original question focused specifically on education and asked if Indigenous Elders were properly consulted in regard to this Indigenous *infusion* into the present curriculum and in better program development. While the literature suggested it had (Alberta Learning, 1984, Alberta Learning, 2002, Alberta School Boards Association, 2011, Alberta Teachers Association, 2006), from my own experience I knew this was lacking. Consultation for true co-creation and co-

development is key to the infusion of Indigenous content into learning curriculum. This is true in all areas, not just education.

As I changed careers and moved into the role of a Manager of Consultation, it was clear to me that practitioners in business and Industry were far less informed and educated in proper understandings of their Indigenous communities than classroom teachers are. Although government began to follow a directive to consult with Indigenous communities, their ability to do so in an informed and appropriate way is extremely flawed. To attain the proper credentials in business and government whether it is in post-secondary training or trades, there is no requirement to address Indigenous content in their education. Fundamentally any external stakeholder or entity approaching an Indigenous nation has no Indigenous education.

As a Piikani Nation Consultation Manager, I work with external stakeholders of all types, industry and government. The difference between my ability to make a change in education that has a direct influence on my community is the ability to work one-on-one with each individual company who wishes to consult or engage with our nation. As Consultation Manager I can define what our Nation needs in order to be properly consulted by external stakeholders who want, or need, to develop a relationship with our nation.

Through this research, I altered my focus from Indigenous education to Indigenous Consultation. My original research acquired around Indigenous education is relevant to my new focus on the importance of Indigenous consultation in general. With that background research, my key research question for this thesis is: How can the

Indigenous-non-Indigenous stakeholder consultation processes ensure ‘meaningful’ consultation through the inclusion of culturally-controlled protocols or principles?

As Consultation Manager, I have become our community’s intermediary between “proponents”, what I also refer to as “external actors” or “stakeholders”, and our Nation. As Manager, it is also my responsibility to exert the Piikani Nation’s position as to whether our Aboriginal and Treaty Rights will be impacted by any given project. It is also my responsibility to uphold the integrity of our Piikani Values called “Piikanissini”, as originally defined by our community (Appendix A). For the purposes of this thesis I will focus specifically on consultation in land, land use, and land use planning.

I have experienced, firsthand, the challenge of many company representatives approaching our nation with little understanding of our community’s history and culture. I have experienced companies that have said they have conducted consultation with our community adequately, but who have not actually engaged directly with our nation. Ultimately, if a project is to receive approval, and get the proper certificates to do so, it must receive the decision from a provincial or federal regulatory body. My initial research suggests that the current consultation policies do not adequately reflect or respect the worldview of my Nation or regard it as valid evidence when I advocate on our Nation’s behalf. What this seemingly flawed process does is bypass a form of evidence that an Indigenous community deems as valid, that of Indigenous knowledge acquired from traditional knowledge keepers within the community, and ultimately renders it to be inadequate by the regulatory body.

In my research I examine and articulate existing policies and actions that are currently being used within the field of Indigenous consultation. How is consultation

being done? How is it impacting Indigenous peoples, specifically Piikani Nation for this research? A key outcome is to develop a best strategies framework that will assist with the engagement and consultation of non-Indigenous stakeholders with current and future activities with and for Piikani Nation.

Three main questions frame this research:

1. How has Piikani Nation been consulted in the past?
2. What methods would fit the Piikani Nation as a framework to utilize their traditional knowledge best for community consultation and engagement, and;
3. How could the on-going use of a proposed framework benefit the Piikani Nation in consultation?

1.3 KEY TERMS

Before I proceed, here are some key terms that are relevant to the following study.

Aboriginal/ Indigenous: The terminology for Indigenous or Aboriginal (Native) peoples includes First Nations, Métis and Inuit (FNMI), Native, North American Indigenous Peoples, and First Peoples; terms that are often used interchangeably. It is important to note that at the time of this writing, there is a trend among all academic and non-academic platforms to adopt the use of the term “Indigenous” over the use of “Aboriginal”. Up to this point of Canada’s Truth and Reconciliation Commission (TRC’s) official release, most of their reference to Indigenous was the use of the term “Aboriginal”. For this thesis, I will use the term Indigenous and refer to Aboriginal only when quoted by the source. When referring to specific Aboriginal groups such as Blackfoot or Cree, I will identify

them accordingly. I also capitalize Indigenous or Aboriginal and use it as a proper noun as the term is identifying a group of people.

Accommodation: When a duty to consult with an Indigenous nation is established, the external actor may be required to provide the host entity (in this case Piikani Nation) with resources (financial or otherwise) to adequately engage in the consultation process.

Blackfoot Societies: An organized Blackfoot group that follows cultural protocols and procedures defined in the culture. The basis for continued existence of societies are the engagement of the group in consistent and constant ceremony and ceremonial practice. Individuals in Blackfoot cultural societies are lifelong members of the societies but pass on, or transfer, some sacred responsibilities and items at various times in their life to other community members. Some of the Blackfoot sacred societies are the Iitskinaiks (Horn Society), Motokiiks (Buffalo Woman's Society), or Kiinatsomitaiks (Brave Dog Society) to name a few.

Blackfoot Terms: My research may employ concepts specific to the Blackfoot language and culture. In such cases I utilize Blackfoot terms in the Blackfoot language as they are spelled according to Franz and Russell's book entitled *Blackfoot Dictionary of Stems, Roots and Affixes* (1989). North American Indigenous language use in academia is crucially relevant as there are terms of Indigenous concepts that are only relatable in their original form and their original context. As Blackfoot terms are used in my work, I will define them in their Blackfoot context. To take them out of their original form and context creates space for

misinterpretation and misrepresentation of the Blackfoot concepts. When used I will footnote them with their explanation and context.

Duty to Consult: Duty to consult is based on judicial interpretation of the obligations of the Crown (federal, provincial and territorial governments) in relation to potential or established Aboriginal or Treaty rights of the Aboriginal peoples of Canada, recognized and affirmed in section 35 of the Constitution Act, 1982 (Government of Canada, 2010). As such the Crown must conduct fair dealing in its effort to consult and, where appropriate accommodate Aboriginal groups who's potential or established Aboriginal or Treaty rights may be adversely affected.

Elder/Traditional Knowledge Keeper: The definition of an Indigenous Elder, or traditional knowledge keeper, has different meanings in different Indigenous nations. Consistent in the different meanings is that Elders possess wisdom and experience in the community, are individuals who possess significant knowledge of sacred and natural laws and are protectors or keepers of traditional knowledge and with that knowledge comes a sense of responsibility to maintain the respect for that knowledge (Anonson, Huard, Kristoff, et al, 2014; Archibald, 2008; Carter, Hildebrandt & First Rider 1996; Kulchitski, McCaskill & Newhouse, 1999). Elders have specific and unique knowledge and are shown the highest respect. It is for these reasons Elders are sought for knowledge and perspective by the Aboriginal communities in which they serve (Burrows, 2010). I also capitalize Elder and use it as a proper noun as the term is identifying a group of people.

External Actor/Stakeholder/Proponent: The external actor, stakeholder, or proponent, are terms that identify a broad range of industrial and governmental agencies that

engage with a community. The terms external actor or proponent will be used interchangeably throughout my thesis in reference to any such agency approaching the Piikani Nation and requiring consultation to do business.

Piikanissini: A Blackfoot term used to describe a Piikani Nation defined constitutional document for use by its members to show community values. *Piikanissini* translated into the English language means *The Piikani way of life*.

Settler: The term settler refers to a group of pan-European immigrants either who have recently arrived in Canada or who have been on the North American continent for multiple generations but are not the original peoples of the lands.

Traditional Knowledge: Traditional Knowledge (TK) or Traditional Ecological Knowledge (TEK) refers to knowledge that is commonly held in trust by an Indigenous community. This knowledge is appropriately accessed through community knowledge keepers such as Elders, ceremonialists or individuals tasked with carrying the knowledge.

Traditional Territory: References to the ancestral territory of an Indigenous nation indicated through a geographic location that encompasses a vast area that the nation claims their ancestors occupied prior to European encroachment. At the present time, Indigenous nations do not have unrestricted access to their traditional lands as access to these areas often resides on private, fee simple, land and are not open for public use.

Transferred Rites: A transferred rite is a rite achieved by an individual through ceremonial practice. The formal rite allows for the ability to access and speak about certain acquired knowledges contained in the ceremonial practice.

The preceding terms are a list of terms that may help clarify concepts and ideas in my work.

1.4 CLIMATE CHANGE

As I write this thesis, there are reports in the daily media that relay the message that we, as a collective society are on-track for a global crisis with respect to climate change (Gul & Lloyd, 2019; Jarvis, 2019; Markham, 2019; Walrath, 2019). Both scientific and Indigenous leaders are struggling to have political leaders recognize the threat and enact policies to combat the escalation of the situation around the world (Corbet, 2019). A prevailing message is that new strategies must be at the forefront of all nations to consider a change in our ways and reduce our impact on the environment that leads to climate change.

1.5 INDIGENOUS RELATIONS WITH GOVERNMENT AND INDUSTRY

The Government of Alberta has developed a complicated relationship with its Indigenous people. Historically, the government has taken land from Indigenous nations without any consultation and subsequent accommodation to the Indigenous people who have inhabited those regions since time immemorial. Recently through acts of “reconciliation” (Truth and Reconciliation Commission, 2015), the government has been given the task of reconnecting with Indigenous communities to make steps to repair the “broken” multi-ministerial relationship it has with Indigenous communities. Specifically in terms of land and land use, the governments are now exploring ways to engage respectfully and ethically with Indigenous stakeholders.

On the side of industry, there is a wider spectrum of industry external actors who are aware or willing to engage with Indigenous communities in Alberta. Several companies have taken it upon themselves to create significant steps toward full engagement practices (Alberta Energy Regulator, 2017). However, it still remains that the vast majority do not engage with Indigenous communities when it comes to land development at all (Yodelis, 2016).

Since the TRC, it is expected that inclusion and consultation with Indigenous peoples, particularly in matters that affect their land, is critical. Given the history of the lack of consultation or poor consultation practices (Yodelis, 2016) it is critical to understand how to do this better. This thesis examines previous instances of exclusion of Indigenous peoples in development of land and land use as well as highlights instances of positive relationships between and with Indigenous communities and illustrates the implications of both the positive and negative experiences (Wolfe, 2006). Both can influence a better way forward together.

1.6 INDIGENOUS KNOWLEDGE SYSTEMS

Indigenous knowledge systems exist. These systems of knowledge are intertwined with a way of being that has sustained nations of Indigenous people since time immemorial. The Blackfoot people of Southern Alberta, Canada, have a distinct oral culture that is built upon ceremony, songs and stories, thus facilitating a Blackfoot body of knowledge (BBK) that is still active, in practice and of reference in and among today's Blackfoot population. Each component of the BBK has various applications to facilitate a "way of knowing" that is inherent and distinct to the Blackfoot peoples (Bastien, 2004).

It has taken some time for Canada to act upon the recommendations set forth by the United Nations Declaration on the Rights of Indigenous People (UNDRIP) which, in part, recommends nations to accept the inclusion of Indigenous Knowledge into policy and decision making (Wilt, 2017). Through international pressure the Government of Canada has acknowledged the need to address the recommendations of the UNDRIP which states that Canada's Indigenous people have rights and those rights need redress or repair. It is hoped that this thesis contributes to this knowledge co-creation.

1.7 PROTOCOL

The central themes of this thesis revolve around the idea of process, or *protocol*. In this thesis, protocol refers to knowledge sharing in terms of the way it is designed, framed, and implemented into distinct operating systems. I suggest that there are two distinct sets of systems that possess individual protocols in my discussion; one of mainstream society that has a myriad of history and development in present and searchable modern literature, and a Piikani, or Indigenous protocol that does not have a myriad of history and development that present in modern literature. What is evident in the literature collected at the time of this research suggests that the creation of Indigenous processes or protocols is underdeveloped (Alexander et al., 2019, Sutherland et al., 2013). The ethics around the creation of such protocols are still being debated and gauged for effectiveness by the Indigenous and non-Indigenous community (Alberta Environment and Parks, 2019).

There are boundaries that stem from cultural process and practice that often manifest as what are termed as *sacred and natural law* that are most often carried out, or framed, through ceremony. These cultural protocols are currently practiced within the

Piikani Nation. Within Piikani's sacred and natural laws are multifaceted processes and protocols that are adhered to by the people and that bleed over into professional and governing bodies. These will be discussed at length in this thesis.

1.8 COLLECTIVE BIO-CULTURAL HERITAGE

The definition of “bio-cultural” blends an academic idea of bio-physical and cultural concepts to explore the interrelatedness of Indigenous people and environmental conservation (Swiderska, 2006). In 2005, an international gathering took place in Peru to discuss Indigenous perspectives on the protection of Indigenous Knowledge coordinated by the United Nations (Swiderska & Argumendo, 2006). At the gathering, a growing group of participants began exploring a more responsive and constructive approach to engaging with Indigenous knowledge. The international organizations present developed a definition of a “Collective Bio-Cultural Heritage” that is expressed as:

Knowledge, innovations and practices of Indigenous and local communities which are collectively held and inextricably linked to traditional resources and territories, local economies, the diversity of genes, varieties, species and ecosystems, cultural and spiritual values, and customary laws shaped within the socio-ecological context of communities (Swiderska, 2006, p. 3).

I explore the concept of Bio-Cultural heritage, how its key concepts, and its application in bio and cultural diversity have been applied to multiple Indigenous nations around the world and thus, and how this applies to the Piikani Nation. This is commensurate with Indigenous Research Methods (Wilson, 2008), the methodological approach for this research, whereby I will ensure the research is accountable to the Indigenous nation of which it is found and affords some answers to my thesis questions.

1.9 THE PIIKANI NATION AND TERRITORY

The Piikani-Blackfoot Culture, herein referred to as Piikani culture, is based upon an ancient history and complex set of values and beliefs of the Piikani people. The Piikani Nation is an independent First Nation that is part of the Blackfoot Confederacy, which consists of four separate tribes; the Kainai (or Blood Tribe), the Siksika, the Amskapi Piikani (South Piegan in Montana, USA), and the Apatsi Piikani (Northern Peigan). Together the Blackfoot live on their existing “reserves” in the current geographic location of Southern Alberta, Canada and Northern Montana in the United States.

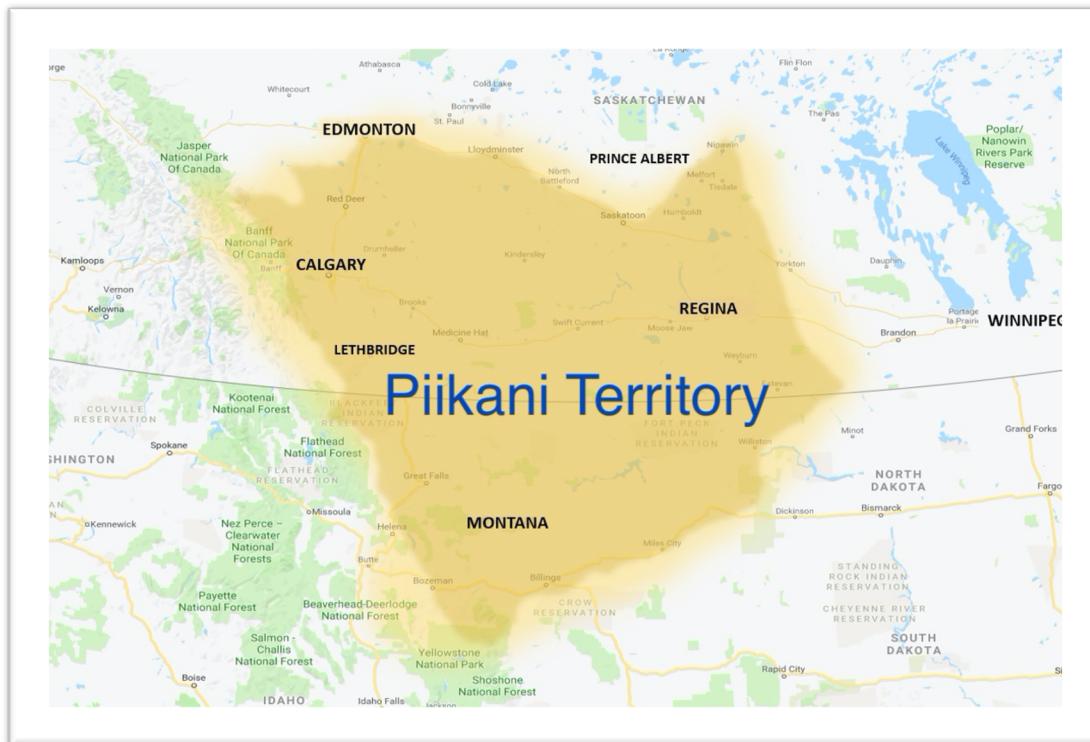


Figure 1. Original map created by Ira Provost, informed by Piikani Consultation Policy

The Piikani have extensive stories and songs that detail accounts of creation, of their land, and land area (Bull Child, 1985). These stories and songs that are intertwined

with ceremonial practice, have been passed down through generations. When recounting history, present-day Elders and traditional knowledge keepers reference Piikani heritage and its *importance to land*. Synonymous with the importance of land in the Elder's stories is the notion of preservation, conservation and stewardship.

Indigenous governance as we know it today as it operates on the Piikani First Nation, has been modelled on fundamental characteristics rooted in ceremony and ceremonial society structure. Within each society, there are clearly defined rules, procedures and methods to carry out any given task deemed of importance to the community. Some of these tasks include community direction, community policing and security, inter-communal trade, and inter-communal relations.

The map presented in Figure 1 shows an area that has been identified by the community leadership (comprised of elected leaders, professionals and Elders) as the ancestral lands or “traditional” territory of the Piikani Nation. The Piikani leadership do not prefer the term “traditional” when referring to their territory as it gives an impression that their claim to their ancestral land is “in the past”. Chief Stan Grier, Piikani Nation’s chief at the time of this thesis has publicly proclaimed that the Piikani leadership, past or present, has never ceded or surrendered the claim to their ancestral lands, versus the borders that define treaty areas which is a federal/provincial construct. In the community constitution Piikanissini, the Piikani refer to their heritage existing and continue to exist long before written time from what they call “Akaa (or ancient) Piikani” (APPENDIX A). Therefore, I use the term Piikani Territory or Piikani ancestral lands.

1.10 RESEARCH OBJECTIVE, QUESTIONS, AND THESIS

STRUCTURE

The mandate of the Piikani Nation’s Consultation department is to actively engage with external stakeholders to ensure they adequately consult and accommodate the Piikani Nation when conducting business in Piikani Territory. The department operates under the direction of the leadership of the Piikani Nation and is guided in its external interactions with government and industry by policy (Piikani Nation, 2019). At any given time, the department is actively engaged with various companies from all ranges of activities with varying objectives and purposes, yet primarily concerning the development of land and land use activities. Understanding consultation and what that really means in terms of Piikani Nation is something that has never been clearly defined and is the objective of my research. The goal of my research is to design an ongoing community-developed engagement strategy and practice, or framework, based the knowledge and observations of Piikani ways of knowing and living on the land.

To develop this framework, I need to answer three questions:

1. How has the Piikani Nation been consulted in the past;
2. What methods would fit the Piikani Nation as a model to utilize their traditional knowledge best for community engagement; and
3. How could the on-going use of the proposed framework benefit the Piikani Nation?

Chapter One introduces who I am as the researcher and where I take time to discuss my relationship and accountability to this research. I also discuss the major

themes and topics related to this thesis. I then outline my research objectives and discuss my methodology.

Chapter Two is a review of both policy and literature that expands on the themes of traditional (or Indigenous) knowledge (TK), Indigenous consultation policy, various engagement strategies and community-based monitoring. I analyze the various ways in which Piikani people and knowledge have engaged in government and industrial initiatives, highlighting the direct challenges of such endeavors with regards to land and land use planning. My unique position as a Piikani Nation community member, professional and student means I have access to more information with perspectives that others do not, or cannot have. My position also allows my research to focus specifically on what is currently facing the requirement of Indigenous consultation and its meaning to our Indigenous Nation.

In Chapter Three, to provide context to the discussion and research, I discuss the worldviews of both the settler and Indigenous people of the Piikani Traditional territory to lay a foundation and provide context to the research. Throughout this chapter, I explore the historic and current Piikani and settler relationship each with their own view of “land”. Finally, I examine the definition of consultation as it pertains to the development of the lands originally inhabited by the Piikani in a modern, regulated process as required by Indigenous engagement today. I also take some time to discuss a case study of importance to the Piikani consultation history, the Oldman River dam.

Chapter Four is an in-depth analysis and discussion of some bio-cultural initiatives that have taken place around the world. The chapter also references the literature that engaged with these Indigenous communities to show what worked, where

the gaps are and explores strategies for implementation moving forward by other Indigenous communities. Such information may be useful to, Piikani Consultation in repairing broken relationships.

Chapter Five is an in-depth analysis of the conversations I had with my thesis participants. Throughout the chapter I also explore themes that emerged out of the conversations.

Chapter Six concludes by summarizing the questions asked in the introduction. I discuss the limitations and various challenges when completing the research for the thesis. I propose frameworks for development within the Piikani Nation. Finally, I provide recommendations for implementation of the discussed engagement strategies discussed into the Piikani Nation community.

1.11 METHODOLOGICAL APPROACH

Shawn Wilson is an Indigenous scholar who has studied the notion of Indigenous Research Methodology (IRM) at length in his book *Research is Ceremony* (2008). Wilson advocates that Indigenous researchers must take an alternate look at their methodology as to how the Indigenous researcher must engage with their research subject differently and do so at a deeper level in comparison to the dominant Western research paradigm. When research is being conducted by an Indigenous researcher, Wilson suggests that the Indigenous researcher has an increased level of accountability to his community and must have a reason that is of benefit to the research participants and/or their community (2008). He refers to the relationship of researcher to their research, participants, community and subject as *Relational Accountability*.

Alfred (2015), Webber-Pillwax (1999) and Wilson (2001) point out that the dominant research paradigms such as that of Positivism and Post-positivism, and thereby those academic institutions that base their research standards upon such philosophies, have a fundamental belief that knowledge is an individual entity whereby the researcher is an individual in search of knowledge and therefore knowledge is something gained, and therefore knowledge is owned by an individual. For Indigenous communities where knowledge is collectively owned, maintained, and accessed, research or working with Indigenous communities, cannot work with the dominant individual intent. “For research it’s important to think about our relationship with the ideas and concepts we are explaining. Because this relationship is shared and mutual, ideas or knowledge cannot be owned or discovered” (Wilson, 2001, p. 32).

Wilson proclaims that *relationality* sums up the Indigenous research paradigm in that the components of the paradigm functions under the guiding principle of *relationships*. The ontology and the epistemology are based upon *the process* of the relationship and the axiology and methodology are based upon maintaining accountability to these relationships. Therefore, in using IRM as my methodology, I the researcher and my research, must put the needs of the community first and ask the following questions:

- What is my role as researcher? What are my obligations?
- Does the method allow me to fulfill my obligations in my role?
- Further, does my method help to build a relationship between myself as a researcher and my research topic?

- Does it build respectful relationships with the other participants in the research?

I felt comfort in learning Wilson's philosophy on applying an IRM to research in that Wilson could not overly express the importance of "well-being" as fundamental to the study of community and its place within research. Neither can I. What is also extremely important and relevant to my research journey is that Wilson calls upon the Indigenous researcher to be accountable to all their relations.

In the Blackfoot culture and language, we recognize relationality when we greet a collective group of people with the phrase "Niksokowa", which in Blackfoot means "all my relations". I need to note, that until the very final day of writing, I was troubled by creating a document that would be presented and ultimately subject to approval of completion by an institution that did not fully understand my worldview and that my community's endorsement and approval were not part of my completion process, and this concern is not new and quite common among Indigenous scholars (Simpson, 2014). My research will answer the above questions, keep me accountable to my community, and guide my thought patterns as I move forward.

1.11.1 THE SIXTH VOICE

It is my intent to insert my own voice as an Elder who exerts my own experience as a knowledge keeper within my nation. In doing so, I will adhere to the protocols that govern my Blackfoot cultural way of life. As a knowledge keeper I have a strong hesitation to refer to myself as an Elder. However, I cannot deny my qualifications and rights that I possess to have earned proper status as an Elder in Blackfoot protocol and traditions. How I am able to classify myself as an Elder is that at the time of this writing,

I am a third generation Grandparent in the Horn Society (Iitskinaiks). As such, I acknowledge that there are many components of my Blackfoot cultural life that are not up for academic debate or assessment and/or approval by the dominant Western academy. It is important to reiterate that in my fifth chapter I had conversations with a total of five participants; three non-Indigenous and two Piikani Elders. To ensure I am actually able to use this approach, prior to use in my final defence I have permission to use my voice alongside the others from those Elders chosen from my community.

