

# Modern Day Treaties: 'Development', Politics, and the Corporatization of Land in the Sahtu Dene and Métis Comprehensive Land Claim Agreement

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*In 1993 Aboriginal people in the central Mackenzie valley signed a comprehensive land claim agreement providing the Sahtu Dene and Métis with fee simple title to 41,437 km<sup>2</sup> of Sahtu Settlement lands. The Sahtu Dene and Métis Comprehensive Land Claim Agreement has radically altered governance structures in the region, replacing Chief and Council with the Land Corporation as the primary decision-making authority pertaining to lands and resources. The current role of the Land Corporation has required a broad transformation in how Sahtu Dene and Métis communities engage outside interests looking to conduct business on Sahtu lands. This paper examines shifting community dynamics as a result of changing governance structures and economies in the Sahtu Region of the Northwest Territories. In addition to considering the consequences of land corporatization in decisions related to oil and gas exploration, this paper examines the role of the Land Corporation within wider contexts of normative Sahtu Dene and Métis forms of governance and decision-making.*

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The negotiation and implementation of comprehensive land claims in Canada are often held as momentous markers of governmental recognition of and commitment to Aboriginal rights to land, resources, cultures, identities, and histories, as well as very tangible (and legal) expressions of the roles and responsibilities of newly created land claim institutions, and respective federal, territorial and/or provincial governments. At the same time, comprehensive land claims also produce very specific forms of knowledge and practice: they restructure and demand diverse spatial commitment and identity, and validate certain forms of governance and economies while simultaneously circumscribing others.

In the Sahtu Region of the Northwest Territories, as a result of the Sahtu Dene

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and Métis Comprehensive Land Claim Agreement (SDMCLCA), flexible and porous geographical boundaries became entrenched and codified through mapping and district jurisdictions. The SDMCLCA has radically altered governance structures in the region, replacing Chief and Council with the Land Corporation as the primary decision-making authority regarding access to lands and resources. Dene forms of land management and political governance, and even political governance imposed by non-local colonialist regimes but practiced in the region for decades, were subsumed under the newly created land management structure of the Land Corporation. The current role of the Land Corporation has required a broad transformation of the ways that Sahtu Dene and Métis communities engage outside interests looking to conduct work on Sahtu lands.

Accordingly, shifting community dynamics as a result of changing governance structures can, and have, brought about internal conflict and division within the Sahtu, particularly when there are multiple and conflicting governance institutions operating in the same arenas. In some Districts, people who had previously thought of themselves as being members of larger communities, or who identified with particular spatial or social groupings became obliged to enrol in the comprehensive claim as either 'Dene' or 'Métis', thus reinforcing and entrenching inter-personal and political fissures in the land claim itself. Communities that maintain strong senses of independence and identity are now grouped into larger Districts, creating new alliances and grievances as they negotiate and struggle for power locally, regionally, and on a national scale.

Indeed, the implementation of the SDMCLCA has brought with it challenges and distress and, at times, tremendous opportunities. In some ways, the SDMCLCA can be viewed as entrenching Sahtu Dene and Métis rights and ownership of the land in ways that encourage economic development and increased local involvement in decision-making, particularly concerning lands, resources, employment, training, and business opportunities. However, some fifteen years after its ratification, individuals and institutions in the Sahtu are increasingly questioning the ability of the claim to meet the needs of Sahtu communities, particularly as certain parts of the claim are, thus far, yet to be implemented. At a *Coastal Zones* conference held in 2006, a Sahtu Dene presenter suggested that the Sahtu Dene and Métis now have a weakened role in decision-making processes, because the establishment of designated Sahtu organizations, modeled upon Euro-American institutional and corporate structures, neglects local ways of making decisions in favour of non-local bureaucratic structures and formats. More than once during the course of my field research I heard local people say that Sahtu Dene and Métis people are "worse off" after the implementation of the land claim and that it has not brought with it the benefits and independence that local people had anticipated.

In this article, the SDMCLCA is examined for the ways in which it structures and situates individuals and collectivises geographically, politically, socially, and economically. It is argued that the structure of the SDMCLCA imposes particular

forms of governance, economy, and identity that tacitly serve to favour non-renewable resource extraction on Sahtu lands, while simultaneously undermining local democratic and land management practices. In addition to examining what the comprehensive claim does, in terms of its structuring practices, the conduct of local peoples in their negotiation of political, economic, and social strategies in relation to the newly implemented claim, and the corresponding decisions regarding oil and gas exploration and production in the Sahtu Settlement Area (SSA) are examined. Three lines of questioning are pursued: how do current land claim institutions fit into wider contexts of Sahtu Dene and Métis governance and decision-making processes? How are these newly created institutions experienced by local peoples? And, who benefits from oil and gas exploration and production in the Sahtu and why?

