FIRST NATIONS SUMMIT

FRAMEWORK FOR RECOGNITION & RECONCILIATION

PRESENTED TO PREMIER CAMPBELL
& MEMBERS OF THE BRITISH COLUMBIA CABINET

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FRAMEWORK FOR RECOGNITION & RECONCILIATION

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I. INTRODUCTION

> Your government deeply regrets the mistakes that were made by governments of every political stripe over the course of our province's history. It regrets the tragic experiences visited upon First Nations through years of paternalistic policies that fostered inequity, intolerance, isolation and indifference.
>
> *- Throne Speech, February 11, 2003*

We acknowledge this apology. It is an important step for First Nations and for the Crown. There is common ground between the objectives set out in the Provincial Throne Speech and those First Nations have advanced for many years. That alone is something to celebrate, but unless the British Columbia Government, along with First Nations, proactively implements a strategy to overcome the continuing inequity and existing intolerance, isolation and indifference experienced by First Nations people, these words will have been wasted.

In its February 2003 Throne Speech, the BC Government committed to address the legacies of the historical Crown-Aboriginal relationship through recognition and reconciliation. The "hallmarks of despair" – inadequate education, health care and housing; high unemployment; substance abuse; high rates of incarceration; infant mortality and suicide – have disproportionately affected First Nations communities and people. These unacceptable circumstances must change. We, as First Nations communities and leaders, given our limited resources, have the responsibility to do our best. And we do.

> Our history has shown, unfortunately all too well, that Canada's aboriginal peoples are **justified in worrying about government objectives** that may be superficially neutral but which constitute de facto threats to the existence of aboriginal rights and interests.
>
> *- C.J. Lamer and J. La Forest, Delgamuukw (SCC)*

The issue of reconciliation between the British Crown and Indigenous populations is not a new one. Colonialism has occurred throughout the world and many countries are now engaged in processes of reconciliation to improve the lives of Indigenous peoples dispossessed, suppressed, disadvantaged and marginalized in their homelands. There are lessons to be learned from these countries (e.g. Australia, New Zealand and South Africa). There is no need to completely re-invent the wheel on reconciliation. We should consider their ideas and approaches and tailor reconciliation to circumstances here.

Understanding our history

> Native British Columbians still have too little access to the means of making a reasonable living, while non-native British Columbians are the continuing beneficiaries of the colonial processes that displaced the prior inhabitants of this land.
>
> - *Cole Harris, Making Native Space: Colonialism, Resistance, and Reserves in British Columbia, 2002*

How did the Crown come to assume it owns our land? The history of Canada and, more particularly British Columbia, is modern history, not ancient history. The Aboriginal-Crown relationship, constituting a relatively short and recent period in the long history of Aboriginal peoples on this land, has been a history of denial, dispossession, suppression and exclusion of Aboriginal people. Government legislation and policies, as outlined in the attached article entitled "Conspiracy of Legislation: the Suppression of Indian Rights in Canada" by the late respected Chief Joe Mathias and Gary R. Yabsley, are "seen to be the **root cause of much of the injustice and inequity that continues to permeate the Indian presence in Canada**."

Non-Aboriginal society must recognize that it has benefited and continues to benefit from these historical wrongs. It cannot distance itself from this history. While the intent is not to assign blame to individuals and foster an atmosphere of guilt, it is important to honestly acknowledge the past and the fact that the events of the past continue to have effects and consequences today.

Today, denial and dispossession continue in various forms, including non-recognition and non-implementation of the many court decisions which recognize and uphold Aboriginal and treaty rights in Canada. Governments instead interpret the cases to serve their own interests. In not implementing cases such as *Sparrow*, *Delgamuukw* and *Council of the Haida Nation*, governments deny First Nations that which they have won through the courts.

British Columbia needs to pull itself out of colonial times. The Premier of the Yukon Territory, for example, has committed to "formalizing government-to-government relationships with Yukon First Nations" and working with them "to make them full partners in economic development of the territory". The Yukon Government is taking new approaches to working with First Nations and is expressly recognizing rights, title and interests in the lands and resources. The United Nations Draft Declaration on Indigenous Rights also illustrates how British Columbia falls short of emerging international norms.

The cumulative impacts of past and present government legislation and policy (e.g. disenfranchisement, land pre-emption, discrimination, residential schools and the "60s scoop") must be addressed. We do not want governments to do things for us; we want them to work with us.

II. PRINCIPLES

> The future will be forged in **partnership** with First Nations – not in **denial** of their history, heritage and culture. It will be won **in recognition of First Nations' constitutional rights and title** – not lost for another generation because we failed to act.
>
> *– Provincial Throne Speech, February 11, 2003*

The Throne Speech embraces the concepts of recognition and reconciliation, which First Nations and the courts have been highlighting and pressing for years. The public agenda now includes the need for recognizing and reconciling with First Nations in British Columbia. But to realize this, the government must work with First Nations to develop a comprehensive strategy. A unilaterally developed Crown agenda will not achieve these results.

Recognition and reconciliation

> Two fundamental purposes underlying the recognition and affirmation of aboriginal rights by s. 35(1) have been identified: the **recognition** of the prior occupation of North America by aboriginal peoples and the **reconciliation** of aboriginal prior occupation with the assertion of the sovereignty of the Crown.
>
> *– J. Daigle, Bernard (NBCA) at para 53, citing Van der Peet, Gladstone, and Delgamuukw*

Recognition is an integral part of the ongoing journey towards reconciliation and therefore any process of reconciliation must build on a foundation of recognition. Without this recognition, a reconciliation process, though well intentioned, will be doomed to fail.

What does recognition mean?

Recognition means recognizing First Nations as "Peoples" and as the original owners and occupants of the land now known as British Columbia. It also means recognizing that this prior occupation of the land carries special and unique rights that are now recognized, affirmed and protected by the Canadian *Constitution Act, 1982.*

Aboriginal and treaty rights are legitimate, legal and constitutional rights. As First Nations have always maintained, and the Supreme Court of Canada has agreed, these rights must be defined and explained by reference to the First Nations' own pre-existing laws, values, cultures and perspectives. British Columbia needs to respect and implement these courts decisions.

