

Research Ideas

This Open Space session fostered discussion and brainstorming within groups of practice. *Practitioners* (LCAC members, Government and “other” organizations) were asked to discuss **what research needs to be done**. *Academics* were asked to **discuss their research interests**. Facilitators from each group provided a “report back” to the plenary.

LCAC Group #1

- Evaluating the Indian Act looking at a nation-to-nation based relationship. How an evaluation of the Indian Act can bring forth an assessment of where we are at and why. Looking at quality of life indicators from that process.
- Focus on an evaluation of quality of life from a modern treaty perspective - from the beginning of the treaty to now.
- Researchers looking at case studies - look back at the case study process using an ethnographic approach. Many researchers don't do this anymore because it's no longer savvy in academic institutions, but it's something that is really reflective of cultural diversity represented in the room and within LCAC membership. Each community is so diverse.
- Assessment of nation-to-nation agreements and looking at the language. How it fits for the researcher. Sit down with each FN and understand where they come from, how they got to where they are, and how that influences decisions.
- Get rid of stereotypes in academia. Have academics that know the intricacies – beyond simply knowing research.
- Power of place and understanding where individual nations are positioned. Looking at current conditions, in regards to child welfare and the current stereotyping of Aboriginal children. How current legislation impacts First Nations. Understanding the landscape. Build a legislative map for LCAC members. So LCAC can understand how to navigate through the legislative framework.
- We get to choose the researchers who come to our communities. One example: a research group came to our community from an institution and provided us with a document. The document still had 2 other community names on it that were not ours. This is about being ethical. Understand that your research is for one community – not numerous blocks of communities. Not blanket research for all communities.
- What is working in establishing measurements of success. What is successful? How is it measured? How do First Nations measure success?
- Case Studies – How are our decisions in land claims agreements impacting government decision making processes? How does modern technology shape our relationships in our communities? Looking to elders roles – how that's being replaced by Facebook, Twitter, etc. Both positives and negatives to social media.
- How we teach our youth about intent of negotiations and envisioning the future.
- Example - A school in the cloud – Children in India were given a computer and learned how to speak English.
- How do we utilize tools in a modern context – provide for our people. How to balance that in a social way.
- Are we our own worst enemy when it comes to all of this stuff?

LCAC Group #2

- We came up with some generalized research topics and some specifics.
- Overarching research questions:
- Baseline research – establishing where we are as an important part of measuring progress. Baseline in terms of socio economics, eco-systemic, and measuring social indicators.
- Strong theme around wildlife.
- Appropriate models of evaluation from an Aboriginal perspective.
- What makes implementing modern treaties a priority for the government?
- How much knowledge do public servants have of modern treaties? Speaks to the actual dispersion of knowledge within the government(s).
- Specifics:
- Comparability - playing out in financial agreements, self-government agreements, fiscal harmonization – it's constitutional. This is a critically strategic question, yet nobody seems to know exactly what it means.
- Legislative models - how laws are made. How they should be made in a self-governing context, rather than a Canadian context.
- Citizen perspectives - measuring social well-being in a way where communities members feel is legitimate. What would be an appropriate measurement/index?
- Best practices in research. Appropriate ways of transferring knowledge (techniques).
- Wildlife – precautionary principle. How do we square the precautionary principle with treaty harvesting rights? What are the legitimate units of wildlife? (Wildlife management zones in the Yukon). The government wants to square everything onto maps with lines – often those lines don't mean anything in the communities. This is a methodological / content question.
- Legitimate use of models for managing wildlife. How to measure with a model? These models came out of institutions that have nothing to do with these communities.
- Benefits of modern treaties in communities. Modern treaties vs. outcomes under the Indian Act.
- How are modern treaties affecting communities? Social indicators. Financial impacts. Tax revenues. We don't have a systematic way of measuring tax revenues. This makes a difference to government.