## METHODOLOGY AND CONCEPTUAL FRAMEWORK

This research is based on ten months of ethnographic fieldwork conducted in three Sahtu communities between April 2005 and October 2007. During fieldwork, the author lived with Sahtu Dene and Métis families and participated in the daily activities of the communities. My main research methods included participant observation in everyday community life, semi-structured interviews with community members, including governing officials and Elders, facilitation of community focus groups and workshops, observation of community gatherings and meetings, and attendance at environmental assessment and regulatory hearings. An examination of narratives from community gatherings, hearings, focus groups and workshops, and informal interviews analysed here demonstrate Sahtu Dene and Métis experiences of land claim institutions in the contexts of land use and resource decision-making, and what it is that Sahtu Dene and Métis people say about how ‘big’ decisions ought to be made among human beings in the context of their everyday lives. Through this process, the statements made by Sahtu Dene and Métis people are contextualized against a background of local Sahtu Dene and Métis norms and expectations about proper forms of governance, relationships with the landscape, and modes of economy.

This research also examines how decision making practices surrounding non-renewable resources are formed in relation to very specific cultural processes. I engage Sahtu Dene and Métis discourses surrounding governance and economies, and explore the ways in which local experiences and expressions of industrial impacts reflect the complex physical, social, and moral relationships between Sahtu Dene and Métis peoples and their land. My understandings of the ways in which Sahtu Dene and Métis people view, talk, and interact with their landscape, and participate in governance processes, stems from a witnessing of what people in three Sahtu communities do upon their land and in their boardrooms (Hensel, 1996; Palmer, 2005). I examine the inter-related forms of practice conducted upon the landscape,

how people talk about their relationships with the land in the context of everyday life, how local people talk about their relationships with the land in the face of increased non-renewable resource extraction activities, and how these discourses can sometimes conflict with current governance structures established as a result of the SDMCLCA.

Importantly, while this article includes an examination of institutional decision making structures established as a result of the SDMCLCA, it is ultimately the experiences and negotiation of these structures by local actors that is of interest to this work. Their experiences are complex, fluid, multiple, and, at times, conflicting, and an analysis of these inter-subjective experiences is necessarily qualitative. Thus, the aim of this investigation is to provide a space for the voicing of various local experiences of changing governance structures as a result of the SDMCLCA, and to make visible points of contestation and opportunity between community members' visions and goals, and those of newly implemented land claim institutions.

## THE SAHTU DENE AND MÉTIS COMPREHENSIVE LAND CLAIM AGREEMENT

In July 1993, Dene and Métis people in the central Mackenzie valley voted to approve the Sahtu Dene and Métis Comprehensive Land Claim Agreement (SDMCLCA). The outcome of many years of negotiations, the SDMCLCA provides the Sahtu Dene and Métis with fee simple title to 41,437 km<sup>2</sup> of the 283,171 km<sup>2</sup> of land within the Sahtu Settlement Area (SSA). The SDMCLCA also provides for federal government payments of \$75 million Canadian dollars over a fifteen year period to designated land claim institutions, Sahtu Dene and Métis rights to hunt and fish throughout the SSA, and the exclusive right for Sahtu Dene and Métis harvesters to trap on settlement lands. The SDMCLCA also includes provisions for an integrated system of resource co-management that seeks to involve Sahtu Dene and Métis people more directly in resource management decisions in the SSA, including decisions related to the management of renewable and non-renewable resources, land-use planning, environmental impact assessment, and the regulation of land and water use within the settlement area. After receiving approval from the Canadian Parliament, the Sahtu Dene and Métis Land Claim Settlement Act came into effect on June 23, 1994, bringing with it radically new jurisdictional and administrative boundaries, and new corporate and political institutional structures.

The ratification and implementation of SDMCLCA carved the SSA out of land in the central Mackenzie region of the Northwest Territories that has been inhabited by Dene peoples since time immemorial (Abel, 1993; Asch, 1977; Auld and Kershaw, 2005; Basso, 1978; Savishinsky, 1974; Wilson, 1986). The SSA encompasses large parts of the central Mackenzie valley including parts of the Mackenzie River, Mackenzie Mountains and Great Bear Lake. While Sahtu Dene and Métis

people now live in permanent settlements, they continue to harvest the resources of their lands, and to teach their young people the stories, skills, and knowledge of their Elders. The Sahtu is home to five communities including Colville Lake, Déline, Fort Good Hope, Norman Wells, and Tulit'a which, as of 2006, have populations varying from between 126 and 761 people. With the exception of Norman Wells –which was established largely as a result of oil fields operated by Imperial Oil – all of the communities are 91% or more Dene or Métis.<sup>1</sup> All of the communities are accessible by aircraft year-round, and can be reached by winter road from December to April and by boat when the waterways are clear of ice.

The SDMCLCA arranges the Sahtu Region into three distinct geographical and administrative Districts. The land within these Districts is corporatized – held in fee simple title by respective District Land Corporations, which are, in turn, comprised of smaller community-based Land Corporations. Suddenly, after July 1993, Sahtu Dene and Métis people who had utilized the land in particular areas for generations now found their land part of a District, and subject to District administration. From the perspective of Sahtu Dene and Métis peoples who signed the SDMCLCA, the negotiation of a comprehensive land claim in the Central Mackenzie Valley was a formal recognition of fundamental rights to land, resources, and lifeways exercised and cherished by their ancestors since time immemorial (Indian and Northern Affairs Canada, 1993). For Dene and Métis people in the Sahtu, as has been the case concerning comprehensive land claim settlements in other areas of the Canadian North, the SDMCLCA was seen as an instrument with the potential to balance traditional and wage-based economies, to provide for sanctioned participation in decisions that pertain to lands and economic practices within the SSA, and a means of protecting the fundamental relationships that Sahtu Dene and Métis people have with their land (Alcantara, 2008; Indian and Northern Affairs Canada, 1993, 1994). And, despite the absence of provisions dealing with most aspects of community governance within the SDMCLCA itself, there was, and continues to be, a strong feeling among local people in the Sahtu that the comprehensive land claim would (or ought to) provide Sahtu Dene and Métis with more control over their lands and their lives, their economies, and their visions of the future; Sahtu Dene and Métis people are now, after all, the legal “land owners.”