> Recognition of and respect for First Nations as self-determining and distinct nations with their own spiritual values, histories, languages,

territories, political institutions and ways of life must be the hallmark of the new relationship.

- *The Report of the British Columbia Claims Task Force, 1991, at p. 16*

The Throne Speech and numerous BC Government initiatives focus on the "heartlands" of British Columbia and their potential for supporting economic prosperity. Before that potential can be fully realized, British Columbia must recognize that those lands are First Nations' "homelands" and the key to achieving social justice, economic prosperity and certainty lies in working cooperatively with First Nations.

What is reconciliation?

Reconciliation is about building bridges to a new and ongoing relationship. There will always be a Crown-Aboriginal relationship. The goal is to achieve a more positive and peaceful co-existence that is no longer rife with conflict, denial, exclusion and suppression.

The term "relationship" is meant to be all-encompassing. It is not limited to land and resource issues, nor does it only capture social issues.

What advances recognition and reconciliation?

The clearest way to advance recognition is to end the denial. The BC Government must take serious steps to undo the damage of the past. It needs to **build trust and credibility** with First Nations. Expressly recognizing First Nations as Peoples with constitutionally-protected rights, including Aboriginal title, arising from their prior occupation of the province is an essential step.

Recognition is the foundation upon which reconciliation can take place.

To me there are three essential elements in achieving a lasting **reconciliation** between Indigenous and non-Indigenous Australians:

- Honest and realistic acknowledgment of the injustices of the past;
- Shared commitment to overcoming Indigenous disadvantage and providing equality of opportunity for all Australians; and
- Mutual acceptance of the importance of working together to ensure that our differences do not prevent us from sharing equally in a common future.

- *Senator John Herron, Minister for Aboriginal and Torres Strait Islander Affairs (1996)*

In the Throne Speech, the BC Government acknowledges:

We must move beyond the old approaches and flawed policies of the past. It is up to us to accord First Nations the respect, support and social and economic opportunities to which they are entitled.

- *Provincial Throne Speech, February 11, 2003*

These words need to be supported by goodwill and good faith actions.

Changing mindsets

No one party can achieve reconciliation. The concept of reconciliation must take root in our hearts and minds. As noted by the Australian Council for Aboriginal Recognition:

> Reconciliation had to take place in the hearts and minds of all Australians, and through people working together to change communities, workplaces, sectors and organisations around the country.
>
> – *Council for Aboriginal Reconciliation - Final Report, December 2000*

Education is a critical element to advancing reconciliation. People need to know about the history of British Columbia and the state of the law on Aboriginal issues. First Nations and the BC Government can work together, and with other groups, to increase cultural awareness and understanding to promote a vision of reconciliation.

The Council for Aboriginal Reconciliation in Australia determined that it was necessary to establish "a baseline of community attitudes" in order to "hold up a mirror to the nation". This was part of the Council's attempts to breathe life into the reconciliation process and make it an issue that the nation embraced.

Learning from this approach, a first step can be a mutual commitment by the BC Government and First Nations to embark on a journey of reconciliation and to demonstrate the **leadership** that is required for this process to be successful.

What undermines recognition and reconciliation?

Continued non-recognition and denial of First Nations as the original Peoples of the province with constitutionally protected Aboriginal rights and title undermine recognition. First Nations seek honest and genuine recognition of who they are, the rights they hold and the contribution they have made and continue to make in British Columbia. Insincerity does not assist recognition, nor do hollow expressions of recognition.

A number of other approaches, actions and behaviour undermine reconciliation, including:

- Adversarial, confrontational and "cheerfully aggressive" approaches;
- Unilateral or arbitrary action;
- Unilateral determination of issues and imposition of policies (e.g. land selection model, consultation policy);
- Inconsistency and contradictions;
- First Nations' dependency on loans to negotiate treaties;
- Undermining progress at treaty tables (e.g. leaking information to media); and
- A "take it or leave it" approach.

The Attorney General's statement at the Open Cabinet meeting on November 22, 2002 that the BC Government's "new approach to achieving certainty rejects the use of extinguishment of rights" suggested there was political will to build a better relationship. However, this commitment was limited to eliminating only the use of the phrase "cede, release and surrender." Government negotiators continue to advance other terminology to achieve the *effect* of extinguishment. This approach serves only to question the BC Government's commitment and credibility.

In its Statement of Defence in the Haida title case, BC specifically refuses to admit that the Haida "are indigenous to the Queen Charlotte's, or that the Queen Charlotte's ... are the territory of the Haida Nation". The Statement of Defence also denies, "that prior to and since 1846, the Queen Charlotte's has been occupied and possessed by a unified, single Aboriginal group, whether known as the Haida Nation or otherwise." This is entirely inconsistent with the BC Government's stated commitment to recognition and reconciliation.

The unilateral offer to the Haida to entice them back to the treaty negotiation table made it clear that litigation can result in seemingly better deals for First Nations. This has put into question approval processes for First Nations who have recently concluded, but not yet ratified, agreements in principle.

The BC Government's contradictory statements and inconsistent actions have further weakened its credibility and trustworthiness in the eyes of First Nations. Therefore, a critical step to advancing reconciliation is to **develop positions, policies and mandates consistent with the principles of recognition and reconciliation**. This would significantly advance reconciliation, both in the context of treaty negotiations and elsewhere.

Over the last year, the BC Government has tabled a number of unilaterally developed policies and initiatives designed to address First Nations concerns and/or to meet the province's legal obligations (e.g. consultation guidelines, revenue sharing proposals and the Federal/Provincial Joint Task Group on Post-Treaty Fisheries) which serve only their own interest.

The BC Government also insists that First Nations agree that their legal interests have been fully satisfied in order to access certain benefits, through accommodation agreements and interim measures arrangements. Some First Nations feel compelled to sign these agreements to obtain access to resources or other benefits that are sorely needed in their communities. Other First Nations refuse to participate in government initiatives that could benefit them because they do not want to risk putting their long-term rights at risk. These provincial approaches, inconsistent with reconciliation, only foster mistrust and frustration and increase uncertainty.

III. WHERE TO FROM HERE?

A clear and comprehensive set of objectives is needed to determine where we want to go and how to get there. To measure and mark our progress on the path towards reconciliation, we will also have to establish benchmarks. These will need to be developed jointly.