The method in which I intend to use my own voice to add to this thesis is to begin each new chapter with a story. Throughout chapters two to five, I begin with a story, or narrative. In Blackfoot culture and ceremony, the number four is very significant; the telling of four stories allows various processes to begin with blessings gifted through story. Scholars such as Polkinghorne (1988) have laid the foundation for narrative and story as valid methodologies in the social sciences and human research. Graveline (2000) uses a similar method in a poetic narrative to express an on-going dialogue to recognize and resist the oppressive Eurocentric attitudes and practices currently shaping research norms. I tell these stories using a similar narrative process to set the tone for each chapter as the context of my relationship to the research. However, by doing so I, as researcher, am positioning myself as the sixth conversation to balance the conversational equation in the primary research conducted through my other five individual conversations. By doing so, I employ relational accountability (Wilson, 2008) in my work and ensure my research is undertaking a reflective approach regularly. As such each chapter is concluded with a reflective summary. Polkinghorne (1988) discusses narratives as the primary form by which human experience is made meaningful. In his discussion on narratives,

Polkinghorne points out that, in contrast to formal science and logical reasoning work that has an extensive history and process, the acquisition for narrative meaning, is not an object available through direct observation. Aside from the study of the discourse, Polkinghorne says that “narrative” can refer to the process of making a story. The basis for access to Indigenous knowledge is storytelling. Therefore, what is presented is made meaningful in its telling and guides the research. Simpson (2014), conducts a similar learning process by sharing a narrative poem that comes from her Nishnaabeg community that shows the importance of learning from a story that ties her learning objective to the land. I am employing a similar technique in my use of stories and run their themes throughout the chapter and then explain their connection in the conclusion of the chapter.

In keeping with Indigenous Research Methodology, I also conducted five subsequent conversations that took place throughout various stages of research data collection, writing and editing. As proposed, I chose to have open-ended conversations that were guided by sample questions. I selected those participants who had an identified working history of Indigenous engagement for the purpose of consultation. With each participant I set up and scheduled independent sessions, at which I acquired their permission to have them participate by filling out a release form and getting their verbal permission to audio-record the conversation. I conducted an in-depth analysis of the conversations in Chapter Five.

CHAPTER 2: POLICY AND LITERATURE REVIEW

Oki

My First Story

I am a Piikani Guardian

I stand before you, reader, as a Piikani Guardian who will defend my community and our collective identity as Piikani people and do so for those who cannot defend themselves. I am also a musician; music has been a constant component in a lot of what I have done personally and professionally throughout my life.

As I started my graduate work, I discovered a song on the Internet that bothered me. The song was released from a local songwriter in the southern Alberta area where I am from. The artist is not Indigenous but wrote a song from the perspective of an Indigenous person making it seem as though he was Indigenous. This is what is called cultural appropriation. I spent months thinking about this issue and what it meant to me as a person of Blackfoot heritage. Ultimately, I did what academics do and wrote a paper on it. Although I do not believe it is acceptable, I am certain you can still purchase the said song on your favourite audio streaming service and the artist will still receive his individual royalties and the Indigenous identity will continue to get appropriated.

At the same time I wrote the article, two significant events took place thrusting the Indigenous identity and the appropriation issue into the public discourse: Joseph Boyden was exposed for appropriating Indigenous culture (Barrera, 2016) and Hal Niedzviecki got fired for writing a controversial article

denouncing cultural appropriation (Beattie, 2017). At the time, I was still asking myself if I was wrong to call out the artist on the issue of appropriation. It was not long after I heard a very important retort from Indigenous journalist, Jesse Wente, commenting on the Boyden controversy:

I wish there were so many more Indigenous stories written about Indigenous people. But those stories come with responsibility; Indigenous people know this all too well. We are beholden to our communities. When we say these things, we know exactly who will hold us responsible. Who is that for non-indigenous writers, when they don't have these connections to the community, and do they truly understand the reason that these stories are sacred? – (CBC Radio Interview May 15, 2017).

Mr. Wente commented that we, Indigenous people, are beholden, or responsible to answer to our communities. As Mr. Wente also suggested, if I do something wrong, in poor faith or character, I personally know people, namely Elders, in my community who will hold me accountable for my actions. That experience has taught me to be critical and on-guard for my nation with respect to our knowledge and its use and potential misuse. I have an obligation and responsibility to speak up and defend my nation should I witness acts of detriment to my community, their identity and knowledge.

2.1 INTRODUCTION

In the body of literature accessed for my research, there were several streams and themes of research I studied. As I am working to understand policy in its cause and effect and its impact on the Piikani community, the majority of the research reviewed has consisted of policy documents that have been both authored and thus created by government or industry. I will speak to each of these themed literature sets and discuss their relevance to my research. I include my significant findings as part of the literature review as they have continued to inform my evolving focus.

I have also included peer-reviewed journals to a lesser extent and as such have searched for Indigenous voice over non-Indigenous scholars. I found that it mattered to my research who wrote the article and what the research meant to them. I could relate specifically to Indigenous scholars Betty Bastien (2004), Reg Crow Shoe (1997), and Leroy Little Bear (2000) as they are from my Blackfoot community and hope I can find more scholars to read who are Siksikaistitapi in the years to come. I could relate to scholars Taiaiaki Alfred (2015), Glen Coulthard (2007), Linda Tuhiwai Smith (2012), and Shawn Wilson (2006) as they are Indigenous and have experienced the impact of Indigenous research and how it has had an effect on their home communities and people. I can appreciate those scholars who are not Indigenous to be what is termed as an Indigenous *ally*. An ally to my research is one who adheres to a system of accountability that is similar to mine within the research they conduct. To be deemed as relationally accountable, their research must make a clear delineation as to how accountability was achieved. I find that I often question Indigenous positionality after I have read authors such as Eve Tuck, who is Indigenous, but her writing partner K. Wayne Yang, is not

(2012). What does Tuck's research mean to Yang? I value the research of Zoe Todd (2016) as she has valid points as a Métis scholar, but she, an Indigenous advocate, did not grow up with or in an Indigenous community, so her work is colored by privilege. It is not my intent to judge scholars but ask what scholars would be accountable to the community, as I am? What scholars would my community claim as accountable? As an Indigenous scholar myself, I look for an identifier in their biography that should say somewhere what nation they come from. I, as both a scholar and an Elder reviewing the policy and literature will be accountable to what I present so I need to ensure my sources are as well.

2. 2 HISTORIC INDIGENOUS POLICY

It is important to discuss which historic events and subsequent policies matter to the discussion of Indigenous consultation. In the earliest of written accounts of contact with Indigenous nations, there is very little literature that can capture the magnitude of Indigenous thought that existed in the oral tradition and history of the Piikani Nation. Therefore, the only written perspective available for review is that of settler culture and thus it is through their lens that the history is written.

The Royal Proclamation of 1763 is sometimes referred to as the Indian Magna Carta. It is through this Proclamation issued by King George III that almost all legal interpretation regarding Indigenous law bases its foundation. As Canadian Confederation was occurring in 1867 most treaties were being made with Indigenous nations including the “number treaties” (Carter, Hildebrandt & First Rider, 1997). The Blackfoot Treaty commonly referred to as Treaty No. 7 occurred in 1877. An entire discourse and study are needed and warranted regarding the “consultation” aspect of this treaty, its intent, its

development, and its implementation (Carter, Hildebrant & First Rider, 1997) but we will not take the time here. The Indian Act of 1876 was the consolidation of two acts, the Gradual Civilization Act and the Gradual Enfranchisement Act (University of British Columbia, 2009). The Indian Act has had a major and lasting effect on Indigenous governance to this day. In 1932, the federal government relinquished authority of its natural resources to provinces through the Natural Resource Transfer Act (NRTA). In both instances the Piikani Nation was not consulted in the negotiation of the land designated as Alberta and the relinquishment of Piikani resources in the development of this province. The literature in the public record does not have any indication that Indigenous nations of the province, such as Piikani Nation, were consulted in any manner for their input or consent.

Soon after Indigenous Canadians were given the right to vote in 1960, the Government of Canada actively pursued a policy to systematically eliminate any special status for Indigenous Canadians. This statement of the Government of Canada on Indian Policy is commonly referred to as the 1969 White Paper (Government of Canada, 2015). It is important to note this instance in Canadian Indigenous policy development as the literature suggests that Indigenous Nations were consulted in the development of the White Paper, yet it failed to take into consideration any input by those Indigenous nations at that time. Meaningful Indigenous consultation and participation in public policy making was not covered in the White paper. Immediately after the release of the White Paper in 1969, many official Indian organizations, including the National Indian Brotherhood (NIB), came forward to counter what was recommended in the White Paper. The document entitled *Citizens Plus: The Red Paper* referred to as the Red Paper, was

drafted and released to counter the White Paper. The Red Paper presented a different version of the consultation that actually took place (Crane Bear, 2015).

2.3 GOVERNMENT POLICY

When I began my graduate studies, I set out initially to explore consultation for the purpose of making Indigenous education better and therefore wanted to study Indigenous education policy and policy development and explore what were Indigenous peoples' place and consultation within it. When I changed my focus from education to business consultation, I realized that all the attributes of studying consultation policy and policy development were similar as both industries have been moving towards changing their Indigenous content in those policies in within the past decade. However, Indigenous education in the faculty of education have been making greater strides in its effort to implement change at its core in its relationship with Indigenous knowledge. It seems for the most part, until the past few years, Indigenous policy is authored exclusively by those external governments, companies, and organizations wanting to, or currently engaging with Indigenous communities (Tech, 2017).

In November 2007 the Consultation and Accommodation Unit (CAU) was established within Aboriginal Affairs and Northern Development Canada (AANDC) through the “Action Plan on Aboriginal Consultation and Accommodation” (Government of Canada. Indigenous and Northern Affairs Canada, 2015). In February 2008 the “Interim Guidelines for Federal Officials to Fulfill the Duty to Consult” was released to advise federal employees who engage with Aboriginal communities how to support their existing consultation activities. In 2011 the government released an updated guide entitled “Aboriginal Consultation and Accommodation: Updated Guidelines for Federal

Officials to Fulfill the Duty to Consult” (Government of Canada, Indigenous and Northern Affairs Canada, 2015). The 2011 update provided an expanded definition of consultation that included a step-by-step process recommending phases to consultative planning geared towards stakeholders and their needs.

The province of Alberta adopted *The Government of Alberta’s First Nations Consultation Policy on Land Management and Resource Development* on May 16, 2005. In 2013 *The Government of Alberta’s Policy on Consultation with First Nations on Land and Natural Resource Management* was released (Government of Alberta, 2013). Like its federal counterpart, the Government of Alberta outlined similar parameters as to its definition of consultation and how stakeholders need to address Aboriginal nations in ways that do not infringe on their Aboriginal and Treaty Rights. The provincial governing body responsible for ensuring government and stakeholders of industry apply the required guidelines is the Government of Alberta Indigenous Relations Aboriginal Consultation Office (ACO).

Since the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2008 and Prime Minister Justin Trudeau’s Liberal Party adoption of Canada’s Truth and Reconciliation (TRC) Calls to Action (CTA) in 2015, there has been a noticeable change in rhetoric among non-Indigenous stakeholders looking to work with Indigenous people (Government of Canada, 2018). However, the language used in publications, whether public (Government of Canada. Indigenous and Northern Affairs Canada, 2015) or private company (Alberta Energy Regulator, 2017), uses the term “reconciliation” as a general theme for consultation and communicates this throughout its literature (City of Calgary, 2017) for engagement and working with Indigenous peoples

and communities. In this regard, reconciliation has become a contentious term in Indigenous communities and is looked upon as a go-to catch phrase that often lacks follow-up action when non-Indigenous organizations say they are attempting to achieve reconciliation with Indigenous communities. Some feel reconciliation should not be used at all.

“...I’m glad reconciliation is dead; it was never really alive. It was a campaign slogan, a way to get elected; to appear progressive while advancing the same colonial agenda that has fueled Canada since its inception.” (Wente, 2020).

Wente (2020) follows up this statement in a CBC radio interview by saying that not getting stalled on the term reconciliation means that it should free us up to do the work. According to Wente the term reconciliation became overused and actually stalled what progress it hoped to achieve.

2.4 INDIGENOUS EDUCATION

Initially I was searching for articles regarding Indigenous consultation in education particularly in incorporating the Indigenous perspective into the curriculum. In an Alberta context, the Alberta Government through its Ministry of Education released the First Nations, Métis and Inuit Education Policy Framework (FNMI-EPF) in 2002 (Alberta Learning, 2002). The content of the document was the conclusion of years of policy development and consultation with the Aboriginal community for the purpose of addressing the needs of First Nations, Métis or Inuit (FNMI) learners for K-12 and post-secondary education (PSE) within and specific to the province of Alberta, Canada. Prior to the document’s development, release and implementation in Alberta, FNMI learners in the province of Alberta were not achieving the same degree of success in their education

as non-FNMI students (Alberta Learning, 1984). The recommendations outlined in the FNMI-EPF set forth goals to improve FNMI student success. The document identified and listed the names of Elders who were consulted to share their wisdom in its development (Alberta Learning, 2002). In spite of the good intentions and the documents' recommendations, something happened in the implementation and, like many other similar policy-driven initiatives, it fell by the wayside (Alberta School Boards Association, 2011). Through my study of the literature on Indigenous education consultation, I concluded that those who are leading consultative initiatives with government and industry lack elementary and basic knowledge of the Indigenous communities they serve as a foundation from which to work in relationship building; a key component to effective Indigenous consultation.

Although the policy that was to guide infusion of Indigenous content into curriculum had not worked for me when I was working in the field of education and left in 2013, many positive strategies began to emerge from Indigenous academics. Métis scholar Yvonne Poitras Pratt (2020) worked with the Fishing Lake Métis Settlement to conduct a digital storytelling project. The initiative worked with the community to develop digital stories that they were able to share with the researchers and the rest of the community. The project resulted in 19 digital stories that were created. Poitras Pratt suggests:

Sharing these once-silenced stories of Canada's past and present hold the potential to benefit all Canadians by way of a more complete story of our nation but has particular relevance for educational communities who are only now seeing the gaps in curriculum (Poitras Pratt, 2020, p.146).

I similarly make the observation that although there have been some great strides forward in Southern Alberta post-secondary institutions to recognize Blackfoot histories and stories also in Southern Alberta schools. But I don't get the sense that today's classrooms are providing a complete story of southern Alberta and doing so in a meaningful and good way. Therefore, Poitras Pratt's project provides hope that educators can reach out to Indigenous communities, when done appropriately, to make direct learning opportunities available to curricular change.

Leanne Betasamosake Simpson recalls a story in her article *Land as Pedagogy: Nishnaabeg, Intelligence and Rebellious Transformation* about how in the springtime Kwezens would harvest maple from a maple tree. The experience was one that recounted in its story values of love, compassion and understanding. She contrasted her Nishnaabeg story with an experience with her grade three field trip to harvest maple. On the trip her class was asked to choose between the preference of harvest the maple in a settler way or with the "Indian Method". Betasamosake Simpson was the only one to choose the Indian Method as she knew the stories at a young age that the act of harvesting was much more to the Nishnaabeg than the settler. Betasamosake Simpson contrasted learning styles of a land-based learning activity and that when the learning was "anchored" within "Nishnaabeg intelligence" the learning ran deeper where the student learned both from the land and with the land.

The key learnings, among many, were that as Betasamosake Simpson suggested: "if we accept colonial permanence in our learning, then our rebellion can only take place within settler colonial thought and reality (2014). She suggests that we need to think outside of what and how we are currently taught.

I was very inspired by the writings of Betasamosake Simpson as there are so many parallels between the Nishnaabeg and Siksikaistitapi. There are so many potentials for learning to occur on the land with Blackfoot knowledges that have been there for so long. According to Betasamosake Simpson, “Nishnaabeg must stop looking for legitimacy within the colonizer’s education system and return to valuing and recognizing our individual and collective intelligence on its own merits and our own terms (p. 22).” Once we stop looking for the answers in the colonial education system and look to Indigenous insight, vast improvements could be made to keep Indigenous students connected to education and provide non-Indigenous students opportunities to value Indigenous knowledge.

In recent years the concept of “Indigenizing” the academy has been raised by many Indigenous scholars within their respective institutions. Ottmann (2017) defines Indigenization:

Indigenization is a positive process that involves acknowledging, legitimizing, valuing and celebrating Indigenous Knowledge systems (this including languages, traditions and cultures) and their inclusion in spaces and places where they have historically been silenced. (Ottmann, 2017, p.103).

Coupled with intentional decolonization practices which involves challenge divisive and destructive colonial entities that harm and separate people within organizations, many post-secondary institutions are attempting to become more integrative and respectful of Indigenous peoples (Ottmann, 2017). This is a very promising practice, that may take time to get right, but the intent is certainly seen in the implementation of new policies and initiatives currently underway within the academy.

2.5 UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLE (UNDRIP)

United Nations Declaration on the Rights of Indigenous People (UNDRIP) (2008) is a foundational document that has played into multiple literary contexts in the past few years. UNDRIP consists of 46 “articles” that describe both the individual and collective rights of Indigenous peoples around the world and it offers guidance on cooperative working relationships with Indigenous peoples to states, the United Nations (United Nations General Assembly, 2008), and other international organizations. The UNDRIP document and its articles were originally adopted by the United Nations General Assembly on Thursday, 13 September 2007. The intent of the articles is to provide participant nations and their Indigenous citizens with recommendations for equitable coexistence based on the principles of equality, partnership, good faith and mutual respect.

Almost a decade after it was adopted in May 2016, Canadian Minister of Crown-Indigenous Relations Carolyn Bennett officially removed Canada’s objector status to the UNDRIP. At this time, Minister Bennett committed to “fully adopting this (the UNDRIP Articles) and working to implement it within the laws of Canada, which is our charter” (Fontaine, 2016). With respect to culture, Article 11 states:

1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with Indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

With respect to land or territories, Articles #25, 26, 27, 28, 29, 30, 31 and 32 address Indigenous peoples' right to determine priorities and strategies for the development or use of their lands or territories. The primary themes expressed in these articles are ideas of controlling states to recognize Indigenous territorial rights, redress of past inequities such as access, and the right to protect and conserve the lands in question.

In this thesis I examine how Indigenous consultation can move forward with the Articles of the UNDRIP that pertain to Indigenous peoples' rights to practice their customs and traditions and its subsequent reference to land.

2.6 CANADA'S TRUTH AND RECONCILIATION COMMISSION

In 2015, Canada's Truth and Reconciliation Commission (TRC) wrapped up its multi-year journey that saw the collection of thousands of stories from survivors who attended the Canadian Residential School system for Indian children. In this five-year study Chair of the TRC, Justice Murray Sinclair, was tasked with travelling across the country listening to survivors, communities and others affected by residential schools. In June 2015, the TRC released its Final Report consisting of 94 "Calls to Action" (CTA). Each item or "Call" contained significant recommendations that the Government of Canada needs to take action upon to redress the legacy of residential schools and advance the process of reconciliation.

Both the UNDRIP and TRC are referred to, debated, and questioned in many public sectors regarding their use and application in government and various sectors across Canada. Government leaders and leadership are encouraging all sectors of the government to re-examine their existing policies and legislation to best incorporate the Articles of UNDRIP and the CTAs of the TRC into their existing practices. This is a critical change because previous attempts to implement Indigenous consultation policies in Canada have been met with varying degrees of challenge and success. In Alberta, for example, the Government of Alberta (“Alberta”) released Strengthening Relationships: The Government of Alberta’s Aboriginal Policy Framework (the “APF”) in September 2000. The APF sets out the basic structure for Alberta policies to address Aboriginal issues in the province. Within the APF, Alberta committed to consult with Indigenous people when *land management* and *resource development* decisions may infringe on their existing treaty or other constitutional rights. Alberta’s consultation process, as outlined communicated in its initial APF, intended to produce better communication, stronger relationships and easier resolution of issues between government and First Nations. Their recommended consultation process also sought to encourage strong relationships, communication, and easier resolution of issues between industry and First Nations. In proposed future revisions of its policy, the Government of Alberta states that it will recommend more effective procedures for addressing First Nations rights and traditional uses (*unpublished draft*). During their tenure as a governing majority in Alberta, the New Democratic Party through Premier Rachel Notley released a statement expressing Alberta’s commitment to address the TRC and the UNDRIP

(Narine, 2015). Albeit late, these shifts are the necessary acknowledgement of Indigenous rights, and importantly, the need to consult Indigenous peoples at all levels.

The recent TRC (2015) is focused on Aboriginal/Indigenous inter-governmental reform in several of its CTAs; specifically, for local governments to work with Indigenous nations to co-develop strategies focused on reconciliation. Both the UNDRIP and the TRC employ such terms as *participation*, *collaboration*, and *consultation* implying that the Indigenous peoples and communities will be consulted in the implementation of the respective Articles and CTAs. Given the history of consultation and my initial research, which has shown a great struggle in acceptable implementation of Indigenous consultation, this is a concern. However, it is a timely opportunity to advance Indigenous wellbeing through policy and it is critical that we get it right this time

Currently, the TRC is suggesting Aboriginal education reform through several of its CTAs and consultation with Indigenous peoples in their respective locations is critical to such reform. These particular CTAs are relevant to my research as the “action” they suggest will assist the educational improvements that are needed to educate external actors when working with Indigenous communities. It is the intent that these identified CTAs and their intended educational improvements would be infused into education. Therefore, my research will highlight CTAs #10 and # 62 that state:

Action 10 - We call on the federal government to draft new Aboriginal education legislation with the full participation and informed consent of Aboriginal peoples. The new legislation would include a commitment to sufficient funding and would incorporate the following principles:

- i. *Providing sufficient funding to close identified educational achievement gaps within one generation.*
- ii. *Improving education attainment levels and success rates.*
- iii. *Developing culturally appropriate curricula.*
- iv. *Protecting the right to Aboriginal languages, including the teaching of Aboriginal languages as credit courses.*
- v. *Enabling parental and community responsibility, control, and accountability, similar to what parents enjoy in public school systems.*
- vi. *Enabling parents to fully participate in the education of their children.*
- vii. *Respecting and honoring Treaty relationships.*

Action 62 – We call upon the federal, provincial, and territorial governments, in consultation and collaboration with Survivors, Aboriginal peoples, and educators to:

- i. *Make age-appropriate curriculum on residential schools, Treaties, and Aboriginal peoples' historical and contemporary contributions to Canada a mandatory education requirement for Kindergarten to Grade Twelve students.*
- ii. *Provide the necessary funding to post-secondary institutions to educate teachers on how to integrate Indigenous knowledge and teaching methods into classrooms.*
- iii. *Provide the necessary funding to Aboriginal schools to utilize Indigenous knowledge and teaching methods into classrooms.*
- iv. *Establishing senior-level positions in government at the assistant deputy minister level or higher dedicated to Aboriginal content in education.*

2.7 INDIGENOUS LAW REGARDING LAND

There are a number of legal cases that have informed the development of government policy with respect to land. Historic cases include the Calder Case (*Calder v British Columbia (AG)* [1973] SCR 313, [1973]) and *Delgamuukw v. British Columbia*, [1997] 3 S.C.R. 1010., both which assist the legal definition of Indigenous title to land. However, three very significant legal cases regarding land and the Crown's duty to seek proper consultation from Indigenous groups are: 1) the *Haida Nation v. B.C. (Minister of Forests)*, (2004 SCC 73), 2) *Taku River Tlingit First Nation v. British Columbia*, and 3) *Mikisew Cree v. Canada (Minister of Canadian Heritage)*, 2005 SCC 69.

In the case of Haida Nation, the Province of British Columbia held legal title to the land in question and issued a number of Tree Farm licenses without the consent of the Haida people who have claimed they have owned the land for more than 100 years (*Haida Nation v. B.C. (Minister of Forests)*, (2004 SCC 73). The Haida claim was based upon unproven Aboriginal rights to title and to harvest red cedar. The Supreme Court of Canada decided that the province had a legal duty to consult with the Haida and suggested that significant accommodation would be required to preserve the Haida interest pending resolution of their claims.

In 1994, a mining company sought permission from British Columbia provincial government to re-open an old mine. The mining company proposed to build a road through the Taku River Tlingit First Nation's traditional territory. The First Nation participated in the environmental assessment process and objected to the company building the road but in spite of the objection, the government approved the road project in 1998. The Supreme Court found the potential for negative impacts on the Taku River

Tlingit First Nation's claim that they were inadequately consulted to be valid, requiring more than just the minimum consultation. As outlined by the Project Assessment Director, "The Province was not required to develop special consultation measures to address Taku River Tlingit First Nation's concerns, outside of the process provided for by the *Environmental Assessment Act*, which specifically set out a scheme that required consultation with affected Aboriginal peoples." (*Taku River Tlingit First Nation v. B.C. (Project Assessment Director)*, 2004 SCC 74, para. 40). The resultant consultation process took more than three years and involved numerous studies and meetings, extensions of statutory time periods, and eventually a responsiveness to provide accommodation, which meant appropriate resources provided to the community that may have also included compensation.

In 2000, a plan for a winter road was approved by the Minister of Canadian Heritage Sheila Copps, to connect Fort Chipewyan and Fort Smith, Alberta (Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage 2005 SCC 69). The Department of Canadian Heritage was sought for their approval as the planned route was within Wood Buffalo Nation Park, which would go through the Treaty 8 Mikisew Peace Point First Nation Reserve located in Wood Buffalo National Park. Minister Copps, testified at the hearing that she understood that aside from public forums to affected communities, no further consultation was required. Parks Canada did not consult with the Mikisew directly until after major routing decisions had been made. Outcomes of the hearing determined that Minister Copps did not follow the Crown's duty to consult the Mikisew Cree First Nation and the matter was sent back to the Minister to reconsider.