In a speech given at the Tulit'a Unity Accord, a prominent leader from the community stood up and told the audience that while it was commonly assumed among people in the Sahtu Region that the SDMCLCA would provide local people with increased authority concerning Sahtu lands and resources, the general impression among Sahtu Dene and Métis people is that, at least in practice, it has not yet met their visions for the future. Part of this, he explained, was because very little within the SDMCLCA resembles Dene Laws or local forms of land tenure, management, or community governance. Indeed, within the SDMCLCA the land is objectified as a thing that can be owned, commodified, controlled, and subject to corporate authority.

Under the SDMCLCA, Sahtu Settlement Land is 'owned' by corporate entities with corresponding rights and obligations under Canadian property law. Decisions about who gets to use the land and for what purpose are now under the authority of community and District Land Corporations and regional co-management boards, such as the Sahtu Land and Water Board (SLWB) which is responsible for issuing land-use and water permits for lands throughout the SSA. While the community and District Land Corporations Boards and Presidents are elected by beneficiaries of the SDMCLCA, and the membership of the SLWB is comprised of two members nominated by the Sahtu Secretariat Incorporated<sup>2</sup>, the overall permitting process is generally seen by local people as an attempt to assert non-local jurisdiction and control over the land.<sup>3</sup> Though the SDMCLCA does not require land claim beneficiaries to obtain land-use permits for the construction of camps or cabins for the purposes of harvesting, there is the general impression among local people that the permitting process has had two significant effects: that it has removed local decisions about how the land ought to be used and by whom from localized lines of authority and placed it under District or regional control; and two, that in so doing, it has contributed to heightened tension surrounding the legitimacy of these kinds of decisions, should local and regional levels of authority conflict.

With this in mind, it is suggested that the institutional structures and institutional lines of authority established as a result of the SDMCLCA are not benign in terms of their consequences; in the Sahtu, as is the case elsewhere, peoples and practices are shaped in important ways by the structure of social relations. What is important to consider, then, are the means by which the SDMCLCA restructures social relations and the lines on which these relations are ruptured, contradicted, and overlapped. In other words, which forms of land tenure, governance, and social subjectivities in the Sahtu are in place now as a result of the SDMCLCA?

## THE 'CORPORATION' AS A PRIVILEGED FORM OF MANAGEMENT

From the outset, the negotiation of the SDMCLCA required Sahtu Dene and Métis people to set aside local values surrounding lands, economies, and forms of exchange in favour of motives for profits, money, and business contracts (Alcantara, 2008; Nadasdy, 2003; Kulchyski, 2005). The conceptualization of Sahtu Settlement Land in the form of private property rights as entrenched within the SDMCLCA, and the institution of a corporate framework for the management of such lands, serves several purposes. First, as a result of the SDMCLCA, Sahtu Dene and Métis people are now shareholders in a corporate structure which, in order to be profitable, necessitates that the land be used as an economic instrument for the generation of wealth. Second, by vesting title to SSA lands in District Land Corporations, the SDMCLCA fundamentally limits political institutions like Chief and Councils from important land-use decision making practices within the Sahtu. Thus, the political

body that once served to represent the interests of the Indian Band now finds itself on the periphery of decision-making process that have to do with very fundamental components of Sahtu Dene and Métis life: hunting and trapping rights and other forms of land-based economic and/or community development practices. Finally, the establishment of Sahtu Dene and Métis rights to land in the form of private property law endorses very particular ways of viewing relationships between human beings and the landscape. To put it simply, while the SDMCLCA secured a fundamental place for Sahtu Dene and Métis involvement in the administration of lands and resources, it has done so in a very particular way: through the establishment of a corporate structure designed to generate profits from the exploitation of land.

At the same time, Sahtu Dene and Métis peoples are now 'land owners'. The decisions that are made by Land Corporations about the ways in which the land can and should be used (though perhaps not made without constraints surrounding proponents' rights of access to lands where subsurface rights are held by the Crown) are made by corporations composed of Sahtu Dene and Métis Presidents, staff, and shareholders. Sahtu Dene and Métis peoples now, as a result of the SDMCLCA, have rights to hunt, trap, and fish throughout the SSA; they also have rights to participate in environmental assessments and regulatory processes. Thus, beneficiaries of the SDMCLCA find themselves in the very precarious situation of participating in institutions that are seen to protect Sahtu Dene and Métis rights to land and harvesting practices, but that simultaneously endorse the commodification of land and land-based resources. The paradox inherent in this complex constellation of governance, business, and land is this: Sahtu Dene and Métis peoples are now owners of their land; however this particular form of land management simultaneously undermines local values surrounding relationships with and to the landscape.