Reconciliation will be achieved by focusing on the full range of issues from social to economic and political to cultural. These issues must be addressed from a substantive and, in some cases, a symbolic perspective.

First Nations have long advocated reconciliation. In fact, our presentation to the BC Cabinet last year stressed this point. By committing to reconciliation, the BC Government will join First Nations on this path. The commitments in the Throne Speech will be achieved by moving from exclusion, denial and suppression of First Nations rights and interests to inclusion, recognition and reconciliation of these rights and interests.

Reconciliation will have to be a central issue on the political, social and economic agendas. It must not simply be a peripheral issue dealt with from time to time when confrontation seems inevitable.

> If history has taught us anything, surely it is this: we are always stronger as a country and as a province when we work together.
>
> *- Throne Speech, February 11, 2003*

IV. IMPLEMENTATION

There are many opportunities to advance reconciliation. Some of these are set out below.

General

As mentioned, adopting policies, positions and mandates that reflect recognition and reconciliation would significantly move the relationship forward in the context of treaty negotiations and elsewhere. They would provide for consistency in Crown-Aboriginal relations, a principled foundation for building a new and better relationship and a more level playing field.

Social and cultural

Recent statistics compiled by the Native Courtworkers indicate that charges laid against Aboriginal people have increased dramatically from 2002 to 2003 (see attached). The numbers have close to doubled in virtually all categories. These statistics reflect a growing sense of hopelessness and the worsening socio-economic conditions brought

upon in part by cuts to social services. These cuts, which were mirrored by Canada, have had a disproportionate negative impact on our people and communities.

Some of the social and cultural issues that need to be addressed are:

- improving social circumstances (such as health, education, children and family and poverty statistics) for First Nations people;
- raising First Nations people's standard of living (Canada has fallen on the Human Development Index from 1st to 8th place in large part due to the disparity of standards of living between First Nations people and other Canadians);
- establishing community-driven programs and services (in the areas of education, health, housing, justice, employment and infrastructure);
- addressing capacity issues;
- examining the reasons for the disparities and monitoring progress to guide the development of strategies;
- working to protect and preserve First Nations' cultures and languages;
- increasing public knowledge and awareness; and
- developing cultural awareness models and approaches and demonstrating that racism is unacceptable.

Specific opportunities include:

- The **Seniors and Youth Congress** proposed by the BC Government should include guaranteed representation for First Nations elders and youth.
- **Benefits** should be provided to **elders** prior to the conclusion of treaties. Otherwise, they may never share in any treaty benefits.
- The First Citizens' Fund should be used to help preserve First Nations' **languages** and, as Premier Campbell stated to us, "get them off life support".
- Recognize and use First Nations' **place names** and establish a joint panel to address this issue.
- Work in all areas of **education** to include First Nations' languages and cultures and to improve the educational success rates of First Nations students in the provincial education system.
- Integrate the Aboriginal perspective into the provincial **curriculum** and develop more Aboriginal **educational resources**.
- Follow-up on the Education Memorandum of Understanding signed on July 24, 2003 that establishes a framework that will enable First Nations to exercise jurisdiction and authority over their students attending First Nations schools, as well as provide them with opportunities to exercise greater control over the education of their members off-reserve.
- The First Nations Education Steering Committee is working with its Education Partners to develop an **anti-racism strategy** (including an anti-racism tool kit that would be available for use in schools and other organizations).
- **Justice**: determine why incidents of serious crime have risen dramatically over the last year and address the causes.

- **Policing**: with Aboriginal people, establish a process to review the disproportionate number of Aboriginal people who die in police custody or as a result of police actions.
- **Children and Families**: need to establish Aboriginal regional authorities to implement the Children and Families Memorandum of Understanding signed September 9, 2002.
- Assist in the **reintegration** of First Nations people, who were taken into care by the provincial government, back into their communities.
- **Health**: it is becoming increasingly difficult for First Nations people to access health care in their own regions.

Political

On the political front, steps need to be taken to:

- recognize First Nations' title to their lands and resources;
- recognize First Nations governments;
- break down legislative and policy barriers to progress;
- counter the acts of specific exclusion of First Nations people in the past; and
- increase Aboriginal representation in the institutions of the Crown, including the government, the judiciary and Crown corporations.

Specific opportunities include:

- The Citizens Assembly will soon be beginning its examination of **electoral reform**. The terms of reference for this initiative can include a review, an assessment of and consultation with First Nations on models for increasing the involvement of First Nations in the legislative assembly.
- First Nations must be involved in **federal-provincial agreements and arrangements** that affect us to identify opportunities to minimize negative impacts and foster positive impacts on First Nations (e.g. participation in Social Union Framework Agreement, discussions on social assistance rates).
- We need to establish a **First Nations Public Policy Institute** to monitor developments and progress on First Nations issues. The government committed to establishing various chairs and this should be one of them.

Lands and resources

On the lands and resources front, steps need to be taken to:

- protect lands and resources and to promote rehabilitation where they have been negatively impacted;
- recognize First Nations' jurisdiction over allocation and management decisions; and
- **compensate** and **share revenues** with First Nations.

Specific opportunities include:

- **Forestry**: First Nations have a right to benefit economically and to participate in the management of forests;
- **Aquaculture:** First Nations' concerns with respect to the environmental and economic impacts of aquaculture need to be addressed.
- **Offshore oil and gas**: First Nations' environmental concerns, as well as the potential impact on First Nations' coastal activities, need to be recognized and full consultation and accommodation are required.
- **Order-in-Council 1036**: issues with respect to rights-of-way established under this order-in-council, which are valued in the millions of dollars, must be resolved. This would provide an opportunity to demonstrate good will by accommodating First Nations.

Economic

From an economic perspective, it is important:

- for First Nations to have access to land and resources;
- to create economic opportunities;
- to assist First Nations in becoming economically independent; and
- to work to make First Nations a strong economic partner and effective part of Confederation.

Specific opportunities on the economic front include:

- Closing the **digital divide**: the divide is becoming wider and deeper.
- **2010 Games**: the Olympics present an ongoing opportunity to involve First Nations from across the Province in ways that are more than just symbolic.
- **Labour**: anticipated shortages of skilled workers can be addressed by training and employing First Nations people (who live in communities where the unemployment rate can be as high as 90%), rather than looking to immigration.