The Mikisew case illustrates the potential consequences for when the Crown fails to discharge its duty to consult. The case shows that meaningful consultation is more than an invitation to participate in public awareness campaigns. If the Crown discharges its duty to consult significant action must take place on the part of the stakeholders to appropriately and ethically consult and communicate outcomes of the proposed action to the impacted Indigenous communities. The Mikisew case exemplifies that until recently, the prevailing assumption was that Indigenous Nations do not need to be appropriately consulted in conducting development of their land. The Mikisew Cree Case decision has since provided further momentum for the federal and provincial governments to develop and implement appropriate processes for Crown consultations with Aboriginal groups affected by governmental land and resource use decision-making. As a result of the Haida and Taku River Decisions in 2004 and the Mikisew Cree Decision in 2005, the Supreme Court of Canada held that the Crown has a duty to consult and, where appropriate, accommodate when the Crown contemplates conduct that might adversely impact Aboriginal or Treaty rights of Indigenous communities.

2.8 INDIGENOUS KNOWLEDGE AND PROTECTION

The literature reviewed in this section is a mixture of conference reports, organizational reports and Indigenous-led committees that have studied the areas of Indigenous knowledge, protection of Indigenous culture and heritage, stewardship and bio-cultural heritage in a local and international context. Significant time, discussion and research has been put into the query of Indigenous people through gatherings and their subsequent reports from organizations or departments within the United Nations such as the United Nations Permanent Forum on Indigenous Issues (UNPFII), Convention on

Biodiversity (CBD), International Institute for Environment and Development (IIED), World Intellectual Property Organization (WIPO), the United Nations Working Group on Indigenous Populations (UN-WGIP) to name a few. To sum up the content I've reviewed, a common concern among nearly all Indigenous nations is the impact of colonialism on Indigenous culture, land, and the environment. Indigenous nations have been seeking alternative ways in which to re-approach their own individual knowledge systems for the answers they are seeking. Outcomes have led to a multitude of successful strategies, as defined by these nations, to developing cultural and environmental strategies for protection and conservation. The takeaway is that each strategy is unique to each nation and their context.

There is a growing body of literature that now uses the terms traditional knowledge (TK) and/or Indigenous knowledge (IK) in the global context. Both terms refer to a set of knowledges that collectively belong to an Indigenous community. In 2018 the Government of Alberta set out to work with Indigenous communities in Alberta to assist in the development of a policy that, in part, also attempts to co-create a definition of IK (Government of Alberta, 2019). The result was the creation of the document entitled: Indigenous Knowledge: Guiding Policy. The policy was a collective document created by a joint working group and completed for Alberta government review. The guiding policy speaks to the definition of Indigenous knowledge in a comprehensive way.

2.9 INDIGENOUS KNOWLEDGE PROTOCOL

The literature I reviewed tended to be very similar in nature and their objectives will, for the most part, overlap. Here I have titled this section generically to catch-all the other academic discourses that are relatable, I chose Indigenous Knowledge Protocol. I

have separated the scholarship and study of Indigenous consultation and engagement into several categories or themes of relevance and applicability to my research: *community-based monitoring* (McKay, & Johnson, 2017, Joly et al, 2018), *protocol* (Carter, 2010, Foster and Janke, 2015, Sutherland et al., 2013), *ethics* (Ermine, 2007, Smith, 2012), *methods* (Chilisa, 2012, Dacks et al., 2019, Davidson-Hunt et al., 2012, Graveline, 2000, Ruwhiu & Cathro, 2014, Sterling et al., 2017, Swiderska, 2006, Wilson, 2008) and *environmental change and impact* (Jarvis, 2019). Similar, but secondary themes included general *Indigenous/cultural awareness and history* (Carter, Hildebrandt & First Rider, 1996, Crowshoe & Manneschmidt, 1997, Dempsey, 1984, McClintock, 1910), *settler colonization* (Simpson, 2014, Tuck & Yang, 2012, 2014, Wolfe, 2006), *Indigenous education* (Battiste, & Youngblood Henderson, 2009, Archibald, 2001, Weber-Pillwax, 1999) and, *Indigenous narrative method* (Gaveline, 2000, Polkinghorne, 1988, Simpson, 2014).

2.10 CONCLUSION

Yvonne Poitras Pratt (2020) shares in her article the work that needed to be done to create meaningful engagement with her Métis community. Educators can embark on deeper learnings of the Métis through her work with her community of Fishing Lake Métis Settlement or conduct their own. Poitras Pratte details the critical components of how to appropriately work with an Indigenous community. What struck me the most in her article that had a personal impact on my world view is her emphasis on the *story behind the story* (Poitra Pratt, 2020). Poitras Pratt states that for too long we have been conditioned to have the colonial project define what our stories should sound and look like. By accounting for who and what created the stories we reverse the stereotypical

representations that exclude the lived experience and contemporary realities of Indigenous people (Louie, Poitras Pratt, Hanson, & Ottmann, 2017). Ultimately Indigenous authors are on track to create narratives that tell Indigenous stories created by the Indigenous people themselves that ultimately lead to self-determination (Louie, Poitras Pratt, Hanson, & Ottmann, 2017).

In terms of relational accountability, I ask myself what literature matters and why? What literature is meaningful and why? What literature makes itself accountable to the community it has studied and serves?

In my first story, I pointed out an event that made me question the relationships settlers have with Indigenous people and to be critical of resources that pose to be of benefit to Indigenous people in the sense of the appropriation of not only identity, but ideas and knowledge. I used that lens when examining my literature going forward. In his discussion of ethical space Willie Ermine (2007) spoke about the hidden dangers of overlooking some of these “things” that don’t just sit right and need our attention:

The ideas from our knowledge bases are so entangled and enmeshed with the other that we now find it compelling to decipher Indigenous thought from European thought (p. 197).

I know, or knew, the writer of the above-mentioned song in question. Prior to publishing my response in writing I gave him a year to correct what he had done. I saw no accountability to change his direction, so I made my case. He has not changed his stance and the song remains for sale online. This fact validates Tuck and Yang’s (2012) concept of the “*settler moves to innocence*” where:

Settler moves to innocence are those strategies or positionings that attempt to relieve the settler of feelings of guilt or responsibility without giving up land or power or privilege, without having to change much at all (p. 10).

According to scholars such as Ermine (2007), acts such as these cannot go forward without correction from the Indigenous community infacted upon.

Awareness, for me as an Indigenous researcher, goes beyond simply knowing who the Indigenous community is and what troubles them. What is of critical importance to me is what is not seen in the generic literature such as the systemic racism in institutions of power and the settler colonialism that still governs the lives of Indigenous communities with archaic legislation still to this today (Joly et al., 2018, Simpson, 2016).

This chapter explored policy and related literature that guides and, at times governs, the relationship between Indigenous communities and government and industry. I argue that the status quo is not an option for appropriate growth in engagement regarding land and land use going forward.

The United Nations documents were the best at conveying the ideas of the representatives who participated in the gatherings with very little academic or technical analysis. The peer-reviewed articles obtained from various academic publications, although informative, went counter to the relationality of the data collected from the community in which they studied. This means that they were written by researchers and not co-authored by the collective group of people or community. There was no way to know if the article reviewers knew or were connected to the subject and therefore I could not tell if relational accountability was attained. Therefore, the data obtained and published in academic or peer-reviewed journals did not show any reciprocity took place

with the communities about which the articles were written. Relationality did occur in the data collected with Indigenous communities for the UN documents and the other supporting articles. There was, at the very least, acknowledgement of the Indigenous participants in the creation of these documents. However, there was little to no analysis or re-synthesis of the data under a lens that was accessible to the community.

CHAPTER 3: CONTEXT

Oki

My Second Story

The Subway Sandwich Consultation

I heard so many times in the Piikani Community about the famous Subway Sandwich Incident that took place with a forestry company. A group of our Elders were taken on a tour of an area where the company was going to develop. Our Elders were taken to Subway for lunch and left at the site to find their own ride home. The company wrote to the government and said they had done consultation.

So, that happened.

The Subway Sandwich Incident was not the only time an incident like that happened. I've witnessed companies approach the Piikani Nation with all different intentions. I've seen good practice in regard to community engagement and I've seen extremely poor engagement practices by government. I've seen stellar private companies conduct exemplar Indigenous engagement practices and I've experienced horrible situations where companies treated our Nation and people like crap.

This story is more of a chance for you the reader, to take note from me, that colonialism, racism, and governmental extermination of Indigenous grievances and concerns, without due process, respect, and honor still exists and persists.

According to Alberta's Aboriginal Consultation Office guidelines, a company is required to understand and consider the potential adverse impacts of an anticipated Crown decision on whether or not to address the said impacts on First Nations and Metis settlements. Common practice in consultation with Indigenous

nations is to accommodate the Indigenous nation with capacity, which could mean funding to do an independent study on the project area. I recently sat with TransCanada, now called TC Energy, who gathered my community together to say they are running a major pipeline through the northwestern edge of Piikani territory. We went through the process to submit our name to the company to express our valid concerns about the impact of the project and we needed to conduct a Traditional Land Use study of the area. The company replied that they were not providing the Piikani Nation with any support as their records show that we are not part of the territory that the project was conducting its work in. The company infuriated my Elders, leaders and staff. At the time of this writing, my nation has not been appropriately consulted on this file.

As it turns out, at the present time, an Indigenous Nation needs to prove to private interests their claim to their ancestral lands and those private (and public) entities have all the authority to deny Piikani their identity and connection to land.

3.1 INTRODUCTION

In this thesis I am referring to Indigenous consultation and its historical and current practice when engaging with government and private industry. It is, therefore, important to identify who is in the consultation relationship, what is the need for consultation and what rules govern the consultation process. In this chapter I discuss what “consultation” is as defined in terms of Indigenous Rights. I also discuss the term that is often used in many instances of Indigenous reconciliation: “meaningful”. Finally, I discuss the current practice used in creating measurement in Indigenous land use called a

“traditional land use” (TLU) study. As you will read there are two worldviews, Indigenous (Piikani in this case) and Western, present in my discussion throughout my thesis where both have a perspective of what land means to their worldview and culture. These worldviews will be compared and contrasted throughout this thesis.

3. 2 PIIKANI PERSPECTIVE OF LAND USE

3. 2. 1 PIIKANI PROFILE

The Piikani culture is based upon an ancient history and complex set of values and beliefs of the Piikani people. The Piikani Nation is an independent First Nation that is part of the Blackfoot Confederacy which consists of four separate tribes; the Kainai (or Blood Tribe), the Siksika, the Amskapi Piikani (South Piegan), and the Apatsi Piikani (Northern Peigan). Together the Blackfoot live on their existing “reserves” in the current geographic location of Southern Alberta, Canada and Northern Montana in the United States.

The Piikani have extensive stories and songs that detail accounts of the creation of their land and land area. These stories and songs that are intertwined with ceremonial practice have been passed down generation after generation. When recounting history present-day Elders and traditional-knowledge keepers are Piikani’s source of access to their heritage and knowledge that sustains the community.

The Piikani First Nation’s values and beliefs have been modelled on fundamental characteristics rooted in ceremony and ceremonial society structure. Within each society, there are clearly defined rules, procedures, and methods to carry out any given tasks as deemed of importance to the community. Some of these tasks could include community direction, community policing and security, inter-communal trade, and inter-communal

relations. By contrast, the Piikani today operate under democratically elected leadership who operate under the Indian Act and its policies and procedures for governing process as a federal government.

3. 2. 2 PIIKANI PERSPECTIVE ON LAND

For over a millennia, the Piikani have created sustainable relationships with neighboring Indigenous nations to their homeland. These relationships have been documented through stories, songs, and most-often woven into ceremonial procedure. What the stories, and evidence in ancient stories suggest today, is that there was elaborate thought in the development of complex business type relationships among ancient Indigenous nations. The current archeological record today suggests that there were many instances of trade and trade goods that have been discovered all throughout Piikani territory (Provost, 2019).

The Piikani Nation today still follows ceremonial procedure in many aspects of business life. This could mean prayer to begin meetings or Pipe Ceremonies to christen new relationships, and business development. To the Piikani, ceremonial procedure and protocol is the root of relationships. Dr. Reg Crow Shoe teaches a meeting structure for decision-making rooted in a traditional Piikani ceremonial format that is applicable to current business practices and structures (Crowshoe & Manneschmidt, 1997). In doing so, Dr. Crow Shoe's emphasis is that effective and mutual understanding of Piikani people comes through a return to developing a relationship in a circular or ceremonial setting (Alberta Energy Regulator, 2019).

As was mentioned in the True Spirit and Original Intent of Treaty Seven (Carter, Hildebrandt & First Rider, 1996), ceremonies have always been part of relationship

building and maintenance. Most Indigenous nations accept and understand ceremonial procedure and participate accordingly. In contrast, European settlers do not understand or respect Indigenous ceremonial procedure because it is not part of their way of engagement and working together. This is important in that Indigenous Nations put significant weight in the act of ceremonial participation and when a connecting party does not respect or acknowledge the ceremonial process as a legitimate part of active engagement, communication could stall or cease to continue.

The Elder's perspective of land is synonymous with protection of the land. Piikani traditional knowledge keeper Pat Provost, and participant in my thesis conversations, spoke about his responsibility and commitment to uphold the value of protection to Piikani lands. In his statement he spoke, "as a Brave Dog (Piikani Traditional Society), I was told right from day one that our traditional job is (to be) the scouts or the police force of "back in the day". We are there to find the sites for where there is going to be a Sundance and to prepare that site and to protect that site" (p.c., July 21, 2019). In his statement, Pat reiterated his purpose in his knowledge of the land, the significance of its prior use and his duty to retain integrity to the land identified. Pat believes that if the integrity can be retained, then other facets of sacred purpose could be retained and maintained as well, such as the traditional knowledge of the plants and animals of the area. These subsequent knowledges can be passed on through educational learning from the land.

3.3 SETTLER PERSPECTIVE OF LAND USE

3.3.1 SETTLER PROFILE

In this study, the term “settler” refers to a wide variety of “newcomers”, past and present, to Piikani territory, primarily settlers of European descent. What is important to note in the early interaction with the Piikani and the early explorers and settlers, was the perspectives of their respective lifestyle –that somehow the Piikani lifestyle was not equitable to the settler lifestyle or way of being.

The history of land and land title of the Piikani territory is complex. The genesis of land ownership as an imposed law comes from the Hudson’s Bay Company’s control of the watershed and all waterways leading into the Hudson’s Bay in 1670; a control arbitrarily granted by King Charles II (Cavanagh, 2011). There were two noted interactions between the years 1754 -73 where the Hudson’s Bay Company was unsuccessful in trading with the Peigan (Piikani) because the Peigan did not have a need to trade; they “had horses and the Buffalo were plentiful” (Crow Shoe & Manneschmidt, 1997. p.56). In 1787, Hudson’s Bay Company explorer David Thompson, spent a winter with the Peigan. These two exchanges show that at the time of early settlement in the area, the Piikani was a present and vibrant society who interacted with the settlers. The fact that there was documented hospitality granted to a settler also speaks to the nature of relationships and the potential for relationship-building with Piikani at the time of contact. The formalization and culmination of the early agreements of the settler and the Piikani is what became the Blackfoot Treaty of 1877, or the seventh of the “numbered” treaties in Canada. Other signatories to this agreement were the recently migrated Stoney-Nakoda and Tsuu T’ina (or Sarcee). The Stoney-Nakota and Tsuu T’ina could also be

called settler to the Piikani territory as they are Aboriginal but are not original inhabitants of the territory.

By the 1800s the Piikani were in regular contact with European settlers through the fur trade (Crow Shoe & Manneschmidt, 2002). There have been countless books, journals and articles that detail the history of encroachment of the European settler upon Piikani territory (McClintock, 1910; Dempsey, 1984; Dempsey 1984; Grinnell, 2003) and that provide a rationale for the European encroachment. In brief summary, the various narratives include the early European trader introducing alcohol to the prairies; the Canadian and American governments being in a race to claim the areas of North America that they claimed were vacant; and the governments then imposing their laws to regulate what error occurred in the process of settlement, or colonization of the Piikani territory.

In the settler context and project, the idea and rationale for systematic expansion into Indigenous territories is the idea of the Doctrine of Discovery whereby, seemingly unclaimed, lands were claimed by settlers (Wolfe, 2006). Although the interaction between Piikani and the settler evolved over time and treaties were created, ultimate dominion over Piikani territory was arbitrarily held by the European sovereign in whose name it had been incorrectly assumed to be discovered. As such acts Piikani were given occupancy or rights to hunt and gathering in the territory the Europeans had *discovered* (Wolfe, 2006).

The academy, and therefore society, have come to reject the Indigenous concept of land and their claim to it as a valid, critical opinion in critical study (Todd, 2016). Todd tells us that the academy plays a role in shaping the narratives that erase on going colonial violence and upon this notion, absolves itself from a history that is studied and

spoken about at significant length in the Indigenous community by Indigenous scholars themselves (Todd, 2016). Given this history of the interaction at the time of contact and its evolution, it is now important to discuss the settler's perspective of "land".

3.3.2 SETTLER PERSPECTIVE ON LAND

"In settler colonial context, land is the ultimate pursuit: Settlers arrive in new (to them) place and claim it as theirs" (Tuck & Yang, 2014, pp. 812). The early explorers such as David Thompson in the 1750s give a glimpse of what their own societies and values of those societies are like in their contrasting descriptions of the Indigenous nations and their lands they encountered (Radford, 2008). In their expeditions that took place between May 1804 to September 1806, Meriwether Lewis and William Clark ventured into the territory of the Piikani, and noted:

We were now about to penetrate a country at least two thousand miles in width, on which the foot of civilized man had never trod. The good or evil it had in store for us was for experiment yet to determine, and these little vessels contained every article by which we were to expect to subsist or defend ourselves (DeVoto, 1997).

It was apparent from this documentation that the surveying explorers of the land and landscape saw Piikani territory as uncharted, unexplored, and uncivilized. So, we can conclude that the explorers viewed the existing landscape as void of development.

According to the repeated narrative of historical record, settlers continued to expand across the Canadian continent and did so based upon an ambiguous "right" to ownership of that land. As Rhonda (1993) states,

European empire builders rightly understood that fur traders were agents of imperial expansion. Along with the usual goods to sell, the traders brought flags,

medals, and other symbols of national sovereignty. While Indians often accepted such objects out of curiosity, respect, or hospitality, they did not think that those things in any way diminished native sovereignty or bound them to a distant great father (p. 82).

This exemplifies that Indigenous nations, encountered by the early explorer, did not readily surrender or act in a subservient manner to the new settler even as the symbols of national identity were traded.

Wolfe (2006) takes the settler project a great deal further to speak in terms of the effects of such acts of colonialism as a systematic act to eliminate the “native”. In settler colonialism there are two primary dimensions: 1) Colonialism strives for the dissolution of Native societies, and 2) Colonizers come to stay and therefore their coming, or invasion is a structure not an event. Wolfe means that colonization cannot be defined as one act or event; it is a part of a whole, or a system designed to create division and of oppression. According to Wolfe (2006),

In sum, then, settler colonialism is an inclusive, land-centred project that coordinates a comprehensive range of agencies, from the metropolitan centre to the frontier encampment, with a view to eliminating Indigenous societies (p. 393).

Wolfe (2006) spoke about a time when, prior to the forced removal from their homeland in the event known as the *Trail of Tears*, the Cherokee were quite civilized having adapted and became successful agriculturalists in the “White” model. The Cherokee proved that, if the Cherokee had been left to naturally progress as a nation, they would be a highly developed society today.

The Piikani Nation have just received a decision on a century-old court case called the Munsell Brothers Grazing Lease Claim (Piikani Tsi Nii Ka Sin, 2017) that similarly took opportunity for the Piikani to become successful ranchers in the early part of the 19th Century. The Piikani proved that they were more than able to successfully adapt to settler method, when given the opportunity to do so. However the Munsell Brothers were not fair in their dealings. It was determined that the Munsell Brothers leased Piikani land from a former Indian Agent for grazing resulting in a loss of use of the improperly leased land resulting in devastating over-grazing. At the time of the illegal arrangement between the Brothers and the Agent, the Piikani were set back and for decades afterwards never recovering socio-economically. Who knows how the Piikani Nation would have progressed as a nation had they not been under Agent authority and coerced into dependency?

3.4 CONSULTATION

3.4.1 WHAT IS CONSULTATION?

Consultation, in the context of this thesis, has been based upon the notion of a “requirement” or “duty” to conduct an exchange between an external actor and an Indigenous nation. Although consultation requires at least two distinct parties to make consultation complete, the emphasis is on the one party’s need for consultation to occur. In the case of consultation with the Piikani Nation, external parties wishing to consult are doing so as they are developing, or redeveloping industrial, commercial or government projects on land within Piikani Territory. As this thesis will show, there are many variations on the definition of consultation in the sense of “requirement” or “duty”. According to Piikani Elders Pat Provost (p.c. July 21, 2019) and Shirlee Crow Shoe (p.c.

July 27, 2019), with whom I had conversations for my research for this thesis, both were unanimous in describing a need for consultation to be conducted properly with the Piikani Nation. These conversations will be discussed in greater length in my conversations chapter.

3.4.2 INHERENT ABORIGINAL AND TREATY RIGHTS

In all instances of consultation, the primary measure of impact to Indigenous nations is the impact to “Inherent Aboriginal and Treaty Rights” (Government of Canada, 1996). This reference relates to Section 35 of the Constitution Act (1982) that states:

- (1) The existing aboriginal and treaty rights of the Aboriginal peoples of Canada are hereby recognized and affirmed.
- (2) In this Act, “Aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.
- (3) For greater certainty, in subsection (1) “treaty rights” includes rights that now exist by way of land claims agreements or may be so acquired.
- (4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons.

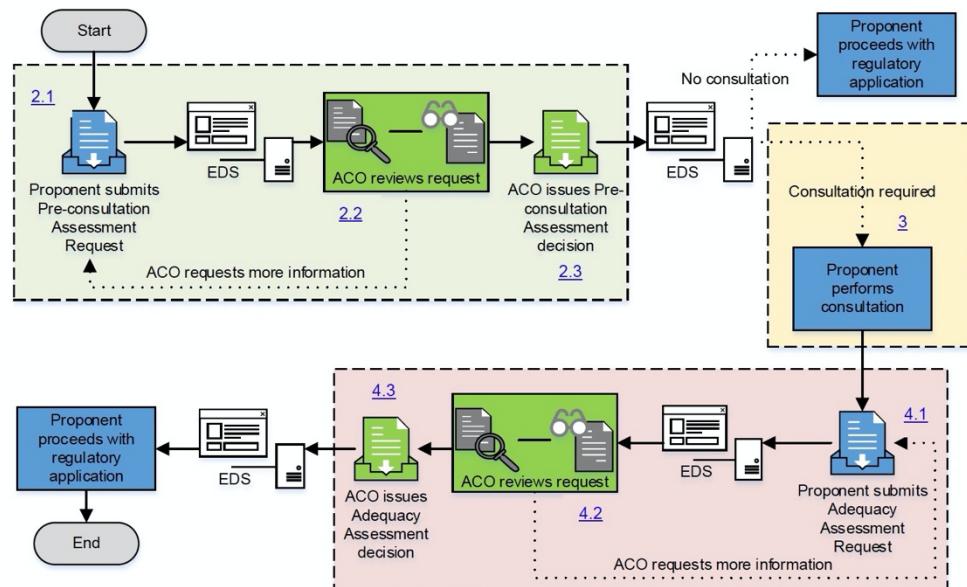
In the Haida and Taku River decisions in 2004, and the Mikisew Cree decision in 2005, the Supreme Court of Canada held that the Crown has a duty to consult and, where appropriate, accommodate, when the Crown contemplates conduct that might adversely impact potential or established Aboriginal or Treaty rights. It was in these decisions that the Supreme Court of Canada upheld that the duty to consult with Indigenous nations stems from the judicial concept referred to as “Honor of the Crown”. A varied legal definition of the Honour of the Crown is that in which the Crown must act with “honour and integrity avoiding even the appearance or ‘sharp dealing’ (Haida Nation v. British Columbia (Minister of Forests, [2004] 3 S.C.R. 511, 2004 SCC 73, para 19).

In the more recent decisions of Rio Tinto and Little Salmon Carmacks (Rio Tinto Alcan Inc. v Carrier Sekani Tribal Council, 2010; Beckman v. Little Salmon/Carmacks First Nation, 2010), the Court further explained that the duty to consult is a constitutional duty that invokes the Honour of the Crown and that it must be met. The context will inform what is required to meet the duty and demonstrate honourable dealings with Indigenous Nations.

The Indigenous Consultation Process

Consultation Process Flowchart

Figure 1 (Consultation Process)



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Figure 2: The Consultation Process – Defined by the Government of Alberta (Government of Alberta, 2016).

In terms of a process that takes place regarding the application of the external actor's duty to consult with an Indigenous community there has been a general step-by-

step process adopted by most engagement strategies. Both the Governments of Canada and Alberta have released a step-by-step guide to conduct consultation and accommodation (Government of Alberta, 2016). Each guide provided by the provincial and federal government is geared towards the external actor for their information and detail and provides all the supporting documents and the process that the external actor must apply when conducting consultation (Government of Canada Indigenous and Northern Affairs Canada, 2015; Government of Alberta 2016). The Government of Alberta utilizes an Electronic Disposition System (EDS) which is a web-based tool managed by Alberta Environment and Parks (AEP) that allows applicants to submit their documents online.

