

The Community Forum

Welcome to The Community Forum, a collection of stories, perspectives, and ideas for action from Forum Community Relations. This spring edition offers ideas and perspectives about what meaningful engagement with Indigenous Nations and communities looks like.

I'm working with a few clients right now who are genuinely interested in building strong and reciprocal relationships with Indigenous communities, but are struggling to know where to start or how to move forward when Indigenous communities' responses or reactions aren't what they expect.

This edition includes stories and reflections from our community with a specific focus on approaching Indigenous engagement in meaningful ways. We hope you enjoy the resources and take the opportunity to reflect on how your own approaches and expectations might be affecting your relationships with Indigenous peoples.

Take care,

~ Anne



A case story in meaningful Indigenous consultation

By Art Cunningham

I (Anne) have long described Art Cunningham as “the mooshum of Indigenous Relations” (‘mooshum’ being the Cree word for ‘grandfather’).

I have had the privilege of knowing Art for most of my career and working alongside him for the last five years or so. I am humbled that he agreed to allow me to record his story of engaging with Indigenous groups for

the Canadian portion of the Keystone XL pipeline project. Art has shared this story with me many times before, but as I listened this time I saw so much of the ‘theory’ I describe in my article below brought to life: how to build trust, have authentic relationships, and show true recognition and commitment to upholding Indigenous rights and ways of knowing.



Video: A case story in meaningful Indigenous consultation

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When I train with Art, we make a good team. I bring the “western” style of keeping us within a certain time period, and having the odd slide or theoretical reference to help participants connect the dots. Art, though, brings the magic. As he shares information through storytelling and reflecting on personal experience, students are captivated by the authenticity, vulnerability, and wisdom shared.

I invite you to listen to Art’s story with intention. Know that it is about 45 minutes long and is best heard in one sitting. So grab a cup and settle in to hear the best real life example of ‘meaningful Indigenous consultation’ that I’ve come across so far, and please join me in giving gratitude to Art for sharing his experience.

What is ‘meaningful consultation’ anyway?

By Anne Harding

It was late summer of 2018, and the Federal Court of Appeal had just issued its decision in the Tsleil-Waututh Nation v. Canada (Attorney General) case regarding the TransMountain Expansion Project (TMX). Many of you may remember that this was the decision that quashed the approval that had been issued for the pipeline, which halted construction for a period of time. One of the reasons that the approval was quashed was that Canada had failed to meaningfully consult Indigenous Peoples.

I recall being incredibly frustrated by many of the headlines and quotes that came from political and industry leaders and commentators at the time. “Well, what is ‘meaningful consultation’ anyway?!?” and “How are we supposed to get anything built in this country if the goalposts keep changing?!?” were some of the quotes that stick with me to this day. I was frustrated because these views seemed to be feeding a narrative that the rights of Indigenous Peoples somehow keep changing, which results in uncertainty for economic development.

The reality, though, is that Indigenous Peoples’ rights are inherent, meaning that they have always existed. It’s actually Canadian institutions’ lack of proactive recognition of Indigenous rights that creates uncertainty for our economic future

as a nation. If you want some great reading on what it might look like for our government institutions to make a shift toward rights recognition, I highly recommend reading Jody Wilson-Raybould’s book *From Where I Stand*. And perhaps in the future I’ll write a piece on why I believe Indigenous rights recognition is a key to unlocking more equitable economic and social prosperity in Canada.



*From Where
I Stand,
by Jody
Wilson-Raybould*

But for now, I’ll focus on what I see as the fundamental elements of “meaningful consultation” and how organizations can engage meaningfully with Indigenous groups based on my own practice. While we don’t have sufficient legislation to help us understand what recognition of Indigenous rights looks like in Canada, we do have a tremendous body of legal decisions that lay out the essence of ‘meaningful consultation and accommodation’. In fact, there are now 335 Indigenous legal wins that help lay the bricks for a pathway to greater Indigenous inclusion and power in our country. Check out Bill Gallagher’s work to learn more about these past cases and keep track of new ones.