The attached Harvard Project on American Indian Economic Development deserves our serious consideration. It outlines key determinants of success in tribal economic initiatives.

V. MOVING TOWARD RECONCILIATION

The BC Government/First Nations Summit Government-to-Government Protocol signed today, provides a unique opportunity "to reaffirm [our] commitment to the government-to-government relationship and the cooperative resolution of issues."

Greater efforts are required to implement this agreement. The Premier should direct all ministries and agencies of government to observe and comply with the Protocol.

Today's meeting is an opportunity to determine the next steps required to implement the "First Nations Summit-Government of BC Policy Forum".

In particular, what is needed includes:

- establishing measurable benchmarks and timelines;
- putting in place necessary information systems to monitor progress and performance;
- establishing a regular reporting process that ensures that the BC Cabinet and the First Nations Summit receive annual progress reports; and
- making effective use of the Independent Progress Board that has been established to carry out this monitoring and reporting. A sub-committee of this Board could be established to track reconciliation activities.

The Protocol provides an opportunity to move away from the unilateral development of government policy regarding or affecting First Nations, to a joint effort by the Province and First Nations in partnership with one another.

As First Nations, we now have the authority to unilaterally and legitimately exercise our Aboriginal rights and title – our legal interests in land – on a collective basis. We must have a say over what happens in our territories. One way or another, we will realize our rights and protect what is ours.

VI. CONCLUSION

The **challenge** to you as members of the BC Cabinet is to live up to your respective commitments in the Provincial Throne Speech and take the concrete, necessary steps to achieve recognition and reconciliation.

The BC Government needs to consider:

- recognizing First Nations as Peoples and the original occupants of what is now British Columbia;

- recognizing that this prior occupation gives rise to legitimate, legal Aboriginal rights, including title, protected under section 35 of the *Constitution Act, 1982*;

- recognizing that First Nations have an inherent right to govern themselves, through their hereditary or other systems; and

- acknowledging that past injustice gives rise to present disadvantage and commit to working with First Nations to help them overcome disadvantage and achieve social justice and economic independence.

The *Government-to-Government Protocol* must be implemented by:

- taking concrete steps to form a partnership to work on building new approaches that will materially improve First Nations' quality of life, both before and after treaties are concluded, and

- establishing a committee of senior officials of the First Nations and the BC Government, as contemplated in the Protocol, to:

  - develop a workplan that focuses on reconciliation activities and includes strategies on how to involve other segments of the broader society,

  - undertake or direct technical analysis, research and development activities designed to promote reconciliation,

  - track issues and coordinate follow-up activities,

  - develop options and recommendations on how to advance reconciliation, and

  - deliver progress reports back to the Summit Chiefs and to the Premier and Cabinet.

ATTACHMENTS

1. "Conspiracy of Legislation: The Suppression of Indian Rights in Canada" by Chief Joe Mathias and Gary R. Yabsley, 1986

2. Australian Declaration Towards Reconciliation

3. Statistics for 2002 and 2003 re: charges laid against Aboriginal people

4. Background information on the Harvard Project on American Indian Economic Development

CONSPIRACY OF LEGISLATION

The Suppression of Indian Rights In Canada

January, 1986

Prepared for: Squamish Nation
by Chief Joe Mathias & Gary R. Yabsley

Filename: A:\conspira2.wpd

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APPENDIX 'A'

FEDERAL AND PROVINCIAL LEGISLATION

RESTRICTING AND DENYING INDIAN RIGHTS

Introduction

The recent escalation of aboriginal rights issues and litigation in British Columbia has prompted an oft-repeated argument from those who oppose the recognition of any Indian interest in land in this province. This argument basically asserts that First Nations did nothing over the past century to protect their rights and should therefore be barred at this late date from claiming those rights. Indians have, the argument goes, "slept on their rights".

In truth, the Indian assertion of aboriginal title has never ceased. The historical record is clear on this fact. This persistence has characterized Indian relations in this province despite an array of Federal and Provincial legislation specifically designed to eliminate Indian rights by denying them access to both legal and political institutions. Upon examination, these laws can be seen to be the root cause of much of the injustice and inequity that continues to permeate the Indian presence in Canada. By any just standard these laws are offensive.

The consequences of this legislation in terms of the loss of economic well-being, political power, cultural integrity and spiritual strength is immeasurable. We know with certainty that these laws deprived First Nations of their material wealth by denying them access to their traditional lands and resources. Further, we know that these laws prohibited Indian governments from exercising any real power in the political and legal systems. And we know that extensive legislation was passed, the sole purpose of which was to destroy the Indian identity and Indian values in Canada.

From an Indian perspective, this legislation represents nothing less than a conspiracy. Examined as whole, it exhibits a clear pattern founded on a conscious intent to eliminate Indians and "indianness" from Canadian society.

What exactly did this legislation do?

Colonial and Provincial Legislation Prohibited Indians from Claiming a Right of Pre-Emption

What exactly did this legislation do? For one thing, it struck a crippling blow to the Indian relationship to their lands. In an effort to encourage European immigration, the Colonial and Provincial governments pursued a policy of land pre-emptions or grants. In essence, any European male over the age of eighteen could simply occupy 320 acres of land and ultimately claim legal title to it. This could be done regardless of any pre-existing Indian rights to these lands. No compensation was ever paid for this loss.

Moreover, the same legislation specifically prohibited any Indian from claiming a right of pre-emption. Thus, the Colonial Land Ordinance of 1870, for example, stated in section 3:

Colonial Land Ordinance of 1870

"3. From and after the date of proclamation in this Colony of Her Majesty's assent to this Ordinance, any male person being a British Subject, of the age of eighteen years or over, may acquire the right to pre-empt any tract of unoccupied, unsurveyed, and unreserved Crown Lands (not being an Indian settlement) not exceeding three hundred and twenty acres in extent in that portion of the Colony situate to the northward and eastward of the Cascade or Coast Range of Mountains, and one hundred and sixty acres in extent in the rest of the Colony. Provided that such right of pre-emption shall not be held to extend to any of the Aborigines of this Continent, except to such as shall have obtained the Governor's special permission in writing to that effect."

Federal legislation denied First Nations access to the courts.