The Piikani Nation Consultation Policy details their recommendation for engagement that somewhat mirrors the recommendations made by its provincial and federal governments. In general, these steps include project notification, pre-consultation, the full project assessment (includes field studies and assessment), final report and on-going monitoring (See Figure 3). Each step includes what needs to occur in the execution of the consultation process as defined by Piikani.

The Piikani Consultation Process (Piikani Nation, 2019)

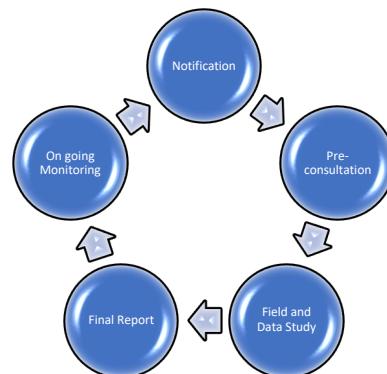


Figure 3 – Piikani Consultation Process as defined by Piikani

Once external actors have satisfied their duty to consult with the Indigenous nation then they are given approval from the regulator. In the province of Alberta, once the Indigenous consultation process has been satisfied, the Aboriginal Consultation Office (ACO) is the regulator that gives its approval.

In larger land-based projects, comprehensive environmental assessments are required that test a company's project against its impact on the environment. When environmental assessments are required, Indigenous nations are provided accommodation, or the financial means, to conduct independent environmental assessments themselves. At the present time, the only entities who can sign off, or approve that an environmental study and assessment has been adequately done, is a member in good standing with one of the following professional organizations: Alberta Institute of Agrologists, Alberta Society of Professional Biologists, Association of Professional Engineers and Geoscientists of Alberta, Association of Science and Engineering Technology Professionals of Alberta, Association of the Chemical Profession of Alberta, College of Alberta Professional Foresters, and College of Alberta Professional Forest Technologists (Alberta Energy Regulator, 2019). There is not any requirement of an Indigenous professional organization to give a professional opinion for verification that the process has passed adequate stewardship measures as defined by the Indigenous nation themselves. This fact alone is a key missing part of the consultation process and that needs changing to address the TRC-CTAs.

3.5 A DISCUSSION OF WHAT IS MEANINGFUL

The UNDRIP (2007) and the TRC (2015) both use the term “meaningful” when recommending interaction of external actors with Indigenous communities. Many of the policy documents recently created, or currently in the process of development, to support working with Indigenous communities whether external agencies or government, infuse the word *meaningful* into their recommended processes (Alberta Energy Regulator, 2017; City of Calgary, 2014; Enbridge, 2018; Tech, 2019). What does meaningful mean? In the Consultation policy document created by the Piikani Nation (2019), it states, “...the end goal of this Consultation Policy is to promote a meaningful consultation process that will assist all parties to reach a place where full and informed decision making has been undertaken surrounding any activity in Piikani Territory” (p. 6). The Piikani Consultation policy indicates that Piikani Nation does not oppose development within its ~~traditional~~ territory. The policy exists to serve as a guide for external actors in the clear and concise process of consultation. It provides a backgrounder as to who the Piikani are as a people with current demographics and historical reference.

For the Piikani, the most important part of any proposal presented to the community is the term “meaningful”. In the conversations for this thesis with Elders Pat (p.c. July 21, 2019) and Shirley (p.c. July 27, 2019) from community, there were numerous expressions of meaningful exchanges they felt must occur with the Nation members in order to achieve a status of “meaningfulness”. Among the Piikani Nation Elders, knowledge keepers and community leaders, who have the most experience in consultative events, all expressed that they believe meaningfulness in engagement with external actors has been far less than adequate.

Elder Pat spoke about a direct experience where he was invited by a company to consult on a project. He went to the project never having been part of the project in the past given the communication that the project needed his perspective in some way. When Elder Pat arrived, he was shown a project that was already complete, operational, and active. He asked the company spokesperson why he was asked to come on the consultative trip? In his view, as a representative of the Piikani Nation consultation department, his job was to assess a project based upon Piikani values that include infringement to his Aboriginal and Treaty Rights, assess infringement to those values and rights and recommend mitigation strategies where impact was inevitable *before* the project began not after. He did not believe he could assess the project effectively once it had started (p.c. July 21, 2019).

Proponents or stakeholders who have expressed interest and intent to implement the principles of the UNDRIP and TRC documents have not spent a great deal of time in the discourse of “meaningful.” The proponents who are creating their own organizational literature and incorporating the term “meaningful” have not exemplified concreate processes whereby they intend to engage in a process that is meaningful and show how it is defined. For the most part their policies that are created and implemented, are already complete before they are shared with Indigenous stakeholders (p.c., July 16, 2018) as an afterthought. In the sense of finding meaning in a concept, the challenge remains how to gauge a level of meaningfulness that exists or could exist in a project. As Polkinghorne (1988) states,

There are inherent problems to the study of meaning. One of the first problems is that the realm of meaning exists in a different form than natural objects do. It is an activity not a thing (p. 7).

3.6 TRADITIONAL LAND USE STUDIES

When Indigenous communities are engaged for projects, the standard practice before the projects are developed is to implement a traditional land use study (TLU) study. Joly et al., (2018) states:

Indigenous communities across the globe practice land use and occupancy mapping to show the geographic extent of their land use, assert their Indigenous rights, and report the adverse impacts of resource extraction” (p. 335).

The common definition of a TLU study is a project that is designed to capture and record patterns of traditional land use by Aboriginal communities (Government of Alberta, 2003). TLUs generally record several main components of data such as:

- Interviews and discussions with Elders and custodians of knowledge.
- Historical and other types of research.
- Mapping and recording of traditional land uses, including sites and activities.

For Piikani, TLUs involve bringing selected members, Elders or technicians of the Piikani community to the physical geographical area in question and having the Traditional Knowledge Keepers interact with the project area to determine the level of impact the proposed project will have on the area. Primarily, the objective of a Piikani Nation TLU study is to determine what the “traditional or historical” connection of Piikani is to the environment and the land. Will that TLU be impacted by the development, and if they are, what strategies will be implemented to mitigate any impact

to those traditional or historical finds that may have an adverse effect on Piikani's inherent Aboriginal and treaty rights to the area? A TLU study is a valuable tool for the Piikani community to re-engage and reconnect to private lands that have had prohibited access by Piikani members for the past 150 years. Whether the land is pre-disturbed or not, when Piikani arrive to the area, the elder begins the session with prayer and offers the land a gift of tobacco to signal to the *tsakoomitopi* (the land) that we are here to retain its integrity to the best of our ability. The ultimate goal of the TLU study is to acquire the traditional knowledge of an identified area of land that has only ever been assessed by western science. Having both perspectives is critical as there is a growing body of discourse that addresses the need for assessment of land and land use using both western science and Indigenous knowledge equally (Government of Alberta, 2017).

In one of my thesis conversations, the Manager of Indigenous Engagement acknowledged that external actors must ask themselves about the value of traditional knowledge in their practice. A critical question they must ask, he states is, "What is the balance of traditional knowledge and western science? ...Western science is not the truth about things...But, do we have (with western science) a whole understanding of why things are? Absolutely not" (p.c., July 16, 2018). In his conclusion, the Manager suggested that those organizations and projects that utilize western science must show equal respect to Indigenous knowledge.

3.7 CONCLUSION

In this chapter I explored the two sides of Indigenous (Piikani) and non-Indigenous (settler) perspectives and context of what the engagement, or consultation is regarding land and land use. In my second narrative I pointed out several events that

made me question the relationships settlers have with Indigenous people and to be critical of history as it is presented. The literature I have found that discusses the relationship between Indigenous and settler favors the settler in detail and leaves out the Indigenous perspective (Tuck & Yang, 2012). The event I illustrated is a classic example of how settlers have treated Indigenous people; a treatment that persists today. I presented two mirror-opposite worldviews. Based upon the literature and current government policy and its governing role it was important to establish context by exploring the root perspectives or genesis of thought that has led us to where we are today.

In existing government and industry's communication there is a very visible presence of the term "meaningful"; what is missing in the communiqué is a definition of what the term meaningfulness means to them and to the community and how meaningfulness is achieved or intends to be achieved. At this point it appears that meaningfulness does not possess meaning, at least in terms of its accountability to Piikani Nation. In the conversation with my Elders, meaningful engagement was adamantly suggested as a "must" to good consultation. Archeologist Neil is doubtful that meaningfulness actually occurs. As he says, "whether meaningful consultation occurs in this day and age is unclear to me" (p.c., July 12, 2018). According to Simpson (2014):

Meaning then is derived not through content or data, or even theory in a western context, which by nature is a decontextualized knowledge, but through a compassionate web of interdependent relationships that are different and valuable because of the difference (p. 11).

In summary, there is little wrong with the use of term meaningful. I don't think there is another word that could replace what Indigenous people hope could be attained

from the term meaningful, as Indigenous want a meaningful relationship. What falls short is the interpretation of the term. I believe that if a common language could be established at the beginning of the relationship and time is taken to understand the difference of each party, a lot of time could be reduced to create meaningful relationships. The early establishment of memorandums of understanding (MOU) or Terms of references (TOR) could be applied or altered to fit a given situation.

According to the Piikani Nation Consultation Policy (2019), Piikani requires Elders or traditional knowledge holders to be part of the TLU studies. For Piikani Elders and knowledge keepers, the exercise of conducting TLUs is more than just part of a process. In a visit with Piikani traditional knowledge keeper, and thesis conversation participant Pat, he spoke about going through the proper process of acquiring traditional knowledge through traditional protocol. Pat then commented on the TLU process as:

For me, protecting these sites it is a personal thing, it's a traditional thing, it was a thing that was transferred to me. That's why I take it personally when I mark a site out (a protective process in consultation) and something happens to it. I take it personally, beyond my job. The person who had went through transfers takes over there (p.c., July 21, 2019).

The policies that govern the way in which consultation is to be done are not accountable to the Indigenous people in that there has not been an enforceable and meaningful co-creation of policy. Rather it has remained to be one-sided favoring the colonialist (Simpson, 2014). In one of my thesis conversations, I got the perspective from a Manager of Indigenous Engagement for an industrial energy company who described

how the Alberta government's consultation regulatory office shows its treatment to Indigenous communities:

When the government, the ACO (Aboriginal Consultation Office) tells you're supposed to be consulting with these First Nations; if for some reason they missed one and you go back and you say (to the government): could you revise this document? Sometimes they do add it, you [think] I (the external actor) have friends in that community. I know this project is going to affect them. This community should be there. Most of the time the government adds it. Other times, and this has happened to me, they say, "No we are not adding them. And if you chose to engage with them you do not have our support" (p.c., July 16, 2018).

In our conversation, he described the authority the Aboriginal Consultation Office (ACO) has over the process of Indigenous consultation and who has the ability and power to direct a company to consult with an Indigenous Nation or not.

As we talk about TLUs, it is important to note the arena in which TLUs are conducted. Although the Piikani use the access acquired to land to gather and affirm its evidence through the practice of TLUs, it is important to question why this information is collected, who will benefit, other than Piikani, from the data acquired, and where the data will ultimately rest. Joly, Longley, Wells & Gerbrandt (2018) talk about how in communities there is a reluctance, or refusal, to openly share information from the community. This "refusal" has been noted by these authors as well as others such as Tuck and Yang (2014) as an indication of many considerations that don't typically get discussed in TLUs. Such considerations include, for example; the use of data points on a map as primary means in which government exert their power over property, territories

and populations; mistranslation of cultural data into western scientific discourse; provincial delegation of Duty to Consult to a third party; definition of Indigenous knowledges within a western paradigm, to name a few of these concerns. As (Joly et al., 2018, referencing Coulthard, 2014 states,

The state continues, then to recognize rights of Indigenous peoples only within their own legal and political systems, thus denying authority and self-determination to Indigenous communities in development decisions (p. 339).

The authors are speaking to the contemporary truth that federally recognized nations are still subject to rules under the Indian Act and are subject also to provincial laws such as those established by the Natural Resource Transfer Act. Therefore, under the current system there is a limit as to how far quality research can be achieved with Indigenous nations.

I have witnessed the refusal to share information with my department and research over the years and what it manifests as, from conversations with my knowledge keepers, is frustration. In Elder Pat's case, the more we talked about the challenges of consultation, the more agitated he got. His reaction is completely understandable as I have watched him openly share his information and experience with government and industry with no meaningful or measurable reciprocity in the exchange. Why would, or should he continue to tell his story or provide advice?

There is a common concern among our community-based monitors, or Indigenous technicians, who collect and process the data gathered with our community in TLUs. They process the data gifted to our department with great respect and it is subsequently handled with critical care. If the data is then shared with bureaucrats who've never set

foot inside the territory impacted, nor personally visit the ground upon which development will occur, how can they ultimately and thoroughly assess what the knowledge holders were saying as valid? The point is they cannot, and they have not, as a practice done so, in spite of being required to do so.

In the Alberta context, the government has allowed for the duty to consult to be administered by a third party, or consultant. Government and industry then contract out the work of environmental impact assessments to private companies such as Stantec or Golder & Associates, who ultimately get the lion's share of the funding to complete the study. The regulator will listen the third-party consultant over the Indigenous opinion. The impact assessment and TLU processes have made the environmental assessment market very lucrative for those who are not Indigenous. When the data collected by the Indigenous Nation and the non-Indigenous consultants is equal and the Indigenous data is deemed invalid, who monitors these inequalities and has the power change the outcomes? What is more disconcerting is that any monitoring program could be given an arbitrary name such as an "Indigenous" *Monitoring* or *Environmental Program* but have no accountability to incorporate Indigenous values or interests (Wolfe, 2006). Yet, it takes place.

TLUs, unless co-created with an Indigenous community, need a clear definition of the terminology used in the method of data collection, use, interpretation and implementation. I am aware that the Alberta government, through its Indigenous Knowledge, Community Monitoring, & Citizen Science (IKCMCS) Resource Stewardship Division of Environment and Parks (AEP), are co-creating resources that are helping to define stakeholder's ethical considerations (Government of Alberta, 2019)

when working with Indigenous knowledges. The language used in the AEP reports suggest that proponents, including those working in government, are struggling to find a clear definition of the term, and application of, “Indigenous knowledge” for common use. Is this a good thing? It is a very new subject and the jury is still out on the matter.

To conclude setting the context of consultation and its implications for this study, the perspective of the Piikani relies on accountability to its membership. The Piikani’s collective knowledge could not exist without pre-existing accountabilities enforced by sacred and natural law contained in the Blackfoot societal structure and paradigm. By law, by way of the Indian Act that still governs the Piikani Nation today, the Nation also has accountability to settler laws and policies. In an inequitable contrast, the settlers are individualistic in their state of being and no accountability exists or is present to their Indigenous counterparts in their interactions or dealing with them.

CHAPTER 4: A DIFFERENT WAY - BIO-CULTURAL HERITAGE

Oki

My Third Story

Iniskim

An Iniskim is the Blackfoot buffalo stone. The original story goes as this: A time long ago our people were hungry. No buffalo could be found on the prairie to feed and nourish the people. The people prayed and asked the Creator for relief. Shortly thereafter a young lady went to the river bottom to get water for her camp. She heard a voice calling to her. In a bush the young lady saw a stone in the shape of a buffalo nestled in buffalo hair. The stone said to her: “Pick me up, I’m holy”. It was then she was given instructions how to perform the Iniskim ceremony with the Iniskim song. The young lady gathered the Elders and shared her encounter with them. They performed the ceremony with the people and shortly thereafter the buffalo returned.

I was taught the Iniskim story at a young age; I saw my first Iniskim when I was a young man. I took part in the ceremony later in life. I had my first Iniskim stone and song transferred to me after I joined the Horn Society. I learned early on how important the Iniskim was, is, and continues to be as a sacred ‘value’ beyond measure to the Blackfoot people. A physical stone today is a reminder of how connected Blackfoot culture is to the land and how special Iniskim is as a sacred gift to all Siksikaistitapi (Blackfoot people) to honor and bless the people.

I heard it from one archeologist, with many Blackfoot technicians and ceremonialist present, that archeology cannot derive or interpret meaning from

what is extracted in archeological digs or to deduce what culture was active in the explored archeological record. However, several independent archeologists agreed that the Iniskim is Blackfoot and indicated Blackfoot sites when found.

Towards the end of my data collection I had a conversation with one of my Elders Shirlee Crow Shoe over coffee one day. We were talking about consultation and the work we do. In particular she recalled a recent project that she personally went on that she gave me permission to share; I'll paraphrase certain parts as the coffee shop was loud and our visit was not that intimate.

...This is what I find amazing, because here I am. Its 2019 and you think it's all going to phase out, our connection to the land, has phased out. I don't think it has, and here's the proof that helps me. (Piikani) Consultation sent me to Medicine Hat where they are going to cap that old gas line, so we had to go to different places and walk the project line. We saw this place where we wanted to go. That Sunday I went to a ceremony. At the ceremony they fed a variety of food, so I packed some along for the trip to Medicine Hat the next day... For whatever reason, I didn't eat it, I didn't want it to go to waste. So I put down some tobacco, said a prayer and offered the food feeding all the spirits. As soon as I was going to go, I found this... (p.c. June 27, 2019)

Shirlee opened her hand and showed me one of the most beautiful and distinctly shaped Iniskim stones I had ever seen. Just hearing her story made me feel so good about the work we do in consultation and that those spirits we respect, and honor bless us from time to time.

4.1 INTRODUCTION

The practice of TLU mapping challenges resource maps, but only when communities control the research process and the terms of consultation (Joly et al. 2018, p 341).

For generations, Indigenous peoples the world over have been monitoring what happens on their traditional territories. It was not just an academic exercise for them. It was vital to their way of life (Raygorodetsky, 2017, p.?)

In this chapter I explore collective Bio-cultural heritage as it pertains to the Piikani Nation. I define the term bio-cultural, speak to exemplars in like-minded communities around the world that have implemented the framework in their communities and speak about its viability as a strategy for implementation in the Piikani Nation. This chapter was informed by many of the initiatives in Indigenous knowledge protection as instituted by the United Nations and its many different global affairs, conventions, and organizations. The most important factor to the understanding of bio-cultural ideologies and frameworks is that they encompass many considerations in the assessment of meaning or “values” that a community deems important to them and how they could be measured both qualitatively and quantitatively. To conduct custom measures and metrics of meaning and relevance to the community takes a great deal of time to establish. For example, it could take a series of meetings over the course of years to discuss one topic and reach a conclusion. The reason is that the knowledge being inquired about is part of a collective where one member of an Indigenous community does not own the knowledge. This is the challenge that the creation of a bio-cultural framework needs to address and will therefore take time to develop, rework and re-

evaluate, possibly forever, to get it right. I have a theory that, like other nations around the world, we will be able to see trends emerge when the collective come together. When we ask in the proper way, the land will answer.

4.2 COLLECTIVE BIO-CULTURAL HERITAGE

The definition of Collective Bio-Cultural Heritage I use for my thesis in its context and study was developed at a Workshop on Traditional Knowledge Protection and Customary Law, in Peru, May 2005. The workshop was hosted by the International Institute for Environment and Development (IIED) and attended by Indigenous and Non-Government Organizations (NGO) partners from India, Peru, Panama, Kenya and China (Swiderska, 2006). “(T)he concept of collective bio-cultural heritage reflects the holistic worldview of Indigenous peoples. It addresses biodiversity and culture together, rather than separating them; recognizes collective as opposed to individual rights; and places them in a framework of ‘heritage’ as opposed to property (Swiderska, 2006, p. 5).” A Bio-cultural paradigm recognizes that the heritage of Indigenous people includes biological resources and traditional territories, and not only TK and culture. A bio-cultural paradigm can then be expanded to create various indexes to gauge diversity among biological resources in relation to their territories thus creating a measure categorized as bio-cultural diversity. Such indexes allow for a comparison of bio-cultural diversity across regions, their loss over time, and approaches to support their conservation (Davidson-Hunt et al., 2012). The goals of a bio-cultural diversity in terms of conservation and the Piikani Nation’s desire to preserve and protect our lands, territories and thus our natural resources should allow for innovative processes founded on the Piikani Nation’s right to self-determination. In May 2019 the Center for

Indigenous Conservation and Developmental Alternatives (CICADA) hosted an international conference to develop the North American Regional Declaration on Bio-cultural Diversity which, in part, states: “Bio-cultural Diversity – the diversity of life in all its interdependent manifestations: biological, cultural, linguistic, and spiritual – is a fundamental component of environmental conservation, sustainable development, and decision-making at local, regional, and global scales” (Center for Indigenous Conversation And Development Alternatives, 2019). The aim of CICADA and its partner organization fulfill a desire of the Piikani Nation to thoroughly understand its place in science, but equally valued for the knowledge and protection of its culture.

4.3 CREATING BIO-CULTURAL PROTOCOLS

A study of Bio-cultural heritage encompasses knowledge, innovations and practices of Indigenous people and therefore Bio-cultural *diversity* is a term used to suggest a measure or index to provide context and connection to surroundings. To enrich the knowledge that informs bio-cultural heritage in a culture, the literature suggests the Indigenous community needs to be engaged in numerous methods to determine how the heritage and cultural is monitor-able or measurable and how we can therefore monitor its change over time. What has been recommended in other case studies in multiple Indigenous communities is the use of “indicators”. Indicators are the direct or indirect signs and signals that can be used to monitor and assess criteria. Sets of Indicators can be grouped and used as frameworks to revisit over an identified monitoring schedule. These frameworks with guiding principles are also called protocols (Shrumm & Jonas, 2012). The idea of creating bio-cultural protocols has been a focal point of Indigenous communities around the world who have been mobilizing their knowledge systems to

inform strategies that can create and sustain the overall health and well-being of a community in the face of development (Shrumm & Jonas, 2012).

According to the Bio-cultural Protocol Toolkit (Shrumm & Jonas, 2012), the following guiding principles are required in the development of protocols for Bio-cultural heritage:

The development of a *bona fide* biocultural community protocol (or other community-based instrument for engaging external actors) ...

... is a community endeavour that:

- Is endogenous
- Is empowering
- Is based on communities' values and procedures, while including the fullest and most effective participation of community members
- Promotes intra- and inter community dialogue, and intergenerational discussions
- Fosters consideration of the interlinkages between social, economic and spiritual wellbeing
- Explores the diversity of knowledge and skills in the community
- Draws on the communities' own resources and resilience
- Further develops community collaboration on useful methodologies

... and focuses on and integrates:

- The values and customs relating to their collective biocultural heritage
- Current strengths, challenges and future plans
- Their rights at the international and national levels that support their ways of life and their corresponding duties
- Messages to specific agencies about how they intend to ...

... to produce a protocol that is:

- Value laden
- Presented in a form that is most appropriate for the community while effectively communicating their key points to the relevant authorities / bodies ...

... towards:

- Establishing the community's/ies' rights and duties relating to their stewardship of their collective biocultural heritage
- Respect for and realization of procedural and substantive rights and responsibilities
- Increasing their agency
- Improving access to information, participation and/or justice
- Improving dialogue with other communities or outside agencies
- Further developing flexibility and adaptability
- Promoting local social, environmental and economic equity ...

... and where outsiders assist a community with any aspects of developing a protocol, they should engage the community with:

- Honesty
- Integrity
- Transparency
- Respect
- Social and cultural sensitivity to local processes and time-frames.

Figure 4. Bio-Cultural Protocol Toolkit Development Considerations (Shrumm & Jonas (2012), p. 21.

Once a process is established, it should be revisited at regular intervals to ensure the monitoring of the values remain intact.

4.4 WELL-BEING

Well-being, as used in the context of this thesis, means living happily or leading a satisfying life. Most of the work reported so far on human well-being by the socio-economic institutions is focussed on utility-based approach which primarily reflects economic well-being (Tebtebba Foundation, 2008). Both humans and ecosystems are intricately linked and affect each other significantly and therefore, ecosystems inevitably play a vital role in human well-being (Sangha, 2019).

When major projects are proposed in a given geographic area an assessment of impact to the environment may be required. Currently in Canada, the Federal Environment Minister makes a decision about the likelihood of a project causing significant adverse effects based on the environmental impact statement submitted by a company. The current assessment processes are regulated under the *Canadian Environmental Assessment Act, 2012* (Government of Canada Environment and Climate Change, 2017). Under this current act, determining what is a significant adverse impact depends on the features of each socio-ecological and cultural system and how the proposed development might change it. While the community's participation and engagement is essential, as public hearings and public engagement is part of the regulatory process, it's unlikely that community members, including all the various stakeholders, will be able to influence how decision-makers define significant adverse effects largely because public hearings happen after a decision has been made about the

“significance” of an adverse effect. Therefore, decisions about significance do not fully incorporate the interests and perspectives of the communities affected by them.

In 2017 the Minister of the Environment and Climate Change of the federal government was directed to review the environmental assessment process. The result was the federal document entitled Common Ground: A new vision for Impact Assessment in Canada (Building Common Ground, 2017). The encouraging part about the report was a new vision for the Environmental Assessment (EA) to Impact Assessment (IA). It recognized that impact assessment should encompass more than just the bio-physical environment but also social issues, economic opportunities, health impacts and cultural concerns should be considered (Government of Canada Environment and Climate Change, 2017).