Importantly, changes in the ways in which Land Corporation leaders and staff engage outside interests looking to conduct work on Sahtu lands has also required novel means of making decisions and lines of authority. A number of factors have influenced these changes including the overall complexity of the regulatory and negotiation process, a generally limited familiarity with the oil and gas industry among most beneficiaries working outside of the Land Corporations, the need to make decisions quickly and remotely, that is, with companies in Calgary, rather than in the Sahtu region, and given the nature of the closed 'corporate boardroom meetings', an alien primary decision-making arena for granting land access. In many ways, the corporate structure of the SDMCLCA necessitates that formal community leadership participates in decision-making processes that are not always in line with what Sahtu beneficiaries say they want for themselves, and ultimately, these forms of decision-making processes can be divisive for Sahtu communities.

In many ways the complications surrounding the use of a corporate structure for the management of lands within the Sahtu stems from widely discordant views of the landscape held by proponents and Elders, respectively. For proponents, the land is a thing that can be owned, 'developed', and made into profit. For Sahtu

Dene and Métis Elders, the land is alive, is implicated in a web of social and moral relationships with their people, and is fundamentally sacred. Elders often speak very little English, and though they may not be able to frame their questions in oil and gas linguistic register, they have tremendous repertoires of knowledge regarding the environment, the history of their people, and the values and norms of their community. Ironically, those who know the most about the landscape are often prohibited from participating in land-use decisions in the course of formal negotiations, either because they are not present during meetings or because the ways in which the Elders speak about the landscape is not readily understood by the corporate community. Several people in the Sahtu have begun to argue that the Elders need to have a more direct role in the early stages of these decision-making processes. As one individual put it, "the Elders are smart people, and what are they doing, they are just sitting there... they are doing nothing. We need to bring them back. They have things to say."<sup>4</sup>

In contrast to Elders who have often grown up on the land, Land Corporation Presidents are often afforded less time to spend on the land as a result of their full time employment. For many of these individuals, living on the land full time is no longer seen as a viable option for their people, and they are looking toward a future for the youth – a future that involves the creation of waged labour. However, it is also important to point out that for those individuals who see increased oil and gas exploration as a means of increasing opportunities for employment, it is not that the land is seen as an insignificant component of community life, but rather, there is an assumption that people will not be using vast tracks of land as they have in the past.

In fact, in two of the three Sahtu communities where fieldwork was conducted, Land Corporation Presidents were actively engaged in harvesting activities after work and on the weekends; they too harvested fish, caribou, hides, pelts, and edible berries. However, their visions of the future include creating sustainable employment to complement harvesting activities and a balance between cash and subsistence economies. There is an argument that has been made by younger leaders that harvesting will be done in locations close to the community, thus leaving more inaccessible places, or places further from the community, open for development. As one Land Corporation President said to me, "when we look at the land, we see it differently than our Elders did."<sup>5</sup> Thus, major concerns among Land Corporation leadership often revolve around controlling the pace and locations of development and ensuring that real and meaningful benefits flow to the communities in the form of money and jobs. Indeed, the corporatization of land and decision-making in the Sahtu, and the lack of a veto power to override proposed development projects where subsurface rights belong to the Crown, influences this form of prioritizing in a very significant way.

However, for other Sahtu Dene and Métis people the creation of jobs, the procurement of business contracts, and the generation of wealth as a result of develop-

ment activities is not worth the risk of disrupting vital relationships between human beings and the landscape. Indeed, for Sahtu Dene and Métis people, it is the relationships that Sahtu Dene and Métis people have with their land that forms the very sustenance of life. As one individual stated before the Joint Review Panel for the Mackenzie Gas Project:

“Without the animals on the land, as Aboriginal people, it’s not worth living. That’s how it is. That’s how I feel. Even for me, I think about it, it’s not worth living without animals. Even though you gave us lots of money, but if there’s no animal what’s the use? Even though there’s no money, but if there’s –if there’s an animal on the land, I can survive by that.”<sup>6</sup>

Indeed, there are uncertain tensions between those individuals in Sahtu who seek to maintain traditional lifestyles, and those who see a sustainable hydro-carbon based economy as providing a key to the future for their youth. The gaps in generation and in discursive fields used in decision-making processes have led to a widening chasm between older and younger generations within Sahtu communities. However, it is clear that these tensions also exist within individuals; for those who seek oil and gas development as a way forward, there is a cautious optimism and a concern over ecological and socio-cultural impacts, and a loss of Dene lifestyles. For those who seek to maintain traditional lifestyles, there is an increasing realization that young people both want and need to take part in a cash economy alongside subsistence pursuits. Leaders, particularly those who have the authority to approve industrial permits on SSA lands, are often caught in the middle. These tensions between protecting a valued and ancient way of life and looking to a future that involves sustainable oil and gas exploration and production are very much a reflection of changing Sahtu economies and governance structures.