This impairment of Indian land rights was compounded by Federal legislation that denied First Nations access to the courts. In 1927, the Federal government amended the Indian Act to make it illegal for an Indian or Indian Nation to retain a lawyer to advance their claims, or even to raise money with the intention of retaining a lawyer. Anyone convicted of this offence could be imprisoned.

Section 141 of the 1927 Indian Act stated:

"141. Every person who, without the consent of the Superintendent General expressed in writing, receives, obtains, solicits or requests from an Indian any payment or contribution or promise of any payment or contribution for the purpose of raising a fund or providing money for the prosecution of any claim which the tribe or band of Indians to which such Indian belongs, or of which he is a member, has or is represented to have for the recovery of any claim or money for the benefit of the said tribe or band, shall be guilty of an offence and liable upon summary conviction for each such offence to a penalty not exceeding two hundred dollars and not less than fifty dollars or to imprisonment for any term not exceeding two months."

Indian Nations were therefore denied those fundamental rights that are taken for granted in any democratic system. They were, as matter of Colonial and Provincial policy, denied rights to lands they had occupied for centuries. This exclusion from the land was extended through the discriminatory provisions of Colonial and Provincial land legislation. And they were prohibited by Federal law seeking a legal remedy for this injustice.

Federal Government Prohibited Indians From Acquiring or Pre-empting Lands in Manitoba or the NW Territories

The Federal government played an instrumental role in other parts of the country in severing the ties between Indians and their lands. The Indian Act of 1876, for instance, prohibited Indians from acquiring or pre-empting lands in Manitoba or the Northwest Territories. Section 70 of that Act provides that:

Section 70 of the Indian Act of 1976

"70. No Indian or non-treaty Indian, resident in the province of Manitoba, the North-West Territories or the territory of Keewatin, shall be held capable of having acquired or acquiring a homestead or pre-emption right to a quarter section, or any portion of land in any surveyed or unsurveyed lands in the said province of Manitoba, the North-West Territories or the territory of Keewatin, or the right to share in the distribution of any lands allotted to half-breeds, subject to the following exceptions:....."

McKenna-McBride Commission - 1916

It is also worthy of note that after the McKenna-McBride Commission attempted to resolve questions about the nature and extent of Indian reserves in British Columbia in 1916, the Federal and Provincial governments passed legislation removing extensive tracts of valuable land from many reserves in the province. This was done without the approval of the First Nations and indeed, contrary to the express provisions of the Indian Act that required a surrender in order to alienate any reserve lands. Until recently, no compensation was paid for the loss of these lands.

The economic consequences of the loss of lands and resources is easy to appreciate. What is less obvious is the extent to which Federal law in particular, reached

into Indian communities in an effort to suffocate the most forceful elements of traditional Indian political life and cultural identity. The Indian Act was repeatedly used to destroy traditional institutions of Indian government and abolish those cultural practices that defined Indian identity.

The Potlatch and Practices of the Longhouse.

For British Columbia First Nations, this assault focused on the potlatch and practices of the longhouse. Traditionally, the longhouse was the center of Indian government and the spiritual focal point of an Indian community. All things of community importance took place in the longhouse: the passing of laws, the giving of names, spiritual dancing, funerals and more. The potlatch was, and is, the most fundamental ceremony to take place in the longhouse. Elaborate and complex, the potlatch, through its ritual, re-inforces the value systems upon which Indian societies have defined themselves for centuries.

Yet from 1880 to 1951, the Indian Act outlawed the potlatch and sacred dancing. Section 3 of the Indian Act of 1880, for example, provides that:

Section 3 of the Indian Act of 1880

"3. Every Indian or other person who engages in or assists in celebrating the Indian festival known as the "Potlatch" or in the Indian dance known as the "Tamanawas" is guilty of a misdemeanour, and shall be liable to imprisonment for a term of not more than six nor less than two months in any gaol or other place of confinement; and any Indian or other person who encourages, directly or indirectly, an Indian or Indians to get up such a festival or dance, or to celebrate the same, or who shall assist in the celebration of the same is guilty of a like offence, and shall be liable to the same punishment."

The 1927 Indian Act was even more extensive in its prohibition and in its efforts to increase the powers of Federal officials over the lives of Indian people. Section 140 of this Act states that:

Section 140 of the Indian Act of 1927

"140. Every Indian or other person who engages in, or assists in celebrating or encourages either directly or indirectly another to celebrate any Indian festival, dance or other ceremony of which the giving away or paying or giving back of money, goods or articles of any sort forms a part, or is a feature, whether such gift of money, goods or articles takes place before, at, or after the celebration of the same, or who engages or assists in any celebration or dance of which the wounding or mutilation of the dead or living body of any human being or animal forms a part or is a feature, is guilty of an offence and is liable on summary conviction to imprisonment for a term not exceeding six months and not less than two months.

2. Nothing in this section shall be construed to prevent the holding of any agricultural show or exhibition or the giving of prizes for exhibits thereat.

3. Any Indian in the province of Manitoba, Saskatchewan, Alberta or British Columbia, or in the Territories who participates in any Indian dance outside the bounds of his own reserve, or who participates in any show, exhibition, performance, stampede or pageant in aboriginal costume without the consent of the Superintendent General or his authorized agent, and any person who induces or employs any Indian to take part in such dance, show, exhibition, performance, stampede or pageant, or induces any Indian to leave his reserve or employs any Indian for such a purpose, whether the dance, show, exhibition, stampede or pageant has taken place or not, shall on summary conviction be liable to a

penalty not exceeding twenty-five dollars, or to imprisonment for one month, or to both penalty and imprisonment."

In order to avoid the criminal implications of seeking to preserve their traditional political power, and to follow their own religious beliefs, Indian communities were forced to take the potlatch to secluded places beyond the reach of the RCMP. On more than one occasion, elders were arrested, and even imprisoned, for participating in a potlatch. Without question, this legislation struck at the heart of what was most sacred to West Coast Indian societies. In so doing, it put in question the very survival of these nations.