Other communities around the world are suggesting to government decision-makers that they need to consider the implementation of “well-being” into their assessments (Mackenzie Valley Environmental Impact Review Board, nd; Department of the Environment, 2014; Tebtebba Foundation, 2008). The many resources and conference papers I have read indicate that the definition of “well-being” is intrinsically linked to the philosophy that the entire community having access to the basic attributes that sustain a good “quality of life” such as access to clean drinking water and access to health care. Some indicators of good community health could have more complex needs such as access to employment, education, and community infrastructure. There is little doubt that the need to address factors that lead to a community’s well-being is crucial to both community and environmental health.

4.5 COMMUNITY ENGAGEMENT

We hear much about “community engagement” but what actual engagement is depends upon the purpose of the engagement and how it is executed within the community. One of the most challenging concepts of Indigenous consultation is the practice of community engagement. For the purpose of this thesis, I use the term engagement to imply a “pre-consultation” effort by an external actor to actively communicate with a community in a non-required manner. Through environmental or impact assessments, energy regulators know that Indigenous community advice based upon their knowledge in consultation is required. As established earlier, Indigenous knowledge is collective and cannot be passed on by one community member or group alone. What is required in the engagement of Indigenous communities is the gathering of community thought. In current practices, companies conduct “open houses” for all stakeholders of a development area. Open houses are events that are open to the general public in which the company has an opportunity to present their project, answer questions, and hear concerns. In the past Indigenous communities were invited to these events with no special consideration such as the company acknowledging community process and protocol that the community members required for proper consultation. In these cases, the Indigenous community was deemed to have been consulted regardless of whether any community members showed up or not. That is not that case anymore: stakeholders are required to make special consideration for Indigenous communities. On more than one occasion, companies have sponsored community meals and made presentations at the Piikani Community Center. Most would say this is fine, however the open houses experienced by Piikani have been one-offs where the company parachutes

in, delivers its message, says they hear the community's concerns and are not heard from again. There is no follow up.

Another challenge with engagement sessions is the frequency of the sessions. There have been various times when a variety of companies have approached the community to hold open houses for stakeholder engagement sessions. The community may have varying levels of interest and if queried too often may suffer from engagement fatigue. This impacts attendance. Regardless of the challenges that are currently experienced by the stakeholder's interface with an Indigenous community, the process is being recognized as a non-debated obligation and requirement for good Indigenous community relations. "Engagement, in my opinion, for any consultation to be meaningful needs to precede consultation" (p.c. July 16, 2018).

Jorge is Manager of Indigenous & Community Relations who works for what I term as a "proponent" or stakeholder in a private industrial firm. Although Jorge currently resides and works in Alberta, Canada, he has worked across the globe with Indigenous communities developing engagement strategies. Jorge acknowledges the need for engagement to occur.

In my conversation with Kieran, who works for government and has conducted many engagement sessions across the province of Alberta, he states, "In terms of a good experience and to get the most out of a conversation. one-on-one or face-to-face dialogue is really important.... Truly the good experiences I had start with engagement" (p.c., July 31, 2018). Kieran put the emphasis on an early communication between the government and the Indigenous community that has made for good experiences.

At this point, it is encouraging to see the willingness of external actors who are willing to engage with the community early and take meaningful consultation seriously.

4.6 VALUES AND INDICATORS

Prior to defining how Bio-cultural heritage is to be explored and frameworks are developed for each individual nation, the nation must define what is of value and how it can be measured over time to indicate change. Indigenous communities need to explore values and indicators that are relevant and pertinent to their community's needs. Listed in the following table are sample indicators that may be relevant to the Piikani Nation. As mentioned earlier, the identification of the values and their status indicators will take a fair amount of time to acquire.

The Natural Justice organization from South Africa compiled a resource book for those communities looking to explore their own Bio-cultural community protocols for their communities (Shrumm & Jonas, 2012). In the tool kit are a number of clear methods (or tools) to engage and extract knowledge about values from community in creative ways. Some examples are combining technology and innovation with traditional storytelling in participatory video projects. Other tools for acquiring data from community are creating photo journaling projects and even theatre projects. At the same time knowledge is being gathered a protocol process is keeping the community aware of the process and infusing legal consideration into the protocols development through the tools and frameworks used in other communities. Figure 5 outlines a list of the values that are important to Piikani Nation and that must be considered when developing any monitoring plan, project or framework. These values were attained from the Piikani

Elders through a conversations directly and indirectly related to this thesis in the development of a community monitoring program project I participated on.

Wind
<ul style="list-style-type: none">· Air quality· Odours· Noise· Dust
Sun
<ul style="list-style-type: none">· Uninterrupted viewscapes
Water
<ul style="list-style-type: none">· Water quality (SW, GW, water wells, water treatment)· Water quantity (water infrastructure, river and surface water flow, well water)· Stream connectivity (culverts, dams, diversions)· Wetland conversion· Riparian condition
Land
<ul style="list-style-type: none">· Access<ul style="list-style-type: none">o physical limitations (gates, road and trail condition)o rights to access (crossing private land)· Contamination· Erosion, soil loss, deposition· Soil condition (productivity- agriculture and well sites)· Alteration of land (levelling, physical alteration of soils and rocks)· Undisturbed habitats / habitat condition (old forest, native grassland)· Fire management
Plants and animals
<ul style="list-style-type: none">· Species at risk· Highly-valued species<ul style="list-style-type: none">o Cottonwoodo Willowso Berrieso Beaver· Invasive species· Abundance and distribution· Disease
Cultural knowledge and practice
<ul style="list-style-type: none">· Traditional knowledge<ul style="list-style-type: none">o Elder to youth transmissiono Recording of knowledgeo Place nameso Language· Hunting and fishing quality (mix of access, animal condition)· Plant harvesting location condition
Cultural sites and artefacts
<ul style="list-style-type: none">· Historical site condition (medicine wheels, tipi rings, cairns, buffalo jumps)· Culturally significant locations<ul style="list-style-type: none">o Vision quest siteso Sundance arbourso Camp / gathering sites

Figure 5: A list of Values as defined by Piikani Nation for its Cultural Monitoring Plan.

4.7 COMMUNITY-BASED MONITORING

Once a community is aware of its ability to realize their own knowledge in an action-oriented way, on-going monitoring is needed to uphold consistent collection of data. In Alberta, to receive “sign-off” that monitoring and environmental assessment have been adequately completed the regulatory bodies recognize very few science-based associations who do assessment work (Alberta Energy Regulator, 2019) and among the recognized associations there isn’t space for Indigenous community input at any level to inform the assessment and process of assessment with respect to community concerns or need. A growing body of literature is suggesting that these organizations and programs fail to fully consider the values and participation of surrounding Aboriginal or Indigenous communities (Brammer et al., 2016; Gérin-Lajoie et al., 2018; Mckay, 2017; Wheeler et al., 2018). These authors suggest that communities are asking for long-term and independent monitoring programs that can provide, for themselves, independent views on a given project. They suggest the development of community-based monitoring (CBM) programs would meet this need. The regions actively pursuing the use of CBM practices are northern or Arctic communities who are currently experiencing rapid environmental or climate change (Gérin-Lajoie et al., 2018). The only population who spends extended periods of time in the artic regions are the original inhabitants therefore, it is they who can and should carry out variety of monitoring that needs to occur.

The Piikani Nation has implemented its first CBM as a pilot in the winter of 2018-2019. The program has begun to lay the path for the community defining its own

values and how they may be monitored through the program as outlined in Table 1 below.

Table 1. Piikani Nation Identified Values and Indicators Pilot Example

Key value	Indicator	Description	Justification
Land access	Time needed to travel to key sites	Measures how easy it is for Piikani to access their land.	Piikani have seen a significant reduction in land accessibility in the last decade from our observations at 20 key sites on Piikani lands. This continues to decline as industry and development increases.
Cultural knowledge and practice	Elders' perceptions of cultural knowledge and practice	Measure of elder satisfaction with cultural knowledge and practice	Elders are best placed to understand and evaluate the health of cultural knowledge and practice.
	Youth participation in cultural activities (ceremonies, cultural site visitation, hunting etc.)	Measures the % of youth actively involved in cultural practice	Having youth participating and engaged in cultural practice is seen as the key to its health, transmission and preservation.
Plants	Ceremonial plant availability and abundance	Measures how long it takes for people to collect the plants that are needed to perform our ceremonies.	Ceremonial plants are culturally significant. Our land has always been managed to maintain an availability of these plants, so their presence and abundance in the landscape is a good indicator of overall plant and landscape health.
	Cottonwood density	Measures the density of 15 Cottonwood stands across Piikani territory.	The Cottonwood Tree is a culturally significant plant species that is used for many different purposes. Its presence and density is believed to indicate the health of an area.
	Berry availability	Measures the availability of berries along three important walking trails	Berries are an important food source for animals and a traditional food for people. For this reason, berry availability is considered by Piikani as an indicator for plant health, especially along walking trails, which are used by people and animals.
Animals	Abundance of key species	Measures the abundance of key species (as defined)	This is an aggregation of the presence/abundance of individual species. It is more general and therefore allows for

		by Elders and knowledge holders)	different species to be included in these measurements.
	Presence of buffalo	Measures the number of buffalo in key migration corridors	Buffalo are a culturally significant species for Piikani. Where buffalo are present and abundant, land (and those cultural practices connected to the land) are considered to be healthy.
	Presence of beavers	Measures the number of beavers in 4 key streams and rivers	Beavers are a culturally significant species for Piikani. Where beavers are present, land and water (and those cultural practices connected to the land) are considered to be healthy.
Water (streams, rivers, lakes)	Stream erosion	Measures the erosion of river-banks at 10 key	Erosion is a major threat to our rivers and streams. Therefore, monitoring riverbank erosion provides an indication of
	Drinkability of water	Measures the % streams that provide suitable drinking water at key sites	Drinking fresh water from our streams is an important cultural practice and indicates whether our waterways are in good condition.
Cultural Sites	Site disturbance	Measures the level of disturbance created at 20 key cultural sites	The health of cultural sites relies on them not being disturbed. This indicator allows us to see whether or not they have been disturbed, which indicates the level of protection that they are receiving.
	Accessibility of sites	Measures the average time from Brocket to key cultural sites	Linked to land accessibility, this measure how possible it is for people to visit and engage with cultural sites

The Piikani community-based monitoring team utilizes the latest technology to capture data in the field with the use of drones, tablets and online smart phone applications. The data is input, controlled and governed by Piikani Nation for use by Piikani Nation. The ownership, control and protection of the data is key to Piikani Nation sovereignty. The results of the monitoring will be then be presented back to the community at regular intervals highlighting key concerns and strategies to maintain or improve the health of the key value.

4.8 CONCLUSION

In terms of the relational accountability, the literature is exemplary and shows that the creation of Bio-cultural protocols is a model of what should be done to make engagement accountable for Indigenous communities. The Blackfoot nations utilize a combined voice as the Blackfoot Confederacy and from time to time come together on common concerns. The current chiefs of each nation gather periodically to make motions and actions on various initiatives. On one such occasion the chiefs passed a declaration regarding the affirmation and protection of education in its responsibility to the Blackfoot by the federal government (Appendix B).

As my third story clearly showed the relationship between Piikani People, and their connection to the land is intact. I do not claim Shirlee's story, but rather share it to celebrate the knowledge and blessings this work can give. I hope that the story set the tone that hope is achievable; key to this is the idea of a bio-cultural heritage and monitoring to explore that value.

CHAPTER 5: CONVERSATIONS

Oki

My Fourth Story

The Sundance

Pat Provost is one of our Piikani Nation community Elders, ceremonialists and knowledge keepers. Pat also works as one of our knowledge keepers when Piikani Consultation has TLU work. I have had the opportunity many times now to sit and visit with him and learn from him as I work and grow.

The Sundance is a central Blackfoot ceremony among the Blackfoot people and is led by a Sundance Lady. It is important to note that there are different Sundance ceremonies for different Indigenous Nations and they are unique in their structure, process and meaning. In the Blackfoot ceremony, an arbor is built at the time of the ceremony that consists of trees and vegetation from around the area. In particular the cottonwood tree is used for the center pole of the arbor.

Pat has put on, or hosted, many Sundances for the Piikani community at his residence. Pat's property is adjacent to the Oldman River valley. For years he has travelled to the river bottom to collect willow branches to build sweat lodges. The most important of harvested flora is the cottonwood tree, as this tree is the center pole of the physically built Sundance lodge.

In 1990 the Oldman River Dam was constructed approximately eight kilometers upstream from the Piikani Indian Reserve's western border. The Piikani people were promised many things by the government, one of which was that the dam would not have any impact on the lives of the Piikani people. Rather, the

people would benefit from its use in the way of job opportunities and ample licenses to draw water from the river. Thirty years later the dam has not benefited the Piikani Nation at all. In addition to the fact that no jobs went to the Piikani members, there has been a significant change to the landscape and as result this has impacted the TLU of the nation. The vegetation has changed, the water is cold, the animals have moved out of the river valley, the river's path has straightened to name just a few consequences of the dam.

I travelled many times to consultation meetings where Pat and I have had long talks about various issues. Pat told me that the most important component of the building of a Sundance is the cottonwood. The place where he has gotten previous cottonwood center poles is now inaccessible because the river has changed making the poles increasingly inaccessible. Pat looks to me and says: "Our lives totally depend on our ceremonies, without them we'd be struggling... It'd be a very sad life for our little kids that are born today if they're not going to know our way of life." (p.c, July 21, 2019).

As a community researcher I look to our Elders as members who have PhD's in our Piikani knowledge and values systems, who can speak about their observations of the changes in our environment. I believe that the Piikani people need to continue their ability to be active stewards of their land led by their Elders, or traditional knowledge holders. It is through consistent acknowledgement and documentation of this relationship of the Piikani and their land that will create a better environment for all in our collective future.

5.1 INTRODUCTION

Before I begin my conversations and analysis I need to preface with the distinction of my use of *conversation* as opposed to *interview*. I chose to employ Indigenous Research Methodology (IRM) (Wilson, 2008) that identifies interaction of researcher and participant as a conversation that is intended to provide a “natural” environment in which to interact. My earlier graduate training preferred that I employ a method whereby I remain as objective from my subject and subjects as possible throughout my process. Wilson (2008) suggests that the dominant research paradigm does not allow for personal interaction between the researcher and subject, and he suggests that meaningful and complete research cannot occur without it.

It became clear throughout the progression of the conversations with my participants that the less structure I provided, the richer and more meaningful the outcomes became. I gained understanding that the framing of the sessions in a formal manner provided for an artificial feeling for them and ultimately yielded “yes” or “no” answers. I believe this occurred because a formal set of questions gave the participants little room to think and respond in a relaxed and natural conversational manner. What is important in unstructured conversations is that the less structure the exchange has, the more the participants have freedom to take the conversation where they feel it should go. Most times the conversation takes a great deal of time to produce nuggets of information directly related to the research topic; most times preferred results are not obtained through one interaction. More time for further conversations may be needed. Listening uninterrupted and attentively is a valued part of Indigenous cultures and a key reason for my choice of conversation rather than interview.

In his book *Research is Ceremony* (2008), Wilson emphasizes the axiology that permeates Indigenous communities, in what he refers to as Relational Accountability, meaning the researcher must answer some questions such as purpose and intent for the research and that the findings must serve purpose in the community observed. The outcomes of the research must benefit the broader community as opposed to the researcher's intent alone. The researcher then has an obligation to the community, in which he or she is researching, to ensure that the outcomes of the research have a beneficial purpose and are presented back to the community, most often for their use to further the work on the topic or develop the work in multiple ways beyond an academic study.

5.2 CONVERSATIONS

My conversations were done under the lens of Indigenous consultation. I held a conversation with each participant only once. Each participant was informed of my purpose and the intent of the conversation. I collected consent forms and their permission to audio-record them. I took notes following each exchange and transcribed the audio-recording. At the conclusion of each session I informed each participant that I would provide them with a copies of the transcribed conversations, if requested. I also obtained permission for each participant to use their first names to identify our conversations.

In my first set of sessions with each participant, I tended to spend a great deal of time formally explaining my purpose and intent as I felt I had to provide context for the conversation to begin and somewhat direct its focus. I was conscious of trying to stick to a conversational tone and approach but also relied on pre-established and guiding questions to provoke discussion points. In preparation for all conversations I had pre-

discussions with each participant to give them a brief context for when we scheduled a conversation for the purpose of going on the record.

As part of my professional duties in my role as a Manager of an Indigenous Consultation in my First Nations' community, I have had several direct opportunities to interview Elders who assist in our consultative initiatives for our department. I have also sat in, or led, meetings orientating new external actors to our community and negotiating with current ones regarding new and existing consultative events that affect Piikani Nation. It was this experience that informed my maturation of conversation style as I proceeded throughout my interactions with my participants. One of my primary messages to any external actor is that they need to spend time with my community to appreciate the complexities and intricacies of our heritage and how then that knowledge gained could be applicable to their project and its impact to our community.

Unfortunately, I kept my individual conversations to one moment in time and found that perspective limiting in scope. My method of interaction with my participants was different from what I expected from external actors engaging with my community; short, quick, conversations do not convey the breadth of knowledge that each participant has revealed to me off the record. What was beneficial in maximizing the efficiency of our time together was that I had known each participant personally and professionally sufficiently enough to get to certain topics quicker than others with the benefit of personal and professional context. As I had established relationships with the participants the barriers were down and my key to the conversations was the relationship.

In my first conversation with an education focus, the exchange was not what I intended or expected. In fact, I have hesitated to use these conversations, as I have not

deemed the content applicable to my revised focus. However, it served as a pilot conversation. I did gain new knowledge and insight into the process moving forward that informed my actions to improve upon how I approached subsequent conversational settings.

5. 3 EXTERNAL ACTORS

My next three conversations were conducted with external actors to our First Nation community; Neil from archaeology, Kieran from government, and Jorge from industry. I differentiate the following analysis into separate sections entitled: *External Actor Profiles*, *External Actor Conversations*, and *External Actor Conversational Themes*. In the Profile section I will provide some context to the conversations with respect to who my external actor participants are in their place within my research based upon the information gathered in our conversation. The profile will also draw from the conversation, how each participant's work, past or present, connects to the topic of Indigenous consultation. In the Conversation section I explain what was generally talked about. I recount stories that were shared and what scenarios related to their experience in the work of consultation with Indigenous nations and people. The final section will highlight multiple themes that I concluded that overlap and sometimes conflicted with each other and I relate them to my thesis topic and its validation of my conclusions.

Prior to visiting with the three external actors, I had developed relationships with all three participants who have had several working relationships with my community. I believe the prior engagement with our community played a role in the willingness of each participant to be open and forthcoming with the information they related in our discussions.

5.3.1 EXTERNAL ACTOR PROFILES

Neil has worked with the Blackfoot Confederacy, including the Piikani Nation, as an archeologist on several projects that required an archeologist's examination of evidence on major projects where land was going to be developed or altered. Neil described in our conversation that although his private archeology company has worked all throughout Western Canada, the majority of his work has been primarily been within what he identified as "Blackfoot Territory". Neil has worked in his present profession as archeologist for approximately 25 years and has also taught at multiple universities in Canada. In our conversation, Neil touched briefly on an insight of his personal education where at the time when he was an undergraduate in the 1980s, the field of archeology did not place value on considering who created the artefacts that were found. It was not until his newly created private company in the 2000s where he received his first contract working with an Indigenous nation in British Columbia, that he noticed a change that challenged his perception of the connection of his work and its connection to the people who created it. While working with that particular nation, his company was required to "consult" with the Indigenous nation. Members of the nation were temporarily employed to dig holes and talk about what they find from those digs. The chief of that nation told Neil and his company: "consultation is more than handing an Indian a shovel". What Neil learned from that experience is that there is more potential to learn from the community whose artefacts are examined and more data can be obtained.

Kieran is a young ambitious gentleman who works for the Government of Alberta. At the time of our conversation, Kieran worked in the Ministry of Indigenous Relations and was actively engaged with multiple Indigenous communities developing

policy for Indigenous relations. Kieran is a fourth generation Albertan and attended school in Edmonton from grade school all the way to post-secondary where Kieran received a bachelor's degree in Environmental Science and Conservation at the University of Alberta. Prior to graduating from the University of Alberta, Kieran already had gained a great deal of experience working as a summer student with the government of Alberta. In our conversation, I felt comfortable with Kieran, but had I not had prior interaction with him, I do feel we would not have had an open dialogue in his current position.

Jorge is a Senior Advisor for Stakeholder Engagement and Indigenous Relations for an energy transmission company currently working with the Piikani Nation. Jorge has had the similar role of Indigenous Relations for many years, and when we do meet, he will reference other community members that he has worked with on the Piikani Nation for many years and with whom he has built friendships. Jorge has close to a twenty-year career in sustainable development and has worked among Indigenous groups in Latin America, Southeast Asia, West Africa, and North America for the past five years. Jorge speaks five different languages, and English is not his first. It is clear that Jorge was not raised in North America and has foreign accent, so word choices and phrasing are different in our conversation compared to the others. Jorge is very personable and very out-going; it is clear he enjoys his work and has a passion for working with people.

5.3.2 CONVERSATIONS WITH EXTERNAL ACTORS

Neil: During my conversation with Neil, we discussed a common project that our organizations worked on together with the City of Lethbridge. The project involved the

protection of Blackfoot sites in the Lethbridge area where we had assessed if the sites needed critical care and protection from future municipal development. Neil spoke about how in the past the Blackfoot nations were not consulted in the development of public land within the city limits. After the Piikani, with other Blackfoot Nations present, had conducted TLU work with the city, those sites that they had worked on together became protected.

There is now a city-wide plan to preserve the sites we identified as most important. Any development that occurs in the river valley, there will be consultation. In 2011, we did three or four projects and there was no First Nations consultation (p.c., July 12, 2018).

In his conversation, I asked Neil to describe for me a positive experience and a negative experience when working with Indigenous nations and external actors. I asked about recalled events from his perspective as a “middle-person” who facilitated consultative events that involved archeological surveys or opinions for an Indigenous nation and an external actor to that nation that is conducting business with the nation. Neil recounted an event in Saskatchewan between a big rail company, whose project was going to run through several Indigenous nations. From the onset, in his opinion, there was very inadequate consultation done on the project. His company was called in to provide archeological surveys that affirmed that with preconceived and finalized plans, there was no option for the project to safeguard specific artefacts that would be destroyed. The external actor company negotiated by “simply throwing money” at the problem, but the project remains a sore spot in the First Nations’ perception, and in Neil’s perception as well.

Neil also recounted a positive experience that involved a promising endeavor that was facilitated by the City of Edmonton. The City of Edmonton was going to destroy a cemetery by the Walterdale bridge; this move was opposed and protested by many First Nations, including Blackfoot. As a result of the pushback by the Indigenous community, an office for Indigenous Relations was established with the city; this is said to be one of the first major cities to establish a role such as this.

In both instances of a positive and negative experience, Neil had been part of the consultation history long enough to value that there has been a change in the way consultation was done “20 years ago” and now in present day.

Kieran: The conversation Kieran and I had initially revolved around his view of government Indigenous policy. The year prior to having this conversation, Kieran coordinated a year-long initiative working to develop an Indigenous policy that would define the term Indigenous Knowledge, and with it, create policy that was intended to be used by multiple levels of government. In this work, Kieran engaged many nations across Alberta to facilitate the input needed for the creation of the policy. My timing was quite good to be able to have a conversation with a stakeholder or proponent who was making changes and observations of those changes in real time. At the time of the visit, Kieran was still quite young; he had a great deal of energy and passion to carry out the daunting task of travelling all over the province of Alberta to get the comments and perspectives for the several rounds of drafts of the policy.

I asked Kieran about positive and negative cases of community engagement that he experienced in his engagement work with Indigenous nations. Kieran did not name a company or First Nation who, in particular, had done an engagement process well, and he

spoke more so in general terms. He said, that from his position in government, he has come to know that consultation, and meaningful consultation, will only come with good communication. He referenced that he accepts as a practitioner, the engagement process will take time. He had some experience getting to know some great Indigenous liaisons in the consultation industry who have assisted in his work. He referenced a Cree lady from Treaty 8; the strength the lady possessed was the ability to speak the Cree language in her business meeting with external actors and the communities they consulted with. As an employee of the government, I was encouraged to hear his understanding of community values and the idea of the time needed for most consultative events to properly take place. “I think just having that, the perspective, the cultural awareness, the reminders, and yeah, the language piece as well just was really helpful” (p.c., July 31, 2018).

Kieran did not get into a specific negative experience in engagement. He spoke more about “challenges” that he sees in policy guidelines on two fronts; their creation and their interpretation. Kieran noted that the creation of consultation policy is bound by tight timelines to get it done within a period that caters to the need of government, over the need of the community. The interpretation of policy that follows a set of guidelines most often favors industry rather than the community where the government treats all communities and scenarios as the same. Kieran realizes that one set of guidelines cannot accomplish meaningful engagement as all nations are unique.

Jorge: Jorge was a Senior Engagement Specialist who has a great deal of experience with creating and maintaining relationship with companies and Indigenous communities nationally and internationally. Initially we spoke about the meaning of consultation and engagement. I believe that because Jorge’s first language is not English,

he placed an emphasis on a mutual definition of an engagement process that we both understood before our conversation progressed. “But engagement, in my opinion for any consultation to be meaningful, needs to precede consultation” (p.c., July 16, 2018).