## **STRUCTURING COLLECTIVE IDENTITIES: PROCESSES OF IDENTIFICATION AND POLITICAL FISSURE**

At the same time as the SDMCLCA serves to restructure formerly fluid geographic and political boundaries, the SDMCLCA enrollment process simultaneously encodes social identities into beneficiary membership requirements. The enrolment process established as a part of the SDMCLCA requires that eligible individuals enlist with one community-level Land Corporation. Thus, individuals who qualify for membership in the SDMCLCA must identify, at the time of enrolment, which community they are a part of and whether or not they consider themselves to be Dene, or Métis. At the outset, communities such as Déline determined that there should be no distinction made between Dene and Métis members of their community, and only one local Land Corporation was established to represent the interests of the entire community. In the words of one elder from Déline, from their perspec-

tive “we are all Dene”. In Tulit’a, however, as is the case in other Sahtu communities, there were two local Land Corporations established: the Tulit’a Land Corporation, representing the interests of the Tulit’a Dene, and the Fort Norman Métis Land Corporation, representing the interests of the Fort Norman Métis.

The establishment of two local Land Corporations in Tulit’a has caused tremendous bureaucratic complications concerning the negotiation of Access and Benefits Agreements, consultation processes, approval of development projects, and other jurisdictional issues. For example, if an oil and gas company wants to conduct work on lands near Tulit’a, they must obtain permission from both the Dene and the Métis Land Corporations, and must negotiate an Access and Benefits Agreement that is suitable to both.<sup>7</sup> However, in reality, the complexity and layers of bureaucracy often means that companies consult with one Land Corporation, and not the other, or that companies will consult with one Land Corporation prior to consulting with the other, resulting in tensions between the local Land Corporations and the general community membership. In Tulit’a, as in other communities, the Dene and Métis Land Corporations have separate offices, across town from each other, and conduct their business separately. As one local leader from Tulit’a put it:

“the land claim in Tulit’a has split the community and has established all kinds of organizations that operate on their own and don’t know what the other one is doing; this has split the operating money and any money that people might get in benefits”.<sup>8</sup>

During field work, a great deal of time was spent in Tulit’a attempting to determine how individuals decided to enrol in the SDMCLCA as either Dene or Métis. For the most part, individuals enrolled in the same Land Corporation as their families and closest relatives, though there were selected cases when one sibling enrolled in the Métis Land Corporation while their half-sibling enrolled in the Dene Land Corporation. There has been a long history of Dene and Métis relationships in Tulit’a, with certain families identifying as Métis, and others as Dene; and, historical relationships between Dene and Métis families have, at times, been inharmonious. Yet, while these tensions may have existed from time to time in the small community, people generally thought of themselves as collectively being from Tulit’a, and given the cultural value placed upon generosity and helping others, Dene and Métis families would often find mutual support in one another.

After the SDMCLCA, however, with the establishment of two distinct Land Corporations, and the requirement that individuals identify and enlist as either Dene or Métis, these political fissures were entrenched into the land claim itself. While many of the divisions between Dene and Métis families were and continue to be only slightly palpable on individual levels, frustration with community divisions is growing, and has become very obvious at the level of community politics. This discord is evident not only in terms of the locations of the specific Land Corporation offices on the opposite sides of town, but also in some community meetings where

one Land Corporation might be in the process of negotiating business contracts with a proponent while the other has no knowledge of the proposed activity.<sup>9</sup>

Individuals in Tuli't'a have recognized the structuring practices of the comprehensive land claim, and the growing tension that it has created between Dene and Métis beneficiaries. In late 2006, with the Mackenzie Gas Project potentially on the horizon and Husky Oil wishing to conduct further exploration on lands near Tuli't'a, the community of Tuli't'a decided that in order to properly prepare for the projected increase of outside interests looking to conduct work on or near Tuli't'a lands, something had to be done to address the rift between Dene and Métis political bodies. Thus, in February 2007 the community of Tuli't'a hosted what they called "The Tuli't'a Unity Accord," an agreement signed between the Dene and Métis of Tuli't'a to work together under the terms of the SDMCLCA. The Tuli't'a Unity Accord was also a document of hope and optimism; it was a celebration of the possibility of community cohesion and collective promise.

At the same time, the Tuli't'a Unity Accord was an honest recognition of the shortcomings of both the land claim itself, and of the participants who had not upheld the collective spirit and intent of the claim: to increase benefits and control for all beneficiaries. After the Accord was signed, Dene and Métis Land Corporations (as well as the Chief and Council) did establish a schedule of bi-weekly meetings to better coordinate their activities, and there were also discussions surrounding centralizing the various political offices into one building. The extent to which the Tuli't'a Unity Accord has mended Dene and Métis relationships in Tuli't'a still remains to be seen. However, the Tuli't'a Unity Accord is an exceptional example of a Treaty signed between two Aboriginal groups, one Dene and one Métis, in an attempt to put collective interests before those of political factions.

It is not only Dene and Métis beneficiaries who have experienced widening political factions as a result of the SDMCLCA, but inter-community relationships have, at times, become contentious as well. Communities such as Colville Lake, with a very small population, were apprehensive about entering into the SDMCLCA in the first place because of concerns about other communities with larger populations over-powering decision-making processes.<sup>10</sup> People have expressed concerns over projects that are approved (or have support) in one District, but are perceived to have impacts on another, for example, the proposed hydro electric dam on Great Bear River which would impact both Tuli't'a and Déline, or the potential of a bridge over the Great Bear River for the proposed all-weather highway connecting Wrigley to Inuvik. In these cases, inter-jurisdictional environmental impacts and effects on wildlife are a significant concern; however, so are concerns over who (and what community) will obtain business contracts for activities such as slashing and catering, and which Northern Store will be the supplier of groceries and other supplies for work camps.