Academic Group

- Academic research being responsive.
- We divided research interests into disciplines – as we see it in academic. However we were conscious many research issues cross-cut these pathways.
- Impact. For example the distinction between law in the books and law in action. Health impacts. Population health vs. social well-being.
- Cultural impacts. Impacts on citizenship. Impact agreements as instruments of self-determination.
- Economics and economic impacts – both formal and informal. Social environmental well being of economics.
- Impacts around particular actors – scientists and science roles.

- Legal impacts. Ideas of pluralism – how this might facilitate space for Indigenous law making.
- Comparative analysis – methods.
- Impacts on procedural – intergovernmental relations.
- Policy impacts. Democratic processes and decision making processes.
- In terms of all of these categories we talked about, both impact on Indigenous communities and public impacts broadly. Concepts of citizenship – for Indigenous and non-Indigenous communities.
- Research and teaching. Developing case studies as ways of knowledge transfer.
- Cross-cutting methodologies – creating common knowledge bases and databases in order to access information. Comparative work – between communities, jurisdictional context, national contexts, etc.
- Conflict analyses – value of thinking about best practice, as well as failures.
- Issues of access and transparency – methodological questions about gaining access to knowledge, instruments or materials. In particular from federal and provincial/territorial government’s archives, paper trails, etc. Also, gaining access to the private dimension as well.
- Transparency – ex around impact benefit agreements.
- Thinking about comparative criteria for analyses.
- Even though we were thinking about different research areas, there was a real interest in inter-disciplinary research.

Government/ Other

- We had a broad ranging discussion.
- A lot of this research is already covered.
- Obligations - a question we struggle with - these agreements are signed with establishments. How/what is that doing to make a difference in the modern treaty communities. What does that look like? Does the theory line up with day to day?
- Larger question around implementation – review periods within the land claim agreement – what do we need to be reviewing?
- Questions government has – how do we implement? Who is responsible? A body (not a department) to look at enforcement, implementation. To oversee the larger question of implementation.
- How do we measure success of our implementation? By the number of students that finish high school? Or is it something bigger? How do we measure the connectedness back to the land? What does that look like? That’s not an easy question to answer.
- What are the government barriers to implementation? We’re aware there is a high staff turnover; sometimes it’s every three years. So the ability to have an awareness of what we’re implementing is challenging for us.
- What is not “implementatable? Some provisions are aspirations, or goal statements. That’s needs some analysis.
- What hasn’t been implemented and why?
- Dispute resolution – what DR mechanisms are available? How are they used? How can we make them more effective? Are they being used at all? Is there another way other than litigation? LC have a DR chapter – how do we get to that chapter?

- How do we strike a balance between binding agreements and flexibility needed for implementation?
- Objectives vs obligations. How do you implement an objective and measure success? What is the government's role in implementing objectives? Is a cross-government approach needed?
- It would be important to put in some kind of mechanism that allowed for coordination and sharing of research that is completed. Government doesn't get plugged into what's being researched. We're not necessarily engaged in the conversation, yet we're a part of that conversation. It would be helpful for us to get more of that information as research unfolds.
- What is it we need to report on and to whom? What do all Canadians need to hear when it comes to land claims and modern treaties. How do we tell the story, whether it's a positive story or not?

Areas that Intersect:

Financial:

- Fiscal relations
- Comparability
- Impacts of modern treaties on GDP?
financial implications of non-implementation

Intergovernmental Relations:

- Barriers to implementation
- History of implementation within all levels of Government
- What hasn't been implemented and why?
- How land claims agreements decisions affect government processes
- Balance between binding agreements and flexibility for implementing
- Implementation policies

Utilizing research:

- Knowledge transfer
- Connection between government and research

Evaluation:

- Objectives/measuring success
- Baseline research
- Comparative criteria
- Modern treaty outcomes
- Language regarding reviews and agreements

Impacts of modern treaties:

- Quality of life
- Child welfare
- Do modern treaties make a difference
- Citizens perspectives as social well-being

- How do we measure successes/failures of modern treaties
- Impacts of modern treaties on GDP