BillGallagher.ca

So, based on what we know from the courts, here are the elements of meaningful consultation

and accommodation that don't change. Think of these as the goalposts that haven't changed:

- Indigenous peoples have collectively held rights to the land that are unique from rights of other Canadians and unique to each nation;
- The purpose of consulting with Indigenous Peoples is to truly understand the potential impact of development on unique rights;
- The purpose of accommodation is to work together in good faith, with mutual respect, to address impact of development on unique rights; and
- Meaningful consultation requires an authentic relationship, which often requires mutual trust, recognition, commitment, and vulnerability.

Unfortunately, though, it's this last bullet that in my view, needs to change. Our colonial institutions are not designed to engage with authenticity, humility, reciprocity, and dare I say humanity. Rather, we are encouraged to separate our 'work selves' from our 'personal selves', and often pressured to put the interests of our organizations over the interests of communities. This practice often erodes trust and makes it even harder to engage meaningfully in the future.

So what would it look like if an organization structured its people, systems, and actions in a way that supported meaningful engagement with Indigenous Peoples? Well, let's break it down:

- **Authentic relationships** would be created intentionally between multiple people in an organization and multiple people in a community; not just the person with "Indigenous relations" in their title. Engagement would happen long before a decision needs to be made so that relationships can form and different interests and perspectives can be uncovered that might

support a better decision. Organizations would have relationship succession planning so that relationships are not threatened if one person leaves the organization.

- **Mutual trust** would be developed over time, through many different interactions and conversations that are not only driven by the interests of the organization. If there is a lack of trust, this would be acknowledged openly alongside a desire and commitment to rebuild and earn it back. Organizations would be willing to trust Indigenous communities as much, if not more, than they expect Indigenous groups to trust them.
- **Recognition** of the diversity among Indigenous Nations and recognition of Indigenous rights by the organization because they know their history, not because a non-Indigenous government says so. Organizations would ensure all their employees and contractors have a basic understanding of the history and experiences of Indigenous Peoples so that there are no more questions of "why" we should engage, but more productive conversations about "how" we can engage in a way that respects and values Indigenous rights.
- **Commitment** to see the engagement through, even as interests and priorities change. This is a tough one for many organizations who have a linear view of time and action. However, if we say we value strong, trusting, and reciprocal relationships with Indigenous Peoples then we can't abandon those or change course with the wind, the stock market, or funding cycles. Organizations would shift the behaviours they incentivize by rewarding actions and approaches that support long term relationships with Indigenous communities in greater balance alongside other important metrics like budget and time.

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• **Vulnerability** would underpin every interaction with and discussion about Indigenous Peoples. We would show our humanity as people-first, with all our discomforts, awkwardness, curiosity, and hope. Instead of feeling the need to wait to engage Indigenous groups until there are answers for all their questions, an organization would engage Indigenous groups as they are just starting to think about the project or initiative and seek Indigenous perspectives to help inform not just the content of the work ahead, but also the ways of working. As a western and colonial society, we have much to learn from Indigenous ways of knowing.



(see my previous blog post about that here).

While the term ‘meaningful consultation’ has a specific legal connotation, I hope that the thoughts I’ve shared here offer a view to what the path to meaningful engagement might look like. In order to get to a different place in this country in terms of Indigenous inclusion and prosperity, we need to be able to have some pretty challenging conversations. And in order to be able to have tough conversations, we need stronger relationships built through trust, recognition, commitment, and vulnerability.



Multiple pathways to meaningful engagement

This reflection comes from Michelle Deacon, communications specialist, keen up and comer to the public participation space, and one of Forum Community Relations’ engagement coordinators.

By Michelle Deacon

For the past year, I have had the opportunity to support a proponent with the Indigenous engagement planning and coordination on a broader, multi-year community engagement program. The project itself, seeks to involve the community in project decisions; and with a proponent who is truly committed to building trust and meaningful relationships, it has been a rewarding journey in meaningful consultation.

But what does that term actually mean? Meaningful consultation. Far beyond government definitions of duty to consult and consultation requirements, when I reflect on the past year, I believe that, at its core, meaningful consultation requires humility, space and time for listening and hearing, and adaptability. And let’s face it, this approach makes good sense for not only engaging with Indigenous Peoples, but all people.