While friendly rivalries between communities do exist outside of political and economic arenas (for example there is often collective teasing about which commu-

nity speaks more Slavey or eats more country food) many communities maintain intense social, historical, and kinship ties. In the case of regional celebrations or tragedies, all of the communities come together to offer each other mutual support. For example, following a tragic plane crash near the community of Fort Good Hope in 2006, people from all over the Sahtu immediately traveled to the community to prepare food, sit with mourners, and assist the community in that very difficult time. Thus the inter-community animosity generated as a result of Access and Benefits Agreements, business contracts, and other jurisdictional issues related to the SDMCLCA appears to remain at the level of community politics, rather than individual relationships. This suggests that there are two very interesting and often contradictory forces at work in the lives of Sahtu Dene and Métis peoples: what people ought to do to support fellow kinsfolk, which plays out at the level of interpersonal relationships, and what people must do in order to maintain some form of economic or jurisdictional benefit, which can be seen at the level of community politics.

These contradictory forces are, at least in part, a result of a lack of integration between Sahtu Dene and Métis values of generosity, and mutual support on the one hand, and the decision-making processes, lines of authority, and economic relations established in the SDMCLCA on the other. That is, the political fissures and friction, both between Dene and Métis beneficiaries and between Sahtu communities, is heightened as a result of the SDMCLCA primarily because the SDMCLCA does not take into account local normative practice. That is not to say that prior to the SDMCLCA communities in the Sahtu existed as harmonious examples of peaceful cooperation, or that without the SDMCLCA Sahtu communities would do so even now, especially given the recent pressure to 'develop' non-renewable resources in the region. However, what the structure of the SDMCLCA has done is fix these fissures and contradictory forces into permanent composition; it has entrenched distinctly non-local forms of land tenure, governance, and social relations into solid form.

## **DISCUSSION AND CONCLUSION**

Models of appropriate forms of governance and resource decision making are often differently perceived by those who participate in Aboriginal lifestyles (Adelson, 1998; Brody, 1981; Cruikshank, 1998; Rushforth, 1992), and the efficacy of integrating Aboriginal knowledge and political systems and Euro-American institutional and ideological apparatuses has been questioned by social scientists working in the Canadian North and elsewhere (Nadasdy, 2003; Morrow and Hensel, 1992). For example, it has been well established that the intimate relationship between Aboriginal peoples and their environment encompasses a host of cultural, spiritual, and cosmological relationships that are not easily translated into Euro-American ontologies (Adelson, 1998; Brody, 1981; Blondin, 1990; Cruikshank, 1998; Ellis,

2005; Nadasdy, 2007, 2005, 1999; Palmer, 2005; Preston, 1975; Stevenson, 1996). Similarly, formal discussions surrounding Aboriginal rights, title, and governance processes typically rest in Euro-American discourses of property, ownership, and longstanding beliefs about human and societal development and so may not coincide with Aboriginal views of land, entitlements, or governance and decision-making processes (Asch, 1977; Asch and Zlotkin, 1997; Culhane, 1998; Palmer, 2000; Westman, 2006; White, 2006).

This article has addressed the tensions between local forms of governance and processes of land use decision making, and those in place as a result of the SDMCLCA. Sahtu Dene and Métis people thought that the SDMCLCA would, in effect, increase local authority in a key aspect of what had previously been experienced as coercive state power to unilaterally make decisions about what kinds of activities could and would be conducted on Sahtu lands. However, the establishment of Sahtu Dene and Métis entitlements to the land in the form of private property rights that are managed by corporate entities reflects distinctly Western perspectives of the landscape, and does not correspond to local normative governance practices. This has, at times, led to local frustrations with land claim institutions formulated along non-local lines of authority and decision-making.

Yet, shifting Sahtu economies necessitate that community leaders seek to maximize community benefits from extractive industries, including the pursuit of strategies to increase participation in a wage economy. Somewhat paradoxically, it is through the SDMCLCA that many of the benefits of current and/or potential oil and gas development are secured (Usher 2003). And, there are several studies that indicate that in the contexts of other regions in the Canadian North, communities that have entered into comprehensive land claim agreements have shown a persistent improvement in socio-economic variables such as education, employment, income, and housing (Saku, 2002, 2008; Saku and Bone, 2000a,b); though some evidence suggests that there is also a reduction in the percentage of residents who speak an Aboriginal language (Saku, 2002) and that participation in comprehensive land claims is more effective when the wage economy is emphasized (Saku and Bone, 2000a).

It is also through the SDMCLCA that avenues for participation in non-renewable resource decision making, despite the limitations outlined in this article, are secured. It is important to bear in mind that prior to the SDMCLCA, formal avenues for Sahtu Dene and Métis peoples to participate in decisions that affected their land, lives, and resources were virtually non-existent<sup>11</sup>, and by no means systematic. Christensen and Grant (2007) argue that for Aboriginal peoples in the Northwest Territories, political inclusion and decision-making authority was increased through the establishment of resource co-management boards created as a result of comprehensive land claims. White (2002) also argues that the establishment of resource co-management institutions can be seen as a significant means of sharing authority and jurisdiction over resource decision-making, and may lead to the empowerment

of Northern Aboriginal peoples in decisions related to land and resources. He also argued that incompatibilities between indigenous decision making practices and those embedded in co-management institutions pose substantial barriers to effective Aboriginal participation.