Jorge spoke about his experience as a liaison who worked in multiple communities and had a variety of experiences as a representative for his energy transmission company. Jorge spent a great deal of time speaking about his idea of best practices in Indigenous consultation and how the development of a “relationship” with an Indigenous community was the most important component of consultation.

Jorge is an ideal external actor and is the exception to the rule, meaning his perspective of proper engagement seems ahead of his time. By comparison, Jorge would act in the best interest of the community first before completing the engagement process with a community, where the average external actor would not. “That is the beginning of the proper consultation because the engagement has been so solid that I already know that what I am about to do might create some concerns on your side” (p.c., July 16, 2018).

Jorge compared consultation to marriage where one needs to develop a relationship before moving to a major step in that relationship; those who have taken the time to get to know each other have a better chance at a longer relationship. He says that by the time you commit legally to marriage there is already an understanding and a knowledge and a caring for one another. In Jorge’s opinion, policy is not the answer to a better relationship. I interpret his statement to mean that “policy” alone without a nurtured relationship in order for it to be successful or productive. the same goes for having a successful consultative relationship.

I also gave Jorge the similar subject to recount a positive and negative experience in his consultation work experience. In his positive story, he spoke about an engagement activity that took place in the Lesser Slave Lake area. Jorge spoke about one particular community that was very well-versed in policy and strong in their conviction to get what they wanted out of one particular energy project. The government would not move on their position to give what the community wanted, and the relationship became a stalemate for a long period of time. Jorge took it upon himself to take more of his own time to get to know the people and their culture. With this extra effort, the community built a bond with Jorge and now consider him a friend. This community now hosts an annual “consultation camp” and invites Jorge to attend and participate as a guest speaker for their community year after year.

In Jorge’s negative experience he spoke of a similar story where he was to present at an Indigenous community meeting to discuss his company’s project. An irate community member from the Indigenous blew up at Jorge and his colleagues before they could actually get to introduce the reason for their visit. Jorge recounted, “.and we came in to make a presentation and three minutes into my introduction and introducing ourselves this guy leaps on to the table and bangs! ‘You people...’ and he went on, I kid you not, for forty minutes” (p.c., July 16, 2018). To this experience Jorge did the right thing, he did not react, he let the member of that community vent. In a calm voice, Jorge asked the member a few personal questions, and by that time, the irate member had calmed down and they began again. Jorge reflected in the story that he believes the reaction was not personal but came out of the frustration of companies who had not lived up to promises they made to this community in the past.

Jorge's latter experience is a common occurrence in First Nations community meetings where external actors come in to deliver what they intend to be an "informational session" or "open house" intended to "freely" ask the community questions and provide answers. Most times the event will turn into a heated exchange between the company and or members of tribal leadership who brought the company in.

5.3.3 EXTERNAL ACTOR CONVERSATIONAL THEMES

Forced Engagement

To various extents all three external actors spoke in our conversation regarding the implementation of the governments federal and provincial consultation policies enforcement of the duty to consult with First Nations. Neil's independent company was employed by the government to begin assisting in the implementation of Indigenous consultation activities. His following accounts provide a view precisely when the change from non-requirement to requirement to consult occurred.

Neil recalled in the years 2004 or 2005 when his archeological surveying company was called into a meeting by the Alberta government that introduced Alberta's consultation policy and his account is as follows:

The memorable aspect of that was government employees coming to us, no First Nations at all (present at meeting), coming to us and saying you know because of some court decision and some policy changes we're getting into the consultation business, as they called it. We have to consult with First Nations. It was clear that it was only by virtue of that fact they have been ordered to do so by government which is being ordered to do so by the courts (p.c. July 12, 2018).

Neil concluded that throughout that four-hour meeting the government was not sure how consultation was going to go and they did not know what to do. Their actions were guided by fear of getting sued by a First Nation for inadequate consultation. Neil stressed that the whole process of the Alberta government's initiative to conduct proper consultation at this point in time was clearly "lip service" (p.c., July 12, 2018).

Kieran confirmed the view of what Neil had observed fourteen years prior. We spoke about the meaningfulness of consultation as it pertains to a generalized view from outside of Piikani. Kieran spoke as an existing employee of the government from his knowledge of the policy's purpose:

Meaningful can mean different things; I think meaningful for government is that there has been due process that aligns with case law and policy direction and that a decision is still able to be made and there is still economic certainty and that there is still legal certainty (p.c. July 31, 2018).

Kieran spoke a great deal about honoring and respecting the community, but as a government employee, and at the end of the day, his organization has a job to do and they will get it done.

Jorge spoke about how government will go a step further, to not only require when or why consultation between an external actor and Indigenous nation should occur, but how they interact. Jorge said,

the crown is encouraging the industry and the Indigenous community to enter into conversation...but we will tell you how to do that. Immediately from the beginning they are already limiting your capacity to have a proper conversation (p.c., July 16, 2018).

Need for Change

All external actors spoke about a need for change to the current consultation policy and mandate as prescribed by the provincial and federal governments. Neil spoke a great deal about a need to change from the current situation of a lack of respect to Indigenous nations and their processes.

I think the last thing, and this is just important as the others, is that there has to be recognition of, there has to be respect for those things you're not doing, because the law requires it (p.c. July 12, 2018).

Kieran knows his process and place in his role in government, yet he has had enough time working with First Nations to understand that the existing processes needs change. Kieran took the idea of change and applied it to a real situation that commonly occurs when consultation is imposed upon a project. The idea of a “level” of consultation occurs when the government rates a project as minor, or “streamlined” as a Level One to a major energy project that has major implications like energy transmission would get labeled by the government as a Level Three (Government of Alberta, 2019). As such it is only the Level Three projects that have longer consultation timelines and the Level One only requires five (5) business days for reply from a First Nation. Therefore, Kieran suggests:

So, I think that there needs to be a shift that just because it seems to be a small or medium size project doesn't mean that there shouldn't be any time for that relationship to happen (p.c. July 31, 2018).

Jorge spoke about consultation passionately as a need to change its focus from policy and a reliance on government to focus on the development of a relationship. He said,

the answer comes not from establishing policy, although that's good, it protects you. But it comes not from relationship between different groups under government, because governments change and policies change (p.c., July 16, 2018).

Jorge has acknowledged that Industry did not do a good job at developing its policy with First Nations. It is not clear if, in Jorge's experience, industrial entities such as the one he represents were properly engaged to ask for consultation with Indigenous stakeholders. According to Jorge, there was no requirement for him or his company to engage Indigenous nation to create a policy:

So why haven't we engaged with the First Nations and establishing those guidelines for consultation. So this is where I believe sometimes policy fails, because policy can be twisted (p.c., July 16, 2018).

To be clear, what I gathered from Jorge's comments at this point in our conversation, was Jorge pointing out that the First Nations communities were not consulted to create the policy that tells external actors how to properly conduct consultation with First Nations communities. For him, this was true of industry and government and he personally and professionally knows this needs to change.

Hope for the Future of Indigenous Relations

All the external actor participants had extensive work histories working alongside the Piikani Nation and as such each participant stated that they understood the need to get

the relationship right. They acknowledged that each of their professions had limitations and the work their organization had each done with Indigenous nations historically, had not been done well.

When Jorge and I were discussing the need to change the way in which external actors from industry must change their processes he commented that,

I chose to not be comfortable; this kind of change means both you (the Indigenous nation) and me (the external actor) need to leave our comfortable places (p.c., July 16, 2018).

As for Kieran, experience working with Indigenous communities helped inform his ability to understand the people and culture in a hope to get it done right. Kieran stated,

And so from in my perspective when I see the word meaningful that means a lot more than consultation but that's cause what I refer to as consultation based on my experience is very narrow and I understand you know working with certain Indigenous communities consultation means a lot more than what it might mean from a government consultation policy perspective (p.c. July 31, 2018).

This preceding statement is encouraging coming from a young government official. The field of Indigenous consultation will have open doors, or opportunities, no matter how big or small in the coming years if we welcome government personnel who show that they want to develop relationships with Indigenous communities and make them meaningful.

Finally, Neil had ample experiences with Blackfoot nations, other Indigenous communities, and government officials alike. Neil as an archeologist and scientist makes a bold statement when he says,

I think you know what the government of Alberta needs to, for example, or provincial governments need to recognize or should be recognizing that the nations in their boundaries have precedence over them. The Blackfoot Nation state, if you want, was here long before the government of Alberta was, and that I think they need to be thinking about that in those terms (p.c. July 12, 2018).

The prevailing narrative that is expressed in the literature and through these face-to-face conversations is that there is a need to think of the Indigenous and non-Indigenous opinion as equals. The Indigenous people have an ability to steward and care for their land and territories. This is the wish of the external actors in my study.

5. 4 PIIKANI ELDERS

For this thesis I chose Elders specifically from the Piikani Nation as the subject matter and research focus was centered specifically on the Piikani First Nation. I specifically inquired about activities that related to instances of consultation that they had experience in a controlled and deliberate sense as part of a job, or job requirement. It was not hard for them to recall events that they had personally participated in. It was not required, but both were active members in ceremony and had indicated this aspect of their personal lives throughout the conversation and visit. At no time in my thesis do I mention sacred processes or protocol that I was told about or shared in any way throughout the course of my conversation or was not given the permission to share. As mentioned in my introduction, I feel an obligation to conduct the recording and

subsequent analysis of our conversations as accurately and respectfully as possible, as I must ensure relational accountability is fundamental in my responsibility to the Elders and community.

When I sat down with Piikani Elders and traditional knowledge keepers, Pat and Shirlee, I did not use any of the questions I had used in previous sessions. I do know and work alongside Pat and Shirlee in consultation work for the Piikani Nation and that made the process easier to initiate a focused conversation. What was different in my queries to them from those questions to the external actors, was for them to speak openly about their experience as workers in the field of consultation. Both the Elders recalled the work they had done with consultation. Both conversations took different tones and directions but were connected to their consultation work. In my next section I describe the predominant themes that arose, but I do not compare and contrast like I did for the external actors. Although there were similar themes, if one Elder brought forth an interesting idea or theme, I discuss their idea on its own as each is an expert in their own right.

In the first chapter of this thesis, I introduce the idea of my voice acting a sixth voice to balance the conversations. As such I will insert my voice into the conclusion.

5.4.1 PIIKANI ELDER PROFILES

Pat: My first Elder that I visited with was a gentleman by the name of Pat. Pat is a member of the Piikani Nation and has worked in many capacities on the Piikani Nation over the course of his lifetime. Horse culture, that includes raising, breeding, racing, rodeoing and ranching, has dominated Pat's life. He has worked with horses gaining notoriety for his livestock that have performed well at world class rodeos and similar competitions. These days Pat trains horses for the traditional sport of "Indian Relay"

racing. The Indian relays have a young jockey ride three separate horses once around a regulation size horse racetrack bareback, or without a saddle, against competing horses and riders. The sport, that was a regular feature only at First Nation rodeo events, has become a growing field in mainstream rodeo competitions.

Since the 1970s Pat has been involved in ceremonies through the Piikani Brave Dog Society and owned the Longtime Medicine Pipe, or a sacred item in the community. At the present time, Pat is the leader of the Brave Dog society. The Brave Dogs, or Kinaasoamitiaks, are considered the traditional “police of the camp”. When the Piikani still lived in teepees and travelled in clans or bands, the Brave Dogs were tasked with keeping order in that camp and guarding against outside conflict. As Pat recalled in the conversation, they also were tasked with choosing and preparing the location for a Sundance ceremony.

Pat has worked as an Elder/advisor and/or Knowledge Keeper for Piikani Nation Consultation since the beginning of the development of the department. Pat recounted the time when he was first asked to work for Piikani Consultation as having been asked because, although he was elderly, he was athletic and had the physical ability to “walk the sites” that he needed to for the job in their TLU studies.

Shirlee: Shirlee is also a member of the Piikani Nation who, like Pat is a ceremonialist and has worked for Piikani Consultation for almost as many years. Shirlee’s primary experience is in education as a teacher, advisor and board member for most of her professional career. In recent years, Shirlee has been sought after by academic institutions such as the University of Lethbridge and University of Calgary to share Piikani history and knowledge. She has advised publications and various curricular

projects that incorporate Piikani knowledge and awareness. Among Shirlee's many skills are the understanding and teaching of the Piikani-Blackfoot language. She has taught for many years in the local on-reserve Piikani Nation schools at all levels. Shirlee's voice and instruction is featured teaching the Blackfoot language on an iPhone and Android smartphone app entitled: *Piikani Paitapiiyssin*. On the app users can learn the Piikani language, traditional Piikani sign language, Piikani history and traditional Piikani symbols. Shirlee has a great passion for proper Piikani education about Piikani history.

Shirlee began her work with Piikani Consultation formally around the year 2009. One of her first land use assessments was done for a power transmission line that was to run through the Piikani Nation reserve. On this first job, she was able to take her mother on the trip which was incredibly fortunate and valued by Shirlee who learned from her mother the techniques of assessing land and what to look for.

5.4.2 CONVERSATIONS WITH PIIKANI ELDERS

In addition to his initial involvement in the field of consultation, Pat's conversation spoke about the role of consultation and its importance in our community. From the beginning of our conversation, Pat described the process of being involved in cultural practice as a member of the traditional society he is currently a leader of, the Brave Dog Society. Without recounting specific detail that Pat shared, what was important to becoming a Brave Dog member, like other Blackfoot traditional societies there was a series of steps, or protocols, that must be adhered to and cannot be simplified. Pat emphasized the process was passed down or transferred to him by Elders who were "strict" with their teachings and did not allow him to take short cuts or go easy on him to attain the same rights as theirs to now perform ceremony.

In his description of the sacredness of the sites that his consultation work protects, Pat spoke about the importance of not just anyone who is Indigenous, or even Piikani, can have the adequate and right knowledge to identify and create proper strategies for site preservation as those people having a *transferred right* to do so. Transferred rights are those rights that are bestowed upon traditional Piikani-Blackfoot society members who have gone through “rights” of passage or received permission through ceremony to participate in, or perform, ceremony. Pat says, it is then a challenge to explain that process to people who do not participate in ceremonies to understand the significance of a transferred right and its importance to sight-land assessments.

It makes it hard when you’re trying to work, and need to explain it to white people about these sites and what they mean to us. Because when you look at it, to them it’s is only a procedure that they have to go through in order for them to move forward with whatever they’re going to develop on our traditional territory.

(p.c., July 21, 2019)

At the time of our conversation, there was an urgency in Pat’s intention to address environmental issues that he was witnessing happen near his homestead on the Piikani reserve. He hosted an *Okan*, or Piikani Sundance ceremony weeks prior to our conversation and his reasons for hosting the Sundance were to create awareness and pray for the river bottom that runs adjacent to his home.

We concluded our conversation to explore an idea to bring more awareness of the effects that the Oldman River dam was having on the livelihood of the Piikani Nation. After our meeting he would be inviting government officials to visit him at his home and

see the Sundance lodge he built and hope that it made a difference for his community and future generations of Piikani.

I met Shirlee for coffee at a Tim Horton's restaurant on the west side of Lethbridge, Alberta. The coffee shop was noisy, but the extra background noise did not suppress the special conversation that took place in any way. Shirlee talked about the passing of knowledge from her mother and other Elders of her time to her that continues to inform her practice today. Within that knowledge she shared was a broad range of stories about landscapes and historic events that took place on those landscapes. She also explained several stories of incredible instances that happened while on TLU studies for Piikani Consultation. Shirlee told her stories in the style of her Elders; they were long and thorough in detail and context. Telling stories in the way she did reminded me of the way stories were told in pre-contact times. In Percy Bull Child's book, *The Sun Came Down* (1985), he tells one continuous story of the origins of the Blackfoot people. It was said to be a common practice among the old people to tell stories that lasted for days. Shirlee had that style of storytelling that was rich in detail. She referred to several sites that Piikani Consultation brought her to assess and almost every time she recalled the locations, she would provide me the name in the Blackfoot language and then tell me its meaning in English.

Shirlee spoke about specific times in her life when she asked the elderly in the community their thoughts about our future. It was her mother who she questioned one day. "Do you think Istapaitapi'op (the Creator) still hears us?" she asked her mother. Her mother gave an explanation in Blackfoot and answered, "Yes, he still hears us...she didn't go into big details, but just said: this is how it is" (p.c., June 27, 2019).

Shirlee referred to an article that she read in a recent publication that highlighted a Southern Alberta Hutterite colony that took part in a *blanket exercise*. A blanket exercise is an interactive learning tool developed to teach the impact that colonization has had upon the Indigenous nations of Canada. One of the leading organizations who have developed the teaching tool is a national organization named KAIROS and they have done so with the approval and advice of Indigenous Elders. During the program participants walk on blankets representing pre-contact lands of Indigenous people with facilitators leading them through periods of times that affected Indigenous people. At its conclusion, the blanket exercise shows the devastating impact colonization has had on Indigenous communities with the blankets (or representation of land) being removed. At the end, a talking circle is used to debrief the learning that has occurred (KAIROS, 2020). This technique has become a widely used form for cross-cultural awareness training in all types of learning environments. We both were quite impressed and encouraged in our conversation to hear that this type of education was reaching a broad audience across the landscape.

Both conversations spoke generally about how despite the innovations in technology, Piikani culture and heritage of the past are still connected to the present Piikani people. As Shirlee says, “the past is still very much part of us, no matter what world we’re in with all this technology and we’re still very much connected” (p.c., June 27, 2019). Overall, I was enlightened and encouraged to hear many great events and experiences that Shirlee has enjoyed in her time as an Elder consultation expert actively working in the field today.

5.4.3 PIIKANI ELDER CONVERSATIONAL THEMES

Piikani Connection to the Land is Intact

The role of an Elder in consultation is to allow for the assessment and study to draw upon knowledges that have been passed on from one generation to the next. As Piikani is based in an oral culture, to gain accurate information and to do so within its context, Elders are used as guides when TLU studies are done. As a nation that conducts these studies, affirming historic and current presence of Piikani culture throughout its territory is valuable information that is not included in public record or documents describing local area history. Therefore, the stories and facts collected from Elders who are able to participate in TLUs, and get to come in contact with a project area, have an ability to fill these gaps of understanding in the narrative of the landscape.

Pat has had extensive experience in projects all over the territory assisting the Piikani Consultation department when doing TLUs. In his experience, conducting a TLU is very meaningful to him in he is representing our nation. Regarding his work he stated:

For me, my connection with the sites (that are conducted in TLU studies) goes pretty deep because of my understanding of the ceremonies, how sacred they are
(p.c., July 21, 2019).

Throughout the majority of our conversation, Pat made it abundantly clear that the work he has done through consultation has a deep purpose and meaning to him as a ceremonialist and he takes the role of an advisor personally. In our conversation he has spoken about the understanding that even though nearly all lands in the Piikani territory are now privately owned and/or are developed, there are still a great number of Piikani archeological sites ready to be explored or unearthed.

Shirlee described not only her experiences but talked about seeing her Elders teaching concepts about land and TLU. She had the good fortune to be part of Elder gatherings where she came to realize those as mentoring experiences later in life. Similar to Pat, Shirley spoke about more than a few instances of her participation in TLUs for Piikani Consultation. It is her experience that she recounts as good fortune:

We have that connection to the land and you never really know until you go out and see it, and visit the area. Then you begin to realize how closely connected to your land. It shows you many things (p.c., June 27, 2019).

Shirlee recounted a time when she was younger; she would go camping with her grandmother. Her grandmother would talk about the times of her ancestors. One of her shared stories explained the use of teepee rings and how these stories were affirmed to her by Elders that she learned from. It was important for the people of her grandmother's time to go and visit these places in nature to keep that connection alive. About her stories and learnings Shirlee stated, "you know you hear stuff like that and you know that the connection to the land is still really important for a lot of them (her Elders) (p.c., June 27, 2019)".

Shirlee spoke of a time when our people from Piikani were not permitted to leave the reserve in what she referred to as the time of "confinement". Shirlee referenced the effect that the prohibition of the Piikani to move freely off the reserve had on the Elders and their stories as nearly detrimental. In some cases, not all, Elders were not able to recall development on lands outside reserve borders that took place in the Southern Alberta region. By comparison Pat referred to the same confinement in his conversation as the Piikani reserve who are official federally recognized as Peigan reserve No. 147 as

“prison pasture 147”. But as the times are now changing and access is slowly being attained again, Shirlee commented, “that confinement was adhered to by the Elders, but today I’d love to go out to these areas and show them what we come across.” What Shirlee believes they will come across, if they were alive today to witness, is an abundance of evidence that affirms their connection to the land which is what the dominant society has kept them from for many generations.

Both conversations had a theme of the Indigenous “stewardship” of Piikani territory. What was most important in the conversations was the expression of the duty each Elder had to share their knowledge as a way of preserving and protecting the land. Both Elders spoke a great deal in a forward-looking context as in a hope for a brighter environmental and ecological future for generations of Piikani people to come. The Elders through their conversations extended outward to say we all, as human beings have a vested interest in creating a sustainable environment and ecosystem and the Piikani need to continue to do what they do best; be the rightful stewards of their land.

Both Pat and Shirlee’s conversations gave me several key points and learnings to consider as important in their connection to the land:

- Piikani values are fundamentally rooted in ceremony and *aatsimoyihkaan* (prayer).
- Piikani culture and heritage has extensive knowledges such as environmental stewardship and ecological sustainability.
- Connectedness is still present in Piikani despite modern influence and technology.

Elders and Community Monitoring

As mentioned in my previous chapter the idea of community-based monitoring is the observation of different aspects of the environment that could have an impact upon a community and the collection of knowledge that could be recorded by members of that community who are experiencing those potential changes. Monitoring could and should be done in a variety of methods and for a variety of purposes. The goal of any structured focus for monitoring is to observe and report on change. The Piikani is in need of a program to collect and keep a variety of data regarding changes to the environment on their reserve and throughout their territory.

Who better to speak about the environment as it was than the Elders of the past and Elders of the present. Shirlee spoke about a trip the Elders took to visit Áísínai'pi, Writing on Stone park in South Eastern Alberta. On this trip Shirlee recalled:

We went to Writing on Stone with the Elders, this was with (listed Elders who had passed away many years ago)...anyway as we were going through the site and then (Elder mentioned) said look at all the *sipatsimo* (or Sweet Grass)(p.c., June 27, 2019).

The Elder she accompanied noted the plant and went to pick some because there was a ceremony going on back on the Piikani reserve and they believed it was a good idea to pick the plant for use back in the community. What impressed Shirlee was the speed in which the Elders were able to identify the plant. This ability was passed on to Shirlee and similarly to other Elders and knowledge keepers in the Piikani community.

Pat witnessed change to his environment. His knowledge and perception of the change did not come from a textbook or a documentary on the Discovery Channel; it

came from looking out his back window. His knowledge is firsthand, and he has been impacted greatly by the change in the environment. There is no question to him, that the change was man-made and preventable.

You know another thing about the river bottom; you know you don't have to be an archeologist, or you don't have to have any kind of training or teaching about the damage that is being done down there, it is so visible (p.c., July 21, 2019).

Had Pat taken some samples every year to show what types of changes occurred over the past 30 years, we could have had undeniable evidence that change was measurable and in fact has occurred. Regardless, Pat has seen and experienced the proof. He currently is not able to have ceremony because the water and landscape prohibits access to necessary plants and animals needed for ceremony.

It is critical that Piikani's values be defined by Piikani. For far too long these indicators have been defined by perspectives of the non-Indigenous outside of community. As affirmed by Kieran and other participants, what tends to happen with government and industry is that the proponent gives a very narrow definition of the project scope of an area to be studied by Indigenous communities. When external actors engage nations, Indigenous communities ask that in addition to the scientific and environmental study, the data gathered be equally inclusive of culture and the values as defined by the Piikani. However, Kieran affirms that:

another challenge is when you're going out and trying to talk about something (it tends to be) very narrow and specific. Where you (the Indigenous Nation) want to talk about water, (but the company only makes the conversation) about "surface

water” or in a certain area that’s only related to oil and gas operations and that’s the only scope you’re able to talk about (p.c. July 31, 2018).

Piikani needs to define a process that can utilize their knowledge in a systematic way that is protected and respected in the field of consultation.

Indigenous Education of External Actors

The idea and the implementation of cross-cultural awareness training was not an obvious subject in my conversations with the external actors. However, each conversation with the external actors had an undertone of the gaps in knowledge of Indigenous communities that exist for the external actor party. Jorge spoke about the idea of relationships that are in need of “repair” and this can be done by educating one’s self through pre-engagement with a community. Jorge says that as an external actor, if he has done the proper engagement, or has given themselves proper education and understanding of a community the projects move smoother and quicker. He adds, “so that when you come to the table, you come with an understanding of values and a respect for each other.”

Education of the external actor can be done in a variety of methods. Pat suggested bringing Alberta government officials directly to his property for a witnessing of the damage to the river bottom that he sees. In his perspective he believes a direct approach is needed to educate the external actor to act and minimize further damage to the environment.

When I asked Shirlee what, in her perspective, needs to happen to educate external actors to appreciate and respect our culture, Shirlee quoted a prominent Piikani Elder’s advice: “Like the late (*Elder named removed*) would always say: ‘now is the time

to tell our story and let's tell it””. Shirlee went on to describe her duty and role as an Elder advisor is just to keep telling her stories as the late Elder advised her.