Starting from a place of humility helps us to acknowledge that our lived experiences influence our approach and assumptions regarding how individuals and groups may want to participate. Whether conscious or not, it is easy to gravitate toward approaches we know. When we accept that we don’t have all of the answers, and that different world views may indicate altogether new approaches, we prepare ourselves to consult meaningfully.

Multi-year engagement programs can offer more space and time for listening and hearing, but not every project has a long timeline, and even multi-year projects encounter tight turnarounds. Regardless of project duration, making time to listen and hear authentically, is an important step in building trust. Trust and relationship take time and nurturing, and once established, facilitate meaningful consultation—with the potential for enriched dialogue and

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greater willingness to participate. For proponents with sporadic or short-term projects, why not explore opportunities to build relationship outside of project frameworks?

Adaptability is another core requirement for meaningful consultation. This is where we apply what we learned in that place of not-knowing-all (humility), as well as what we learned through listening. Sometimes it means that we need to set aside step-wise engagement approaches, and respond to what participants are truly saying

about how they want to participate, and what challenges to participation they are facing. It requires meeting people where they are at, and sometimes, offering multiple pathways for participation. An adaptable approach creates opportunities for more responsive and inclusive consultation.

Meaningful consultation goes far beyond formal definitions of consultation. It requires us to be humble, adaptable and committed to taking the time to listen, hear and build trusting relationships.

I (Michelle) identify as a daughter, granddaughter, sister, wife, mother, aunt and friend. I live, work and play on Treaty 7 territory. Today, my personal reconciliation journey involves increasing my awareness of Indigenous Peoples (in what some recognize as Canada), their cultures, histories and stories and using my voice to share what I learn with others who may not know. I hope that this is a step toward better awareness and understanding.



What's one thing that you can do to start engage meaningfully with Indigenous Nations and communities?

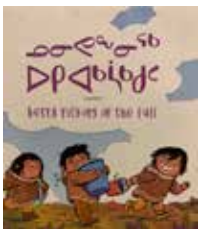
Check out this video to find out



Bobby's Pick

Berry Picking in the Fall

Illustrated by Sigmundur Thorgeirsson and published by Arvaag Books and Inhabit Education



"I like the end of this book, when the boy collects lots of berries with his anaanatsiaq and she makes jam with them and he eats jam and bannock because I like jam and bannock too!"

- Bobby Harding, 8 years old

Allie's Pick

Sometimes I Feel Like a Fox

By Danielle Daniel



"I like that the animals are like people and the people are like animals."

- Allie Harding, 3 years old

What are you reading?

One of the best ways that Canadians can advance reconciliation is to make a choice to diversify your media intake! What books, articles, & podcasts are you reading and listening to? Check out what's on Anne's nightstand right now:

Apparently, I've had a busy winter reading season.

I would recommend all these books to anyone wanting to learn more about Indigenous experiences and perspectives in Canada.



Indigenomics by Carol Anne Hilton offers a view to the economic opportunity for our country in fully recognizing Indigenous rights.



Highway of Tears by Jessica McDiarmid offers an irrefutable case of system racism and injustice that simply should make every Canadian want to be part of creating change.



Indigenous Relations by Bob Joseph provides accessible and tangible advice for all people and organizations seeking to engage and consult meaningfully with Indigenous Nations.



Indian in the Cabinet by Jody Wilson-Raybould, which I'm currently reading but not yet finished, reaffirms and strengthens my view that Canada will be a much better country for all people when we recognize and embrace Indigenous ways of knowing and being, including governance and perspectives on what it means to be a leader of communities.



All Our Relations by Tanya Talaga is heavier than I expected, and provides insightful comparisons between Indigenous Peoples around the world and the similarities in the societies that continue to oppress them. This is also the book that the YWE Book Club will be exploring in June, facilitated by my YWE Indigenous Relations & Reconciliation Committee colleague Mary-Beth Burse.



Anne is privileged to live, work, and play in traditional Treaty 7 territory and home of Métis Nation of Alberta Region 3.

Anne is the Owner of Forum Community Relations, a Calgary based consulting company dedicated to catalyzing better communities through Indigenous relations, community engagement, and culturally appropriate facilitation.



Connect with her work at www.forumrelations.com