In other areas of the North, including Nunavut, Northern Quebec, and Alaska, the use of a corporate model for the settling of outstanding land claims and the establishment of jurisdiction and management of indigenous lands has received both acclaim and criticism. Several scholars have demonstrated that the provision of material and capital resources in the form of one time payments, royalty revenue sharing, and investments has contributed to economic development in respective land claim areas (Anderson et. al., 2004; Saku, 2002, 2008; Saku and Bone, 2000a,b), while others have argued that comprehensive land claims and Aboriginal 'development corporations' have become the very means of dispossession, as well as social and cultural transformation away from traditional values (Berger, 1985; Mitchell, 1986; Kulchyski, 2005). Still others have weighed both the positive and negative impacts of comprehensive claims and have argued that the provision of material resources and the institution of resource co-management arrangements have been positive outcomes of comprehensive land claim agreements. Yet they have identified specific parts of comprehensive land claim agreements that may present barriers to community well being including the transformation of social relations as a result of changing access to resources, and the limitations flowing from the collection of rents for leased lands, rather than a stimulation of local economic development (Usher, 2003).

Indeed, as this article demonstrates, it is not only the economic functions of comprehensive land claims that have an impact on communities and individuals. For Sahtu Dene and Métis peoples, the SDMCLCA may indeed provide increased material resources and participatory avenues; however, it has also fundamentally altered governance structures in the region, imposed a corporatized framework for managing lands and resources, and solidified formerly fluid land-use boundaries and social subjectivities in ways that have created tensions both within and between individuals and collective interests. The politics of participation in governance structures like comprehensive land claims can leave communities in a quagmire. Without a comprehensive land claim, communities are more vulnerable to the abrogation of their claimed rights and their ability to participate in, and benefit from, resource development.

At the same time, participation in a comprehensive land claim can, and has, in the Sahtu and elsewhere, been used to legitimize and naturalize non-Dene institutional apparatuses and models of appropriate development. The significance of other impacts of the SDMCLCA presented in this article indicates that, in the context of everyday encounters and experiences with comprehensive land claim structures and institutions, additional factors such as compatibility with local values and decision-making processes may be equally important to Sahtu Dene and Métis people as

economic growth and 'development.' That is, the evaluation by local people of the effectiveness of comprehensive land claims is expressed not only in terms of what the comprehensive land claim does for economic growth, but also in terms of how well such claims mesh with local normative practice and local people's construction of themselves and their place in the world.

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## NOTES

1. Statistics are from the 2006 Community Profiles compiled by Statistics Canada.
2. An additional two members of the SLWB are nominated by the GNWT, and the federal government, respectively.
3. Interview October 8, 2007.
4. Public comment made at the Tulit'a Unity Accord.
5. Fieldnotes, September 17 2006.
6. Joint Review Panel Transcripts Vol. 16 Pp. 1635:12-17
7. Indeed, the company must negotiate an Access and Benefits Agreement with both Land Corporations in Tulit'a and the Ernie MacDonald Land Corporation in Norman Wells as combined members of the Tulit'a District Land Corporation.
8. Fieldnotes February 9, 2007.
9. For a more detailed discussion of the legal and practical complications

surrounding the Crown's duty to consult with Aboriginal peoples in Canada, see Dokis (2010).

10. Interview October 3, 2007.

11. An exception to this, of course, is the Mackenzie Valley Pipeline Inquiry led by Justice Thomas Berger.

## REFERENCES

- Able, K. (1993) *Drum Songs: Glimpses of Dene History*. Montreal: McGill-Queens University Press.
- Adelson, N. (1998) Health beliefs and the politics of Cree well-being. *Health*, 2(1): 188-213.
- Alcantara, C. (2008) To treaty or not to treaty? Aboriginal peoples and comprehensive land claim negotiations in Canada. *Publius*, 38(2):343-369.
- Anderson, R., Kayseas, R., Dana, L.P., and Hindle, K. (2004) Indigenous land claims and economic development: The Canadian experience. *American Indian Quarterly*, 28(3-4): 634-648.
- Asch, M. (1977) The Dene economy. In Watkins, M. (ed.) *Dene Nation: The Colony Within*. Toronto: University of Toronto Press, pp. 47-61.
- Asch, M. and Zlotkin, N. (1997) Affirming aboriginal title: A new basis for comprehensive claims negotiations. In Asch, M. (ed.) *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference*. Vancouver: UBC Press, pp. 208-230.
- Auld, J. and Kershaw, R. (2005) *The Sahtu Atlas*. Norman Wells: Sahtu GIS Project.
- Basso, E. (1978) The enemy of every tribe: "Bushman" images in northern Athapaskan narratives. *American Ethnologist*, 5(4): 690-709.
- Berger, T. (1985) *Village Journey: The Report of the Alaska Native Review Commission*. New York: Hill & Wang.
- Blondin, G. (1990) *When the World Was New: Stories of the Sahtu Dene*. Yellowknife: Outcrop, the Northern Publishers.
- Brody, H. (1981) *Maps and Dreams: Indians and the British Columbia Frontier*. Ontario: Penguin Books.
- Christensen, J., and Grant, M. (2007) How political change paved the way for indigenous knowledge: The Mackenzie Valley Resource Management Act. *Arctic*, 60(2):115-123.
- Cruikshank, J. (1998) *The Social Life of Stories: Narrative, and Knowledge in the*