Federal government proceeded to superimpose its own form of government on Indian nations

Band Councils Systems were Introduced

Having outlawed the political institutions and traditional form of Indian government, the Federal government proceeded to superimpose its own form of government on Indian nations. The Band Council system was introduced through the Indian Act and functioned on European perceptions of what constituted proper government. It was a system of government that had little meaning in Indian communities. Moreover, Band Councils were left with little or no ability to control the destiny of Indian political affairs. The jurisdiction of Band Councils was superficial. No substantive powers rested with these councils and any decisions made were subject to the ultimate approval of the Minister of Indian Affairs.

Canada Elections Act of 1952, specifically disqualified Indians from voting.

Stripped of independent political power, Indian nations were then denied access to the political institutions of non-Indian governments. Both Federal and Provincial legislation operated to deny Indians the right to participate in the politics of the nation. In effect, no Indian voice could be heard in the debates of Parliament or the Legislative Assembly because Indians were prohibited from voting. Every Federal

Elections Act up to and including the Canada Elections Act of 1952, specifically disqualified Indians from voting.

Provincial Level

Municipal Elections Act & Provincial Elections Prohibited Indians from Voting

At the provincial level, Municipal Elections Acts up to and including the Municipal Election Act of 1948 and the Provincial Elections Acts up to 1949, prohibited Indians (as well as Chinese and Japanese) from voting. Lacking the right or the capacity to participate in the democratic processes of the nation, one begins to appreciate the full extent of the political debilitation of this legislation. Indian nations were denied the right and the means to function with any degree of independence or self-reliance, and at the same time, prohibited from functioning in the larger society with the rights and powers enjoyed by non-Indians.

Enfranchisement

The governments answer to this dilemma was enfranchisement. Indians were encouraged to give up their aspirations to remain distinct peoples. Both policy and legislation sought to persuade Indians to take on the ways of the white man, in essence, to cease to aspire for the return of their lands or the protection of their cultures and their heritage. The weight of government was brought upon Indians to assimilate.

To this end, Indian children were taken from their homes and placed in residential schools. In these institutions, young children were severed from their families and their cultural values. They were beaten for speaking their own languages or for attempting to practice their own ways. They were made to feel shame for their indianness. They were forcefully encouraged to become white. An Indian child refusing to attend a federally-run residential school was prohibited from attending a provincial school near his or her own community.

Section 99(1) of the Indian Act of 1880

The desire of the non-Indian society to force assimilation on Indians is perhaps best expressed in section 99(1) of the Indian Act of 1880. This section provides for the enfranchisement of any Indian obtaining a university degree or becoming a lawyer, priest or minister. In addition, an Indian so enfranchised could be rewarded by the Superintendent-General of Indian Affairs with a grant of land from the reserve lands of the band. The implications of this legislation are clear. Any Indian aspiring to an advanced education was confronted with the loss of his or her Indian identity and Indian status. The message was simple: "We will reward you with Indian land if you give up your Indian ways".

Indian governments were denied the power to determine how they would allocate their own monies and resources

Finally, it is important to appreciate that Indian governments were denied the power to determine how they would allocate their own monies and resources. Indian Acts from 1880 until the present have continually vested in the Governor-in-Council the power to determine if Band Councils are spending Indian money in an appropriate manner. The Indian Act of 1880, for instance, states in section 70 that:

Section 70 of the Indian Act of 1880

"70. The Governor in Council may, subject to the provisions of this Act, direct how, and in what manner, and by whom, the moneys arising from sales of Indian lands, and from the property held or to be held in trust for the Indians, or from any timber on Indian lands or reserves, or from any other source, for the benefit of Indians; (with the exception of any sum not exceeding ten per cent of the proceeds of any lands, timber or property, which is agreed at the time of the surrender to be paid to the members of the band interested therein,) shall be invested, from time to time, and how the payments or assistance to which the Indians are entitled shall be made or given,--and may

provide for the general management of such moneys, and direct what percentage or proportion thereof shall be set apart, from time to time, to cover the cost of and incidental to the management of reserves, lands, property and moneys under the provisions of this Act, and for the construction or repair of roads passing through such reserves or lands, and by way of contribution to schools attended by such Indians."

It is clear from this examination that the federal and provincial legislation over the past one hundred years has impaired and restricted First Nations in every conceivable manner. It has worked, not for the betterment of Indian societies, but for the elimination of these societies as distinct and vital social orders within Canada. The fact that First Nations continue to exist, indeed, that they forcefully continue to assert their indianness, is testament to the tenacity and strength of these nations. If history has taught us anything, it is that the rest of Canada should be embracing and encouraging these unique identities and values.

APPENDIX 'A'

FEDERAL AND PROVINCIAL LEGISLATION

RESTRICTING AND DENYING INDIAN RIGHTS

1. PROHIBITION ON RAISING MONEY AND PROSECUTING CLAIMS TO LAND OR RETAINING A LAWYER

(1) Federal Legislation

(a) Indian Act, R. S. C. 1927, s. 141.

"141. Every person who, without the consent of the Superintendent General expressed in writing, receives, obtains, solicits or requests from an Indian any payment or contribution for the purpose of raising a fund or providing money for the prosecution of any claim which the tribe or band of Indians to which such Indian belongs, or of which he is a member, has or is represented to have for the recovery of any claim or money for the benefit of the said tribe or band, shall be guilty of an offence and liable upon summary conviction for each such offence to a penalty not exceeding two hundred dollars and not less than fifty dollars or to imprisonment for any term not exceeding two months."

2. PROHIBITION OF RELIGIOUS CEREMONIES AND POTLATCHES

(1) Federal Legislation

(a) Indian Act, 1880 as amended, S. C. 1884, C. 27 (47 Vict.) s. 3.
"3. Every Indian or other person who engages in or assists in celebrating the Indian festival known as the "Potlatch" or in the Indian dance known as the "Tamanawas" is guilty of a misdemeanour, and shall be liable to imprisonment for a term of not more than six nor less than two months in any gaol or other place of confinement; and any Indian or other person who encourages, directly or indirectly, an Indian or Indians to get up such a festival or dance, or to celebrate the same, or who shall assist in the celebration of the same is guilty of a like offence, and shall be liable to the same punishment."

(b) Indian Act, 1886, s. 114 (amended S. C. 1895, C. 35, s. 6).

(c) Indian Act, R. S. C. 1906, C. 81, s. 149.