Shirlee described an experience where she was shown the honoring and witnessing by the environment and acknowledging her respect. Shirlee told a story where she was out on a site visit with an external actor from a company. It just so happened Shirlee got paired with a lady from the company who did more of the office work and often did not go outside. While they were walking the site they came across the cactus-like prickly pear. The woman walking with Shirlee was amazed by the site of the pear and acknowledged its presence. After a few minutes they began to walk away and then at the last minute the lady remembered that she needed to take a picture and they both turned around. They were further amazed to see many prickly pears now “standing up” as though the plants were watching them. Shirlee says, “Our connection to Istipaitapiop (Blackfoot word for Creator) is still strong” (p.c., June 27, 2019).

Shirlee also witnessed the fruits of her labor, where some of the external actors she had worked with in TLUs would walk with her on the site visits and would identify a plant or animal that is significant to the Piikani before Shirlee would. In that case, education through Elder interaction was a successful achievement.

5.5 DISCUSSION

In my conversation with Elder Pat, he emphasized the importance of making his voice heard regarding the changes to the land that have directly affected, and continue to affect, his lifestyle as a practicing Elder for the Piikani people. In the summer of 2019, Elder Pat hosted a Sundance, or Okan Lodge, to have ceremony and pray for the devastation that is presently occurring in the Old Man River valley. In gratitude to Elder

Pat, for his contribution to my thesis through our conversations directly and indirectly, I chose to speak briefly about an incident that Pat speaks about frequently and has severely affected the Piikani people, the installation of the Old Man River Dam. As a mini-“Discussion study”, I will provide context here to exemplify what can, and has occurred when little to no meaningful consultation occurs with the Piikani Nation. I will conclude the case study with observations of negligence that occurred in the consultation with the Piikani people while building the dam.

5.5.1 THE OLDMAN RIVER DAM

The Oldman River flows from the eastern slopes of the Rocky Mountains in Southern Alberta, Canada. The Oldman River’s headwaters stem from the area of the Rocky Mountains called Napi’s Playground and the river itself still flows today through the heart of the Piikani Indian Reserve. The Northern Lethbridge Irrigation District lobbied the government as early as the 1970s to begin construction of an on-stream reservoir on the Oldman River. In 1976 the Alberta Environment Department announced the construction of the dam. The Alberta government asked the Environment Council of Alberta (ECA) to do a study on the dam. The ECA concluded a reservoir was not needed on the Oldman River to deal with the variable amounts of water flow throughout the year. Regardless of the recommendation, the dam’s development proceeded. The Three Rivers location, which was rated as sixth favorable in its impact to the environment by the ECA, was chosen after a few years of deliberation as the most economically feasible place to put the dam. After years of opposition from the Piikani and farmers at Three Rivers, whose land would be flooded, dam construction began in 1986. The Oldman River Dam (OMRD) officially opened in 1992 (Rojas et al. 2009). During the time of construction an

organization called the Friends of the Oldman River (FOR) launched numerous court challenges and were successful in quashing the government's permits and licenses twice. Environmental assessments have taken place on the dam, largely after the fact and have seemingly gone nowhere in terms of what their results have meant for the people. The Supreme Court of Canada mandated federal environmental assessment hearings to begin, which resulted in the Federal Environment Assessment panel releasing its final report. The primary recommendation of the report was to decommission the dam (deLoe, 1997). The conclusion of the federal government environmental assessment was that the dam was not an economically beneficial project, irrigation expansion was not justified, and non-irrigation benefits could have been provided at less cost without a dam (deLoe, 1997). Regardless of the recommendation, the dam still stands.

It was well documented that the consultation process was very poor in the case of the OMRD's construction in that Alberta had made up its mind before any consultations occurred (Rojas et al. 2009) and, in fact, before a proper environmental assessment was completed the dam was already operational (deLoe, 1997). In the government's haste to proceed with the project construction, Indigenous cultural and traditional values were largely overlooked and undervalued (Vest, 2005).

Piikani knowledge keeper, and thesis conversation participant Pat spoke at length about the effects the dam has had on the Piikani culture and current ceremonial practice. He said, "As we stand in the face of slow environmental decline our youth and general community members find it difficult to continue to practice their traditional ways and therefore this leads to apathy" (p.c. July 21, 2019). He goes on to say, "...another thing with the river bottom (which is downstream from the OMRD), you know you don't have

to be an archeologist or have any kind of training or teaching about the damage that's being done down there; it's so visible (p.c. , July 21, 2019). Pat went on to detail ceremonial processes and how access to willows and cottonwood trees has been affected by the dam, which has caused the change in the river's path and constant and unnatural flow.

Although there have been a variety of consultative events on or near the Piikani Nation, the OMRD continues to be a very negative experience for the Piikani community as community members do not enjoy the full benefits of the body of water for recreation, the supplement of wildlife for food and the use of plants for ceremonial use that have been lost as a result.

The OMRD was a project that was pushed through the regulatory process without adequate consultation with the Piikani people. When the regulatory process concluded, the dam was rejected by its own report. The dam has been known among the Piikani people as a mechanism that makes the southern Alberta farmer extremely wealthy without any benefit enjoyed by the Nation; only a negative impact and hardship. To the Piikani Nation the OMRD is a failure of the government and industry obligation to the Piikani Nation membership.

5. 6 CONCLUSION

I recognize that I have a role to play that allows me to provide commentary as an Elder of the Blackfoot people. As such, in addition to what was said among the participants who engaged with me in conversation as a researcher, I can offer suggestions for the gaps that are needed in order to effectively provide advice to better relationships as the sixth voice to this study. Although there are many areas that could be improved in

the overall relationship of Piikani community member and an external actor, I will provide three themes here as well. I suggest a view of *Elder fatigue, Elders and technology* and *Elders and Youth*.

Elder fatigue – It is true to say that Elders and Knowledge Keepers who are older in our community are passing on, and with them, their knowledge. Within the past four years a great deal of Elders has passed on from the Piikani Nation. The passing of Elders reduces the number of Elders who can participate in field assessments and critical reporting and engagement. I have been part of assessments and consultative events where our Elders, including myself, have been asked the same questions over and over again from one project to the next. The Elders get tired of answering the same questions over and over. Often Elders will suggest that a project completely avoid its project area to preserve an identified site that has a connection to the culture. The company will convey “understanding” and be sympathetic to the concern, but in my experience, companies I have worked with did not honor the advice of the Elder. The next logical question is why ask the nation in the first place if they don’t have any intention of listening to the hard truth? I have many suggestions, but no clear answers as to how we get an Elder to truly experience success in consultation.

Elders and technology – Elders can understand a digital platform, and many have expressed the value they see in technology. One of our Elders in my community visited with me at work just weeks before he passed on. He challenged me to digitize the records that I had in my possession. I therefore have an obligation to him to see it through.

So long as there are rigorous security protocols in our organization, I believe in collecting data for data’s sake. What we value now may be of more value at a later time

in life. Elders should be given an opportunity to learn the most recent technology through interactive learning seminars and user-friendly apps. Once the technology is mastered the Elders should become the teachers of the technology. Above all the technology is there to create a record of knowledge that can be shared over many generations.

At the present time the Piikani Traditional Knowledge Services center is conducting a participant video project. In stages, the community learns about the art of digital storytelling from planning, interviewing, video editing and public presenting of a final video project that the community will view. This will add to the community's story by capturing views and insights from the community themselves and be among the community record for a long time.

Elders and youth – Over the past several years Piikani community Elders have been included in many more community events. I believe now, more than ever, is the time to take as many opportunities for Piikani youth to interact with Piikani Elders. The school in the community hosts Blackfoot language symposiums and immersion camps several times a year and the events are well attended. I would strongly recommend that there is a designated Elders liaison in our community whose job it is to document all the events that youth and the elders interact. When records are made and kept, they could be celebrated and shared with the rest of the community. It is my hope that the idea of record keeping through digital practice becomes part of Piikani way of life.

All of these themes that I have noted relate to one another and could assist each other with realizing the need for a formal monitoring program.

My fourth and final story had more of a direct connection from the narrative to the subject of the Sundance and its importance to our way of life, and the effect of a

changing environment on the ceremony. It ended my storytelling by saying that there is still work to do, as all we have a vested interest in creating a sustainable environment and ecosystem where the Piikani need to continue to do what they do best, be the rightful stewards of their land.

Immediately following each conversation, I wrote notes about how I felt the session went. I noted the relationship each participant had to the subject and was looking for an indication of a level of “meaning” as in how connected they were to that subject and what level of satisfaction did they have, or not have, that consultation was done properly. How did each participant’s conversation show a connection to the story? As I mentioned, each session was limited in time and scope and I anticipated that fact going in by choosing those participants who had a similar experience in consultation. The ability to know and have a relationship with the participant did create a level of timesaving and allowed the conversation to discuss common topics without I the researcher, leading the conversation. In the Western system this might seem to be bias, but in the Indigenous paradigm and in IRM, relationships are key. It is the established relationships that have enabled me to have these deep and probing conversations.

The external participants spoke about the beginnings of consultation policy, which was derived from a court ordered process verses a natural willingness to develop a relationship. It may not have been a primary point of the conversation, but an important one, as many in the consultation industry are not aware of this fact. I, and the Elders, spoke about relationships and their importance to create. This idea of a “court-ordered” process means that I can assume that each external actor coming to the community is not coming on their own free will? Rather they are forced? The fact that such consultation is

government or industry coerced does not make the process feel natural and is still one-sided.

I found my conversation with Jorge, almost too perfect. What I mean is that he is an ideal external actor; he has a model perception on the need to conduct proper engagement with an Indigenous community, and quite frankly, this is not the norm. At the conclusion of my conversation with Jorge I almost felt that the information was too perfect, even unusable because it sounded too formulaic. Reflecting back on the conversation, I have come to value Jorge's words and perception more for the fact that he is not from Southern Alberta. His experience in multiple countries with a variety of other Indigenous nations around the world gave Jorge a wider view of the potential of just doing things (or the practice of consultation) "the right way".

I was reminded of an experience I had in when I still worked as an Indigenous liaison in the Lethbridge School District. I met a practicum student from Europe who was doing an international exchange for a semester as a student teacher in one of the schools I worked in. We had a candid conversation about concerns with a student. She commented that she found racial tension between the schoolteachers and Indigenous students and parents, as she was able to hear "behind closed doors" conversations. The student teacher was very troubled by this realization and drastic difference in values of a European person and Southern Albertan Canadian. Both Jorge and the student teacher, who did not grow up in southern Alberta and did not have the prolonged experience with racial tension that occurs in southern Alberta society, are able to see Indigenous people for who they are, without the biases, and with a fresh set of eyes and values.

The Piikani Elders primary importance conveyed in their messaging was the importance of the connectedness the Piikani have to the land. Shirlee spoke in stories that may not have been directly related to a specific project, but recounted “places” within her story that were the important cultural concepts. The recollection of the cultural importance of places in Indigenous consultation are a legitimate claim to evidence that could support an Indigenous Nation’s right to being consulted. Pat spoke about connectedness to land through the process of prayer and ceremony. Pat emphasized the importance of proper protocol to assist assessment of Indigenous places and by people adequately certified, meaning those who have transferred rights, in the Piikani culture.

The research conducted on the OMRD was very divided in its rhetoric either for or against the idea of a dam on the Oldman River. In my opinion, I believe the uneasiness of the topic of the dam project still leaves a great deal of bad taste in the collective mouths of the people of Southern Alberta, not just the Piikani people. Benson & Rood (2018) completely glossed over the ‘controversy’ that took place and made no mention of the detriment of changing waterways, decreasing vegetation, wildlife migrating out of the valley and so forth, that is still taking place on the river. Rojas, Magzul, Marchildon, & Reyes, (2009) wrote their article to appease the agricultural community yet wrote as though they were sparsely concerned about the impact to the environment or to the culture of the Piikani (2009).

In terms of relational accountability, the conversations were rich and full of accountability to the community and reflected back on me, the researcher, to get the story correct. However, with respect to the literature that supports the history of the OMRD it is void of recommendations that could assist Piikani to use this experience in a way that

benefits the community. Rather, the Nation needs to take this experience of the dam, its development and operation and learn how best to adapt to the negative impacts the dam has had on their socio-economic and stewardship concerns.

As the dam only has a 50-year lifespan and we are 30 years into that lifespan, we need to prepare for the dam's ultimate decommissioning when it does occur. A community-developed methodology needs to be co-developed with the Piikani Nation, and all dam stakeholders, to be ready for implementation long before the conversations of decommissioning commence. It is the intent of my research to assist our community to develop meaningful strategies to do so.

CHAPTER 6: CONCLUSION

6. 1 REFLECTIONS

As an academic, industry professional, and Indigenous citizen, I have concerns about the way in which my nation has been, and is currently, treated by our country where we Indigenous nations are not equals and do not possess equality in a pursuit of happiness and a quality of life. If the treatment was good, or anywhere nearing equality, there would be no need to conduct the research of my study. Yet I conclude that Indigenous community engagement, or consultation, has developed as a practice without equal and fair treatment to those engaged in Indigenous communities. Had the Mikisew Cree not spoken up, and similar court cases and proceedings have not done the like, Canada would still be treating Indigenous opinion as invalid in matters concerning land. Although there is still a long way to go, I feel that Indigenous nations are on their way to properly developing their engagement strategies that best suit their needs. However, to ensure consultation is meaningfully conducted, the Indigenous nations must be properly engaged.

What my research confirmed is that the Piikani have a complete epistemology and ontology unto themselves. The Piikani know who they are and are benefactors of a pristine existence with their land and environment granted to them as a birthright. I started my thesis stating “I am Piikani”; this set the tone of my thesis by stating I am not speaking, at any point of this written work as an outsider. If one is born a Nitsitapi (Blackfoot term for themselves), they are Nitsitapi; there is no need to be claimed by the community, you just are. For that reason, I took an extended period of time giving

personal context as to who I am and what experiences give me the right, or credentials to speak, and to whom those words are accountable to.

Beyond the right to be Nitsitapi at birth, a Nitsitapi can further their knowledge into the culture by attaining transfers. Transfers are a purely-Blackfoot form of formally acquiring knowledge about the culture and being able to speak about it. Elder Pat mentioned transfers as a requirement and as a duty that one should achieve when working with culture. I whole-heartedly agree that attaining transfers should and could take place with any Nitsitapi wanting to achieve them, whether they come from any of the Blackfoot speaking tribes. To do so will strengthen the world view of that individual. What is that knowledge? What does one need to learn to become a certified doctor or a lawyer? My answer is that like the education to attain a law degree or doctorate, its far too complex to explain; you just have to commit to studying those fields to know truly what that knowledge means.

I also strongly believe that the Piikani, an Indigenous nation, does not need validation of any aspect of its culture or Indigenous knowledge by anyone outside the culture. I do not, at any time, suggest that I think it's appropriate that Indigenous knowledge be matched or be in anyway compared to western knowledge. Indigenous knowledge does not need Western interpretation or validation to exist. I also conclude that in the current *duty to consult* legal requirements, industry and government need Indigenous knowledge more than Indigenous knowledge needs government and industry. To suggest that Indigenous knowledge needs to be treated and respected as an equal to science, is preposterous; Western science has “a long way to go” to catch up to Indigenous knowledge (Nicholas, 2018).

My first chapter gave a broad overview of what were the emergent themes in Indigenous consultation. Among several of the themes discussed was the relationship that Indigenous nations have with the provincial and federal government. I spent a great deal of time reviewing Indigenous policies that relate to Indigenous engagement strategies that were somewhat created with Indigenous persons present but did not reflect the opinion of an entire Indigenous community, let alone multiple communities such as *The Government of Alberta's Proponent Guide to First Nations and Metis Settlements Consultation Procedures, Aboriginal Consultation and Accommodation - Updated Guidelines for Federal Officials to Fulfill the Duty to Consult - March 2011*, *Government of Canada's Engagement Towards a Recognition and Implementation of Rights Framework: Public Engagement Guide, Parks Canada – Banff National Park: Banff National Park Management Plan, the National Environmental Science Programme 2014 Indigenous Engagement and Participation Strategy Guidelines & Tech 2019 Indigenous Peoples Policy* to name a few. I came to my study suspecting that government, and in turn industry, will only do what it *has to* with regard to adequately accommodating Indigenous communities for their opinion in the development of land. Based upon my research, and confirmed through my conversations, this fact is true. The dilemma Indigenous nations then face is that given the government will do its best to inadequately engage with any given community properly, or as defined by the community, the struggle will be for the Indigenous community to continue to validate a legitimate reason why engagement and consultation needs to take place.

With respect to Indigenous education, particularly since the TRC, changes are being made to broaden the scope of what students learn and how teachers teach inside

classrooms. In chapter two I spoke of the good experience that land-based learning is providing students. I will admit that I came to this study feeling helpless to have an impact on Indigenous education as a former employee of the Western education system, and still today, as a parent of an Indigenous child attending public education. I was bothered that my daughter, who graduated the year before I completed this thesis attended the school that became famous the graduating class throwing a themed grad party where drunk teenagers dressed in stereotypical cowboy and Indians garb complete with chicken feather head dresses (Lawryniuk, 2017). If the school provided adequate Indigenous education to its educators an event such as that would not have been fathomable. Although the event took place after school hours and off school property, should the teaching staff not hold itself somewhat accountable? In the article covering the story, then university Professor Linda Many Guns was quoted as saying:

Part of the educational gap might exist because most teachers never learned in university how to properly address these issues with students (Lawryniuk, 2017).

Ottmann (2017) states that systemic barriers (e.g. policies, programming and curricula that do not authentically and respectfully include Indigenous peoples – their histories, knowledge, teachings) are presented early and sustained in learning institutions causing long-term challenges for Indigenous students (p.98). Instances such as that at Chinook High School show that there is a great deal of learning left to accomplish.

As I mentioned in Chapter two, I was inspired by Betasamosake Simpson (2014) to see that the connection between actual Indigenous knowledges that could be generated from land-based Indigenous learning opportunities can be used to effectively engage a

learner with their learnings for a more meaningful experience. One of the highlights of my career in education was the time I was able to bring students to participate in a sweat lodge ceremony where the school principal participated as well! Although I felt the day was a success, in that it had never been done in our school district before; unfortunately, it was just a one-time event. However, cultural activities such as these could be expanded upon to provide a vast array of learning opportunities. In a Blackfoot context of land-based learning, schools could build curriculum around willow and plant identification, rock selection, wood preparation, rivers, streams and ecosystems that support the materials that are needed to build the sweat. Classrooms also could do a language lesson to properly converse with the Elder running the sweat. These are just a few of the possibilities of Indigenous education in the local region.

My research took some time to discuss the importance of an Indigenous knowledge system in its definition and application. What I have summarized in this study is that Indigenous knowledges, their concepts and their application in the assessment of land and land use are extremely complex and very specific to the individual communities unto themselves. There is a great deal of care that the nation needs to take to ensure that the part of the knowledge systems shared in public spaces is not abused, or actually used against the Indigenous nation by the engaging external actor.

I also presented the Piikani Territory map to convey the Piikani territorial boundaries. My research affirms that the Piikani have an inherent right to their ancestral lands and territory as their stories and literature suggest. The Piikani, and other Indigenous nations, validate their connection to the land through their ability to account their creation, or origin, stories. What does not exist in the Piikani community is an

extensive and comprehensive method that logs and stores data in a current format easily accessible by the nation for decision-making purposes. At the time of this writing, a database was being developed for and by the Piikani specifically but was not available for public use. In my Elders theme section in Chapter 5, development of technology that supports community-based monitoring is affirmed.

The most important component of my research was my conversations and time spent with Piikani community Elders. The Elders have knowledges that draw upon community history and health that was passed down from their Elders. Pat and Shirlee have, and will continue to, inform the work of Piikani Consultation Department for years to come as their stories will inform proper strategies going forward.

My research shows that the concept of a collective bio-cultural heritage and the development of indicators that inform measures of study of that heritage such as *wind, sun, water, land, plants and animals, cultural knowledge and practice, and cultural sites and artefacts*, coupled with western scientific study in biology, chemistry, ecology and so on, can assist an Indigenous nation to establish protocols that monitor community cultural health and their relationship to the land. What makes the use of defining bio-cultural protocols of and for an Indigenous community is that the outcomes are informed by the community through regular and consistent engagement for an extended length of time. The information derived from continual and consistent community engagement will provide concrete data that will be used to readily inform community decisions by the appropriate community leadership body.

The most appropriate research method applied to my study was Indigenous Research Methodology. IRM fundamentally asked that I compared and contrasted my

research against the accountability of the research to the community, in my case, to the Piikani Nation. This accountability is attained by working *with* the community to ensure I have captured the research properly; this is what Wilson (2008) refers to as Relational Accountability. The research I have undertaken regarding Indigenous consultation, and the concept of a collective bio-cultural heritage is owned by the community for their use and realization. As such, this research is therefore not owned in any way by me through this academic work.

As part of my Research Objective, Questions and Thesis Structure section I stated that before I work to develop and then propose any type of framework going forward, I asked three main questions first be answered:

1. How has the Piikani Nation been consulted in the past?;
2. What methods would fit the Piikani Nation as a model to utilize their traditional knowledge best for community engagement?; and
3. How does on-going use of the proposed model benefit the Piikani Nation?

Through my conversations with my Elders and external actors, I have learned that the Piikani Nation has not been adequately consulted in the past. Both the community knowledge keepers, or Elders and external actors have stated as such on multiple instances. The concept of collective bio-cultural heritage, according to our Elders is a concept that mirrors their collective Piikani values by simply allowing for time and space to gather community input into matters that affect the environment surrounding the Piikani community. According to Elder Pat, the traditional society of the Okan (Blackfoot word identifying the Piikani Sundance Lodge) provided a space that gathered the community to operate as a collective to pray for common concerns. Aside from the

ceremonial act and protocol of prayer, of which we will not discuss in any detail here, it also involves acts of discussion among the ceremonialists and society leaders. These discussions are often rich in concerns that matter most to the community in altruistic terms and intent, such as the healing of illness, the alleviation from poverty, and certainly the concern for the environment. The return to a collective organizational space through a coordinated time and space to hear from one another and provide solutions to these common community concerns can be compared to the work of a bio-cultural framing.

The United Nations studies reviewed suggest similar results of the global case studies can be attained from the Piikani community. At this point in time, the Elders and external actors want to ensure that the community knowledge is captured, protected, and ultimately recognized for its invaluable worth. The framework discussed later in this chapter proposes the idea of on-going use of a collective bio-cultural community protocol and its application to the Piikani Nation. In the Elder conversations there was a concern that the ways of the Blackfoot are at risk of being lost, through a younger generation not interested in the participation of Piikani ceremony. When ceremony is included up front, or in the beginning of the development of strategies to create a bio-cultural framework, generations that continue on with the collection of bio-cultural data will experience their “culture” as a requirement to this work and eventually perceive it as a norm.

I recommend that the various methods needed to set up bio-cultural protocols to take place in the community and monitoring processes begin to be defined.

6.2 A MEANINGFUL TERMS OF REFERENCE

In his discussion of ethical space, Ermine (2007) spoke about the notion of an agreement to interact between parties with cultural differences,

Since there is no God's eye view to be claimed by any society of people, the idea of the ethical space, produced by contrasting perspectives of the world, entertains the notion of a meeting place, or initial thinking about a neutral zone between entities or cultures" (p. 202).

For the Piikani Nation, a clear and concise definition of "meaningfulness" needs to be co-created, co-implemented and co-managed in a working relationship with Indigenous people and any external actor. The central theme in my interactions with my knowledge holders and external actor conversations was the ambiguity of the term and intent of the word "meaningful" when used in describing the relationship that the external actor intends to achieve with Indigenous communities or entities. I have presented a number of examples where government and industry have utilized the term "meaningful" but they have not commented on the definition of the term or how the organization intends to define and ultimately make the relationship mutually meaningful for the external actor and the Indigenous community. For this reason, engagement sessions must be done in a cooperative spirit between Indigenous peoples and western institutions (Ermine, 2007).

At the time of the writing of this thesis, I sit on the Banff National Park Indigenous Advisory Circle (IAC). The Banff IAC was established in 2018 as a working group made up of Indigenous representation from the Treaty 7 nations who were brought together to provide a forum for the meaningful involvement of interested Indigenous groups and activities relating to Banff National Park. The work of the IAC is a promising

one in that the circle has begun the work of properly engaging with its local Indigenous nations and intends to incorporate Indigenous input into their park management plans (Government of Canada, 2019). The work accomplished thus far is not definitive or complete in any regard, but does provide a practical space for the ideas of addressing common and collective desires of the park and its neighboring Indigenous Nations. Like a growing number of Indigenous engagement initiatives such as these, the Park has unofficially communicated that they intend the work of the IAC is to provide a forum for the *meaningful* involvement of interested Indigenous peoples. As such the committee has gone through the exercise of working with its Indigenous partners to define the term “meaningful”; that is still in draft form at the time of this writing.

I use this exemplar as a promising one, as there has not been a lot, if any, discourse during my research on the examination of meaningfulness, its definition and application in the building of relationships with Indigenous communities. At best, the term meaningful has been used as an abstract concept that an organization intends to apply to its relationship with an Indigenous entity, but without any clear guidance as to how to attain the meaningfulness it says it will achieve. According to a planning update publicly posted on their website, Banff National Park intends to consider the UNDRIP and TRC CTAs in any guiding principles for determining any future action. As such the Articles of the UNDRIP have abundantly presented guiding priorities in Articles #25-32 that state Indigenous nations, such as the Piikani Nation’s concerns regarding land and territories claimed by Piikani, have rights to the lands in their territory and need the Piikani Nation’s input.