- Yukon Territory*. Vancouver: UBC Press.
- Culhane, D. (1998) *The Pleasure of the Crown: Anthropology, Law and First Nations*. Burnaby: Talon Books.
- Ellis, S. (2005) Meaningful consideration? A review of traditional knowledge in environmental decision-making. *Arctic*, 58(1):66-77.
- GNWT (2008) *Summary of NWT Community Statistics*. GNWT Bureau of Statistics: Yellowknife.
- Dokis, C. (2010) *People, Land, and Pipelines: Perspectives of Resource Decision Making Processes in the Sahtu Region, Northwest Territories*. Ph.D. Dissertation, Department of Anthropology, Edmonton: University of Alberta.
- Hensel, C. (1996) *Telling Ourselves: Ethnicity and Discourse in Southwestern Alaska*. Oxford University Press: New York & Oxford.
- Indian and Northern Affairs Canada (1994) *The Sahtu Dene and Métis Comprehensive Land Claim Agreement: Highlights*. Ottawa: Ministry of Government Services Canada.
- , (1993) *The Sahtu Dene and Métis Comprehensive Land Claim Agreement*. Ottawa: Minister of Government Services Canada.
- Kulchyski P. (2005) *Like the Sound of a Drum: Cultural Politics in Denendeh and Nunavut*. MB: University of Manitoba Press.
- Mitchell, M. (1986) *From Taking Chiefs to a Native Corporate Elite: The Birth of Class and Nationalism among Canadian Inuit*. Montreal and Kingston: McGill-Queen's University Press.
- Morrow, P. and Hensel, C. (1992) Hidden Dissentions: Minority-Majority Relationships and the Use of Contested Terminology. *Arctic Anthropology*, 29(1):38-53.
- Nadasdy, P. (1999) The politics of TEK: Power and the 'Integration of Knowledge'. *Arctic Anthropology*, 36(1-2): 1-18.
- , (2003) *Hunters and Bureaucrats: Power, Knowledge and Aboriginal State Relations in the Southwest Yukon*. Vancouver: UBC Press.
- , (2005) The anti-politics of TEK: The Institutionalization of co-management discourse and practice. *Anthropologica*, 47(2): 215-232.
- , (2007) The gift in the animal: The ontology of hunting and human-animal sociality. *American Ethnologist*, 34(1): 25-43.
- Palmer, A. (2000) Evidence 'Not in a Form Familiar to Common Law Courts': Assessing oral histories in land claims testimony after *Delgamuukw v. B.C.*" *Alberta Law Review*, 38(4): 1040-1050.
- , (2005) *Maps of Experience: The Anchoring of Land to Story in Secwepemec*

- Discourse*. Toronto: University of Toronto Press.
- Preston, R. (1975) *Cree Narrative*. Montreal: McGill-Queens University Press.
- Rushforth, S. (1994) Political resistance in a contemporary hunter-gatherer society: More about Bearlake Athapaskan knowledge and authority. *American Ethnologist*, 21(2):335-352.
- Saku, J. (2002) Modern land claim agreements and northern Canadian aboriginal communities. *World Development*, 30(1):141-151.
- , (2008) Towards an understanding of Aboriginal Regional Corporations: The case of the Inuvialuit of the Western Arctic of Canada. *Geography Research Forum*, 28:113-129.
- Saku, J., and Bone, R. (2000a) Modern treaties in Canada: The case of Northern Quebec agreements and the Inuvialuit Final Agreement. *The Canadian Journal of Native Studies*, 2:283-307.
- , (2000b) Looking for Solutions in the Canadian North: Modern treaties as a new strategy. *The Canadian Geographer*, 44(3):259-270.
- Savishinsky, J. (1974) *The Trail of the Hare: Life and Stress in an Arctic Community*. New York/Paris/London: Gordon and Breach Science Publishers.
- Stevenson, M. (1996) Indigenous knowledge in environmental assessment. *Arctic*, 49(3):278-291.
- Usher, P. (2003) Environment, race, and nation reconsidered: Reflections on aboriginal land claims in Canada. *Canadian Geographer*, 47(4):365-382.
- Westman, C. (2006) Assessing the impact of oil sands development on indigenous peoples in Alberta, Canada. *Indigenous Affairs*, 2-3:30-40.
- White, G. (2002) Treaty federalism in Northern Canada: Aboriginal government land claim boards. *Publius*, 32(3):89-114.
- , (2006) Cultures in collision: Traditional knowledge and Euro-Canadian governance processes in Northern land claim boards. *Arctic*, 59(4):401-415.
- Wilson, R. (1986) Subarctic: A regional overview. In Morrison, B. and Wilson, R. (eds.) *Native Peoples: The Canadian Experience*. Toronto: McClelland and Stewart Ltd.