(d) Indian Act, R. S. C. 1927, C. 98, s. 140.
"140. Every Indian or other person who engages in, or assists in celebrating or encourages either directly or indirectly another to celebrate any Indian festival, dance or other ceremony of which the giving away or paying or giving back of money, goods or articles of any sort forms a part, or is a feature, whether such gift of money, goods or articles takes place before, at, or after the celebration of the same, or who engages or assists in any celebration or dance of which the wounding or mutilation of the dead or living body of any human being or animal forms a part or is a feature, is guilty of an offence and is liable on summary conviction to imprisonment for a term not exceeding six months and not less than two months.

2. Nothing in this section shall be construed to prevent the holding of any agricultural show or exhibition or the giving of prizes for exhibits thereat.

3. Any Indian in the province of Manitoba, Saskatchewan, Alberta, or British Columbia, or in the Territories who participates in any Indian dance outside the bounds of his own reserve, or who participates in any show, exhibition, performance, stampede or pageant in aboriginal costume without the consent of the Superintendent General or his authorized agent, and any person who induces or employs any Indian to take part in such dance, show, exhibition, performance, stampede or pageant, or induces any Indian to leave his reserve or employs any Indian for such a purpose, whether the dance, show, exhibition, stampede or pageant has taken place or not, shall on summary conviction be liable to a penalty not exceeding twenty-five dollars, or to imprisonment for one month, or to both penalty and imprisonment."

3. PROHIBITION AND RESTRICTION ON ACCESS TO FUNDS

(1) Federal Legislation

(a) Indian Act, S. C. 1880, C. 28, s. 70.

"70. The Governor in Council may, subject to the provisions of this Act, direct how, and in what manner, and by whom the moneys arising from sales of Indian lands, and from the property held or to be held in trust for the Indians, or from any timber on Indian lands or reserves, or from any other source, for the benefit of Indians, (with the exception of any sum not exceeding ten per cent of the proceeds of any lands, timber or property, which is agreed at the time of the surrender to be paid to the members of the band interested therein,) shall be invested from time to time, and how the payments or assistance to which the Indians are entitled shall be made or given,--and may provide for the general management of such moneys, and direct what percentage or proportion thereof shall be set apart, from time to time, to cover the cost of and incidental to the management of reserves, lands, property and moneys under the provisions of this Act, and for the construction or repair of roads passing through such reserves or lands, and by way of contribution to schools attended by such Indians."

(b) Indian Act, R. S. C. 1886, C. 43, s. 70 (amended S. C. 1906, C. 20, s. 1).

(c) Indian Act, R. S. C. 1906, C. 81, s. 89.

(d) Indian Act, R. S. C. 1927, C. 98, s. 92.

(e) Indian Act, R. S. C. 1952, C. 149, s. 61.

(f) Indian Act, R. S. C. 1970, C. I-6, s. 61.
"61.(1) Indian moneys shall be expended only for the benefit of the Indians or bands for whose use and benefit in common the moneys are received or held, and subject to this Act and to the terms of any treaty or surrender, the Governor in Council may determine whether any purpose for which Indian moneys are used or are to be used is for the use and benefit of the band."

4. PROHIBITION ON ACQUIRING LAND

(1) Federal Legislation

(a) Indian Act, S. C. 1876, C. 18, s. 70 (re Manitoba and N. W. T.).
"70. No Indian or non-treaty Indian, resident in the province of Manitoba, the North-West Territories or the territory of Keewatin, shall be held capable of having acquired or acquiring a homestead or pre-emption right to a quarter section, or any portion of land in any surveyed or unsurveyed lands in the said province of Manitoba, the North-West Territories or the territory of Keewatin, or the right to share in the distribution of any lands allotted to half-breeds, subject to the following exceptions:...."

(b) Indian Act, S. C. 1880, C. 20, s. 81.

(c) McKenna-McBride Agreement - 1919 legislation, without surrender.

(2) Colonial And Provincial Legislation

(a) *1861 and 1870 right to pre-emption of lands open only to British subjects; exempted only reserves and settlements.*

(b) *Land Ordinance, 1870 R. S. B. C. 1871, C. 144, s. 3.*
"3. From and after the date of the proclamation in this Colony of Her Majesty's assent to this Ordinance, any male person being a British Subject, of the age of eighteen years or over, may acquire the right to pre-empt any tract of unoccupied, unsurveyed, and unreserved Crown Lands (not being an Indian settlement) not exceeding three hundred and twenty acres in extent in that portion of the Colony situate to the northward and eastward of the Cascade or Coast Range of Mountains,and one hundred and sixty acres in extent in the rest of the Colony. Provided that such right of pre-emption shall not be held to extend to any of the Aborigines of this Continent, except to such as shall have obtained the Governor's special permission in writing to that effect."

(c) *Land Ordinance Amendment Act, 1873, R. S. B. C. 1873, C. I.*

(d) *Land Act, S. B. C. 1874, C. 2, s. 3, s. 24, s. 11.*

(e) *Land Act, S. B. C. 1875, C. 5, s. 3, s. 24, s. 11.*

(f) *Land Act, S. B. C. 1887, C. 16, s. 3, s. 11.*

(g) *Land Act, R. S. B. C. 1888, C. 66, s. 14.*
"14. The occupation of this Act shall mean a continuous bona fide personal residence of the pre-emptor, his agent, or family, on land recorded by such settler; but Indians or Chinamen shall not be considered agents."

(h) *Land Act Amendment Act, S. B. C. 1892, C. 24, s. 1; S. B. C. 1893, C. 22, s. 2.*

It is to be noted that all of these Lands Acts prohibited pre-emptions of lands by Indians.