In contrast, Waterton Lakes National Park borders the two largest First Nation reserves, the Piikani and Kainai Nations, and has not made any significant effort to engage the interested neighboring nations that resembles the likeness of the Banff IAC. Therefore, at the present time there are varying degrees of development of relationships with Indigenous nations and I anticipate that there will be a great deal of opportunity to develop the meaningfulness of Indigenous relations for years to come.

Therefore, if Banff wants to ensure a meaningful exchange continues to occur, Banff shall consult and cooperate in good faith with the Indigenous communities concerned through their own representative institutions, such as in the case of Piikani Nation, Piikani Consultation in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources. This is particularly critical with the development, utilization or exploitation of mineral, water or other resources (United Nations, 2007, p. 12).

I suggest that prior to the development of any framework, initiative or strategy is the development of a co-created, co-implemented and co-managed Terms of Reference (TOR) specifically for the term “meaningful.” TORs are typically established when a multifaceted or multi-stakeholder committee begins working together. A collective document is created to guide the working relationship of the committee that is understandable and agreeable to all the parties who created the TOR. In order to create a TOR specific to meaningful, both parties must take the time to know who the other is and what “meaningful” means to them. The more comprehensive the exercise to develop the co-created term, the richer the resultant activities will become.

I also sit on a committee for an energy project for my community made up equally of representatives of the company and my nation. Many times throughout the meetings I would share community concepts that needed explaining and further detail, particularly regarding the Piikani community itself or ideas and concepts of Piikani culture. As presented in the thesis introduction, the average external actor has little to no knowledge of Piikani culture, or any Indigenous culture for that matter. I have left many meetings with this external actor, and others, with comments such as; “I’ve learned so much from our just our meeting” or, “Thank you for helping me understand these concepts” or, “I was never taught that in school”. Although these comments are generally positive and assist with the relationship building, I feel the external actor should be well-versed in my general culture prior to meeting with us so when we meet face-to-face, we can address our business questions, issues, and concerns in a more efficient manner. Exercises to co-create a “Meaningful TOR” could and should incorporate cross-cultural training exchanged in both Piikani culture and the stakeholder company culture early in the development of the professional relationship.

6.3 RECOMMENDATION: CREATION OF BIO-CULTURAL FRAMEWORK

Based upon the data collected in my study and of that of my Elder and external actor conversations, I recommend that the Piikani Nation institute a Collective Bio-cultural Protocol Program. The Piikani Bio-cultural Protocol Program (PBPP) is a framework format that asks the Piikani Nation to look inward and develop primarily four specific themes of actions to work though as they pertain to various community priorities. As I am conducting this study with Piikani Consultation, my purpose and intent is to develop the framework under the umbrella (or theme) of environmental (or territorial) health. I will have four segments that will provide an initial framework for program development, which are: *ceremony, research, action, and advocacy, or CRAA*.

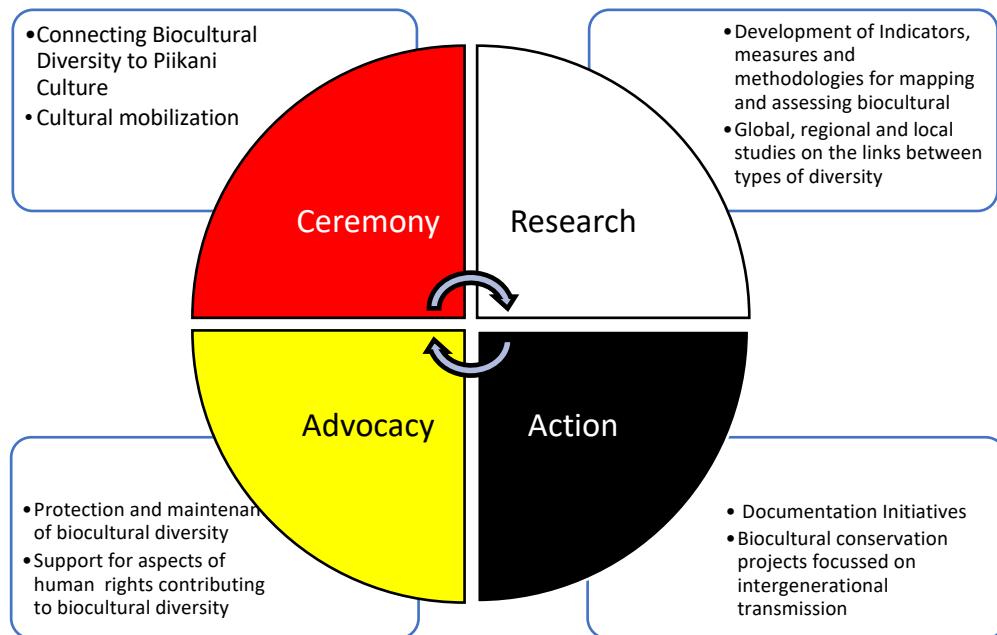


Figure 6: Summary of the research-action-advocacy-ceremony CRAA agenda adapted from DAVIDSON-Hunt et al., 2012)

The CRAA chart frames the process in a cyclical mode that once it achieves a complete cycle of the process, it repeats, or *renews*. Dr. Leroy Little Bear (2000) speaks about the idea *renewal of ceremony* and the idea of *constant motion* that he adapted from the idea of the Akokastin (the Blackfoot Sundance Camp). Every year the Sundance camp performs ceremony with intent to revisit and renew their processes. They renew their process to share the information, transfer when needed and pass the information on, ensuring the processes do not get forgotten. The process of implementing the CRAA frame that incorporates the biocultural indicators and monitoring renews its process as many times as needed to achieve understanding of a topic before moving on. At the end of a cycle, it may appear that the process presents gaps or needs improvement in various areas, the community can then adapt what knowledge has been achieved thereby realizing that engagement is an ongoing process in constant flux.

6.3.1 PIIKANI BIO-CULTURAL CEREMONY

A vital component to understanding and realizing the Piikani Nation's collective bio-cultural heritage is to understand the connection of the people and their culture at a deeper level. The Piikani have a rich and vibrant ceremonial heritage that is practiced still today throughout the community. It is important that ceremony leads and fully encompasses the PBPP. Since the data collected by the community could potentially uncover sensitive information by a vulnerable population such as Elders, it is the belief of the Piikani that ceremony will alleviate or minimize the risk of error. To participate and incorporate ceremony into the research process will create a bond with the community that is needed in the conveyance of reciprocity of respect.

The Blackfoot Treaty was signed in 1877 and the settler accounts do not mention ceremony taking place, or the significance of ceremony if it had occurred. In months leading up to the September signing, Piikani Elders' stories account that there was a great deal of ceremony that occurred among the Blackfoot Nations present as according to Blackfoot ceremonial protocol, the signing of Treaty could not have taken place without the practice of pipe ceremony. The Blackfoot still use the pipe to create pacts among each other to deal in good faith among the nations today. The Blackfoot therefore entered treaty with the government of Canada as a treaty of peace in the ceremonial presence of the Creator and therefore, it was good. History would show that the government of Canada would not honor the significance of the ceremony and has not lived up to the promises legitimized in the Blackfoot sacred and natural law. Only recently have the Blackfoot reinstated public ceremony into practice in cross-cultural initiatives.

A bio-cultural ceremonial component will ensure that space is created for ceremony to happen and Piikani nation members who need cultural guidance will have a resource to which they can return.

6.3.2 PIIKANI BIO-CULTURAL RESEARCH

The Piikani Nation must take a significant amount of time to develop indicators, measures and methodologies for mapping and assessing bio-cultural health of the Piikani Nation. This component will take the bulk of the effort and time to develop into a regular program that intakes data properly and consistently. In this component of bio-cultural protocol development, the community is regularly engaged in a method that works best for them. Several strategies that could take place are adaptive community talking circles, participatory videos, storytelling, etc. The research could involve community groups or

individuals willing to share their perspective on particular issues of importance to the community.

It is important that the PBPP conduct global, regional and local studies on the links between the types of diversity that are available. It is of critical importance to acknowledge what work global organizations such as the United Nations are doing to address bio-cultural studies as there is a good probability that the Piikani Nation can learn from best practices experienced by similar Indigenous nations around the world. At the present time Canadian Indigenous nations are struggling to have the monumental work attained in the UNDRIP put into action in Canada. This report is only a fraction of what the United Nations has done to study Indigenous knowledge and its use and protection.

6.3.3 PIIKANI BIO-CULTURAL ACTION

The PBPP needs to develop comprehensive *documentation* initiatives. The success of the bio-cultural programming depends upon consistency and therefore needs a reliable process to document what initiatives have taken place in the past, what were their results and how can those results inform future data collection initiatives. In the present tense, documenting existing and planned community engagement activities will ensure that the data collected will retain the respect and intent it may have achieved in its acquisition. An example of the respect that needs to be retained is when community Indigenous Elders are interviewed. Their information is widely accepted as the most valuable in the sense that it is a depleting natural resource. How this can be accomplished within the Piikani Nation is to increase capacity within new or, existing community archiving programming. A community archives will protect the existing collections of data and provide safeguards for future activities.

Bio-cultural heritage, and such archival activities recommended for the Piikani Nation, require conservation projects that focus on intergenerational transmission. This means that the program must provide space for an exchange of data between Elders and youth in a direct and indirect sense. Elder-youth interaction programming currently exists on the Piikani Nation through multiple community organizations including regular programming at the on-reserve school. What is needed to existing programming is a supplemental component of the programming that records as much of the activity as possible and that stores and systematically categories the findings as they are presented.

6.3.4 PIIKANI BIO-CULTURAL ADVOCACY

Piikani Bio-cultural Advocacy – The PBPP must ensure its objectives integrate protection and maintenance of bio-cultural diversity at the forefront. What is clear in my study is that the Piikani value, above all else, their connection to the land. It is imperative that to maintain the health of the land, which includes all the areas identified on the Piikani ancestral/territorial map, is critical. Much of the ancestral/territorial lands have been developed through multiple industries, which have put a strain on the integrity of the environment. As mentioned, the Oldman River dam had, and continues to have, an immediate impact on the Piikani reserve. The Oldman River dam is an extremely negative project impacting Piikani values and people, in which the provincial government marketed the dam as having significant and on-going benefit to the people. This was not the case and has become a cautionary tale for future projects approaching the Piikani Nation for approval where the community members are now very critical of new projects. Proper advocacy should encompass a regulatory regime that is consistent and critical of environmental concerns.

The PBPP must provide support for aspects of human rights contributing to bio-cultural diversity. Consistent with the mandate of the UNDRIP, all programs developed through the PBPP must involve the protection of Indigenous rights and knowledge.

Aside from the four segments of the CRAA (*ceremony, research, action, and advocacy*) Piikani Bio-cultural framework, an advisory board consisting of community members external and internal must be established. The board will have a clear mandate and objective schedule to keep the research relevant and in-check with the community.

6. 4 APPLICATIONS BEYOND PIIKANI

6. 4. 1 CLIMATE CHANGE

As mentioned in my introduction, climate change, and our need and ability to adapt to a changing environment is going to increase year after year. Scientists have said that climate change is not only rising, it is accelerating (Urban, 2015). As I write this conclusion in the heart of Piikani ancestral territory, the province of Alberta has elected a United Conservative Party (UCP) premier, who has yet to show that a changing climate is a top priority in his government. Therefore, I believe that the Piikani Nation must embark on this work as soon as possible to locate relevant data to substantiate their claims that environmental protection is needed when governments such as the UCP can no longer deny the urgency of the crisis.

6. 4. 2 IS MEANINGFUL, EFFICIENT AND EFFECTIVE

CONSULTATION POSSIBLE?

When executed with time and a great deal of thought and participation, realizing meaningful results of a bio-cultural framework and method of collective data collection will assist in the development of confidence from the community. What is collected will

be valued and bringing the community back together under the idea of a true and consistent collective opinion. Once a body of this work can develop, and depending upon the need, community organizations and departments can use the information to inform decision-making processes. In the long term, the data can and will shift to trends of the community and society in general. In a sense when the data is reviewed at specific periods of time and intervals, trends will emerge suggesting the will of the community and its direction. In particular, I can use the data collected to inform duty-to-consult processes in my organization when required.

What I have presented here is an important discussion of assessment and measurement of community values that will properly represent the collective aspirations of a community based upon careful community input by the community itself.

6.4.3 RESPECT AND PROTECTION OF THE KNOWLEDGE

There are many implications for use of a process that could be applied to other Indigenous Nations. I am encouraged to read that the Government of Canada's Social Science and Humanities Research Council (SSHRC) have acknowledged the importance of Indigenous Research. I believe that the Piikani Nation will benefit in research standards in their Bio-cultural framework where the community can model the SSHRC example and require proposed research projects approaching the community to pass a community standard of Indigenous or traditional knowledge, reciprocity, community, respect, relevance and contributions as research done by and with Indigenous people (SSHRC Website, 2018). Although the rationale and intent of such evaluation and adjudication processes for organizations, such as in research funding entities, do exist the application and intent of given research cannot be fully approved without intricate

knowledge of those Indigenous communities about their true traditional knowledges, measures of meaningful reciprocity acts, and relevance and respect given to each Indigenous community.

In addition to the cultural and ceremonial protocols that currently exist in a community, a legal environment needs development in the protection of community knowledge. I suggest that whatever trend and applications the community deems appropriate to explore, a legal opinion needs to be attained as to the protection that is needed of the bio-cultural frameworks and their data collected. The First Nations Information Governance Center (FNIGC) first developed the Ownership, Control, Access and Possession (OCAP) Principles as a set of standards that established how First Nations data should be collected, protected, used or shared (FNIGC, 2020). The FNIGC's OCAP principles have now become the multi-industry standard for how to conduct research with First Nations. The Piikani Nation has made efforts to reach out to the regional FNIGC office for assistance and will maintain an on-going relationship.

6.5 LIMITATIONS OF RESEARCH

My findings and insights of my research and conversations over the past three years have taught me much about historical and current consultation practices and useful modes of going forward in meaningful ways with bio-cultural methods focused on relationship, mutual engagement, communicating values, indicators, community-based monitoring and participation. Because my focus and context is with the Piikani Nation, I cannot generalize other nations but hope that my methods of research – consultative conversations and document analysis – will be useful to others involved in meaningful consultation in Indigenous land and land use.

6. 6 SUGGESTIONS FOR FURTHER STUDY

On more than one instance throughout the research and writing of this thesis, changes have occurred in the field of Indigenous consultation. One example is that the federal government agency, who is tasked with assessing project impacts to the environment, the Canadian Environmental Assessment Agency (CEAA), is now called Impact Assessment Agency of Canada (IAAC). This matters to Piikani, as it is this agency that has a federal obligation to assess major energy project impacts and report on them to the Piikani Nation, who are a federal entity themselves. Over the course of this thesis our provincial government turned from a New Democratic Party to a United Conservative Party which means a government who changed from one that was inclusive of Indigenous social and environmental issues to one that is not. On a broader scale, the study of Indigenous people, places and things is changing in real time as well. I began my graduate studies in the Department of Native American Studies which has now changed to the Department of Indigenous Studies. These changes mean that I as an Indigenous researcher have a great deal of room to contribute to the field of Indigenous engagement because there have not been many instances where Indigenous processes and methods have created substantive rules or guidelines for application, as the emerging fields are rather new.

I recommend similar graduate studies in Bio-cultural heritage. The term bio-cultural heritage encompasses a cross-departmental approach to fully realizing its impact on multiple disciplines in a community. One primary bio-cultural measure will look at developing indicators of environmental health but can adapt to other metrics, understanding physical and community health, education, economic development and

employment and training components. In conclusion, it is important to consistently research the community, but with a relational accountability that gauges and requires community consultation and participation for true co-creation, co-development and co-implementation.

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APPENDIX A: PIIKANISSINI

Piikanissini

Piikanissini, the way of life of the Piikani, sets out the inherent values and principles of the Akaa Piikani, the ancient Piikani people.

The Akaa Piikani were a member of the Siksikatsiitapiwa, the Blackfoot People, comprised of Kainaiwa, Siksikawa, and Piikaniwa; the Siksikatsiitapiwa marked their Blackfoot Territory since time immemorial by significant Blackfoot landmarks, in the north by North Saskatchewan River, on the east beyond the Great Sand Hills, on the south by the Yellowstone River, on the west by the Continental Divide; the said territory given to the Siksikatsiitapiwa by Istipatahyopi, the Source of Life, to coexist with all his creation; the Siksikatsiitapiwa integrated with the said territory through stories, songs, and ceremonies; and as a people, collaborated to maintain a distinct language, spirituality and culture, as well as familial, economic, social and government relationships.

The Piikani were originally located in the Siksikatsiitapiwa territory in one geographic area, nevertheless, since the imposition of the international boundary, the Piikani have been geographically divided into two groups. The Aapatohsipiikani (North Piikani), located in Canada, and the Amsskapipiikani (South Piikani), located in the United States.

The Aapatohsipiikani, also referred to as the Piikani for the purposes of this document, wish to maintain their unique language, spirituality and culture as a people, while sustaining their family and social relationships and traditional government systems.

The Aapatohsipiikani further strive to enhance their lives as a people by advancing the political interests of the Piikani, which includes protecting the treaty and Aboriginal rights of the people and promoting education programs and economic interests that benefit the people. The Piikani, in their pursuit to complete such endeavours, will further strive to ensure that the values, principles and integrity of the Piikani is preserved in the process. The Aapatohsipiikani or Piikani, in respect of the foregoing, make the following declaration:

WHEREAS the Piikani, descendants of the Akaa Piikani, are a member of the Siksikatsiitapiwa

AND WHEREAS the Piikani, originally utilized specific areas within the territory of the Siksikatsiitapiwa, namely, those areas marked on the north by the North High River, on the south east by the Little Bow River, on the south by the Kootney River, on the west by the Great Divide.

AND WHEREAS the Piikani currently occupy lands on the Peigan Indian Reserve, in particular, those lands identified by Sits Behind the Eagle Tail at Treaty No. 7 as significant areas of the Piikani are marked by Crowlodge Creek, the Old Man River and the Porcupine Tails (Hills):

AND WHEREAS Piikani, although faced with many challenges as a people, have continually strived to maintain their language, spirituality and culture distinct to Piikani, including their family and social relationships, and traditional governmental systems, while promoting political interests, economic interests and education programs that will enhance the lives of the Piikani people;

AND WHEREAS Piikani, in pursuit of all their endeavours, aspire to always uphold and incorporate the values, principles and integrity of the Piikani;

APPENDIX A (CONTINUED)

AND WHEREAS Piikani also continue to endeavour to maintain economic, social and government relationships with the members of the Siksikatsiitapiwa;

AND WHEREAS Piikani, recognizing that First Nation governments are one of the three Orders of government within Canada, will strive to maintain a stable relationship with the orders of government that is based on principles of mutual respect, coexistence, and information sharing, and where applicable, one that is based on principles of collaboration and cooperation.

NOW THEREFORE THE COUNCIL OF THE PIIKANI NATION, also known as the Peigan Nation, DO HEREBY DECLARE THE FOLLOWING:

1. That the Piikani Nation will ensure the values, principles and integrity of the Piikani are upheld in the governance of the Piikani, including a commitment by the Council of the Piikani Nation will uphold the principles expressed in this declaration titled “Piikanissini” for the betterment of the Piikani Nation and all members of the Piikani Nation.
2. That the Piikani Nation will continually strive to maintain the language, spiritually and culture distinct to the Piikani, including the family and social relationships, traditional governmental systems
3. That the Piikani Nation will continuously strive to enhance the lives of the Piikani by promoting political and economic interests, as well as education programs, that will enhance the lives of the Piikani people.
4. That the Piikani Nation will continue to protect the interests of the Piikani in those lands and territory which are integral to the Piikani people.
5. That the Piikani Nation will continue to exercise jurisdiction within the geographic boundaries of the Peigan Indian Reserve as established by treaty, and any such lands deemed to be Peigan Indian Reserve lands; and to continue to exercise extra-territorial jurisdiction for the purposes of protecting the Aboriginal and Treaty Rights of the Piikani Nation guaranteed by Treaty with Her Majesty the Queen in Right of Canada, including any rights inherent to the Piikani Nation.
6. That the Piikani Nation will continue to endeavour to maintain economic, social and governmental relationships with the members of the Siksikatsiitapiwa.
7. That the Piikani Nation affirms that the First Nation governments are one of three orders of government within Canada; and in that respect, the Piikani will strive to maintain a stable relationship with the other orders of government that is based on principles of mutual respect, coexistence, and information sharing, and where applicable, one that is bases on principles of collaboration and cooperation.

The Piikani Nation, is represented by the Chief and Council of the Piikani Nation, ratified “Piikanissini” in 2002.

The term “Siksikatsiitapiwa” is used and retained here in the original Piikanissini declaration, however the common spelling is now commonly accepted by the Blackfoot Confederacy as Siksikaitstapi.

APPENDIX B

Blackfoot Language Declaration



Siksikaitsitapi Issksinima'tstohksinn

The Siksikaitsitapi, the Blackfoot Confederacy of the Kainai-Blood Tribe, Siksika Nation, Piikani Nation and Amskapi Pikuni were placed upon this earth by Ihtsipaitapio'pa, the Creator with a unique culture and language to occupy a specific territory of land to fulfill His purpose. Thus WE, THE MEMBERS OF SIKSIKAITSITAPI – THE BLACKFOOT CONFEDERACY, speak Nitsipowahsin – the Blackfoot Language, among other things, hold many landmarks within our territory as sacred monuments; which among our beliefs include the Akokatsin – Sundance; socially and tribally organized into extended families, clans, tribes and nations; govern ourselves accordingly according to customs given to us by the Creator; presently occupying the lands within our traditional territory, the Blood Indian Reserve, Siksika Nation Reserve, Piikani Nation Reserve, and the Blackfeet Reservation. To maintain ourselves under the guidance of the Creator; To initiate a sense of responsibility to our people and nation. To continue to seek better means of survival; To provide for an orderly and accepted way of carrying on our culture, rights, powers and welfare of our Nations; under the powers we hold as sovereign people do ordain and establish the Siksikaitsitapi Isskin'ima'tstohksin; To carry out the duties as outlined in the United Nations Declaration on the Rights of Indigenous Peoples:

Whereas the Chiefs of the Siksikaitsitapi – the Blackfoot Confederacy Nations of the Kainai-Blood Tribe, Siksika Nation, Piikani Nation, and Amskapi Pikuni, express this philosophy of the Siksikaitsitapi – Blackfoot Confederacy.

- A. And Whereas the United Nations Declaration on the Rights of Indigenous Peoples states:
 - i. Article 13 (1) Indigenous Peoples have the right to revitalise, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
 - ii. Article 14 (1): Indigenous Peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
 - iii. Article 14 (2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
 - iv. Article 14 (3): States shall, in conjunction with Indigenous Peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.
 - v. Article 23: Indigenous Peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous Peoples have the right to be actively involved in developing and determining, health, housing and other economic and social programmes through their own institutions.
- B. First Nations have an inherent and Treaty right to education, including post-secondary education as part of the lifelong learning process.

APPENDIX B (CONTINUED)



Siksikaitstapi Issksinima'tstohksinn

And Whereas, the Siksikaitstapi – Blackfoot Confederacy recognize that through the process of Treaty Making, particularly, the Blackfoot Treaty of 1877 (aka Treaty #7) recognize the trust held by our Chiefs and Councils to protect our inherent rights given to us by our Creator for our children and for generations to come.

Now Therefore be it resolved the leadership of the Siksikaitstapi – Blackfoot Confederacy Chiefs hereby declare that the educational leaders of the Blackfoot Confederacy Nations of Kainai-Blood Tribe, Siksika Nation, Piikani Nation and Amskapi Pikuni Lifelong Learning Institutions ensure to its members the following:

1. Affirm our jurisdiction over Siksikaitstapi – Blackfoot Confederacy Education, no one speaks for our nations, nor should any outside entity claim our population numbers.
2. Affirm our inherent and Treaty rights to education.
3. Affirm that Canada will not delegate its fiduciary obligations owed to Blackfoot Confederacy First Nations over First Nations education to provincial, territorial governments, or other third party entities.
4. To deal with common issues and where appropriate, to join together to deal with governments or other entities as one united confederacy.
5. To collaborate and support community and educational strategies that support the revitalization of Nitsi'powahsin, the Blackfoot Language.
6. To ensure that the trust held by our Chiefs and Councils of our Nations to provide, promote and support the learning excellence of the Siksikaitstapi Indigenous Knowledge, fluency in Nitsipowahsin, the Blackfoot Language; and the Western Knowledge of the newcomers.

THE SIKSIKAITSITAPI, BLACKFOOT CONFEDERACY CHIEFS OF KAINAI-BLOOD TRIBE, SIKSIKA NATION, PIIKANI NATION, AND AMSKAPI PIKUNI HEREBY RATIFY AND AFIRM THIS DECLARATION ON THE 10TH DAY OF JUNE, 2019, AT EDMONTON, ALBERTA, CANADA.

MAKIINIMA CHIEF ROY FOX

KAINAI – BLOOD TRIBE

CHIEF STANLEY C. GRIER

STAHTO'PAMO CHIEF JOSEPH WEASEL CHILD

SIKSIKA NATION

APA'MAH'KA CHAIRMAN TIM DAVIS