5. PROHIBITION ON VOTING RIGHTS

(1) Federal Legislation

(a) *Electoral Franchise Act, S. C. 1885, C. 41, s. 11, s. 64.*

(b) *Electoral Franchise Act, S. C. 1886, C. 5, s. 9, s. 42.*

(c) *Electoral Franchise Act, S. C. 1890, C. 8, s. 9.*

(d) *Dominion Bi-Election Act, S. C. 1919, C. 48, s. 5.*

(e) *Dominion Elections Act, S. C. 1920, C. 46, s. 29.*

(f) *Act to Amend Elections Act, S. C. 1929, C. 40, s. 29.*

(g) *Dominion Franchise Act, S. C. 1934, C. 51, s. 4.*

(h) *Dominion Elections Act, S. C. 1938, C. 46, s. 14 as amended.*

(i) *Act to Amend Dominion Elections Act, S. C. 1951, C. 3, s. 6.*

(j) *Canada Elections Act, R. S. C. 1952, C. 23, s. 14.*
"14.(2) The following persons are disqualified from voting at an election and incapable of being registered as electors and shall not vote nor be so registered, that is to say,

(e) every Indian, as defined in the Indian Act, ordinarily resident on a reserve, unless,

(i) he was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950, or

(ii) he executed a waiver, in a form prescribed by the Minister of Citizenship and Immigration, of exemptions under the Indian Act from taxation on and in respect of personal property, and subsequent to the execution of such waiver a writ has issued ordering an election in any electoral district;"

It is to be noted that all of these Elections Acts prohibited Indians from voting. This prohibition was finally repealed in 1960.

(2) Provincial Legislation

(a) Municipal Elections Acts up to 1949 prohibited Indians from voting.

Municipal Elections Act, R. S. B. C. 1948, s. 4:

"4. No Chinese, Japanese, or Indians shall be entitled to vote at any municipal election for the election of a Mayor, Reeve, Alderman, or Councillor."

(b) Provincial Elections Acts up to 1949 prohibited Indians from voting.

Provincial Elections Act, R. S. B. C. 1948, s. 4.

'4.(1) The following persons shall be disqualified from voting at any election, and shall not make application to have their names inserted in any list of voters:-

(a) Every Indian: Provided that the provisions of this clause shall not disqualify or render incompetent to vote any person who:-

(i) Has served in the Naval, Military, or Air Force of any member of the British Commonwealth of Nations in any war, and who produces a discharge from such Naval, Military, or Air Force to the Registrar upon applying for registration

under this Act and to the Deputy Returning Officer at the time of polling:

(ii) Has been enfranchised under the provisions of the "Indian Act" of the Dominion:

(iii) Is not resident upon or within the confines of an Indian reserve:'

6 PROHIBITION ON OBTAINING ADVANCED EDUCATION, AUTOMATIC ENFRANCHISEMENT

(1) Federal Legislation

(a) Indian Act, S. C. 1880, C. 28, s. 99(1).
"99.(1) Any Indian who may be admitted to the degree of Doctor of Medicine, or to any other degree by any University of Learning, or who may be admitted in any Province of the Dominion to practice law either as an Advocate or as a Barrister or Counsellor, or Solicitor or Attorney or to be a Notary Public, or who may enter Holy Orders, or who may be licensed by any denomination of Christians as a Minister of the Gospel, may, upon petition to the Superintendent-General, ipso facto become and be enfranchised under the provisions of this Act; and the Superintendent-General may give him a suitable allotment of land from the lands belonging to the band of which he is a member."

(b) Indian Act Amended, S. C. 1884, C. 27 s. 16.

(2) Provincial Legislation

(a) Public Schools Acts up to and including the Act of 1948.
"92.(4) Chinese, Japanese, and Indians shall not be entitled to vote at any school meeting."

NATIVE CRIMINAL COURT WORKER PROGRAM

Aggregate Data Form

Province/Territory: British Columbia Quarter: 4

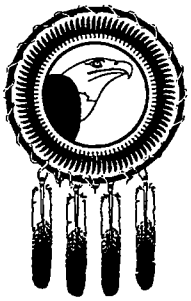
Region Agency: NCCABC Number of Workers: 2002: 31
2003: 27

CLIENTS ASSISTED

		2002			2003		
Description		**Adult**	**Youth**	**Not Avail.**	**Adult**	**Youth**	**Not Avail.**
Clients Gender	Male	4,717	870	33	8,515	1,430	29
	Female	1,521	399	18	2,638	757	17
Previous Conviction	Yes	4,298	657	0	7,921	1,116	0
	No	1,471	432	0	2,822	894	0
	Unknown	513	191	47	449	188	44

CHARGES

Category	**Adult**	**Youth**	**Not Avail.**	**Adult**	**Youth**	**Not Avail.**
Homicide/Attempt Murder	21	5	0	49	12	0
Assault	2,313	219	5	4,181	382	5
Sexual Assault	235	27	1	444	50	1
Robbery	406	132	4	696	202	4
Other Violent Offences	1,745	399	15	3,631	712	14
Property Offences	319	83	4	566	124	4
Morality	494	51	2	892	62	2
Firearms-Related Criminal Code Offences	0	0	0	0	0	0
Other Criminal Code Weapon Offences	1,056	17	4	2,206	22	4
Breach of Probation/ Failure to Appear	19	2	0	26	4	0
Impaired Driving/ Refusal to Blow	246	25	0	491	41	0
Other Criminal Code Offences	386	35	3	747	70	3
Federal Statutes						
Drug Offences	458	18	4	734	19	3
Firearms-Related Federal Offences	0	0	0	0	0	0
Other Federal Statutes	155	24	2	2,499	870	4
Provincial/ Territorial Statutes	292	5	2	1,060	86	2
Unknown	0	0	0	66	7	0



THE HARVARD PROJECT ON AMERICAN INDIAN ECONOMIC DEVELOPMENT

MALCOLM WIENER CENTER FOR SOCIAL POLICY, JOHN F. KENNEDY SCHOOL OF GOVERNMENT
HARVARD UNIVERSITY

The Harvard Project on American Indian Economic Development was founded by Professors Stephen Cornell and Joseph P. Kalt at Harvard University in 1987. The Harvard Project was created to understand the conditions under which sustained, self-determined social and economic development is achieved among American Indian nations. The Harvard Project's central activities include research and the application of research results in service to Indian Country.

RESEARCH

The heart of the Harvard Project is the systematic, comparative study of social and economic development on American Indian reservations. What development strategies work, where and why? Our field-based research in Indian Country consistently finds that the effective exercise of sovereignty, combined with capable, culturally appropriate institutions of self-government, are indispensable keys to successful, long-term development. Among the key findings:

- ***Sovereignty Matters.*** When tribes make their own decisions about what approaches to take and what resources to develop, they consistently out-perform non-tribal decisionmakers. Because tribes bear the consequences of their governments' decision-making - whereas federal agencies, non-tribal developers, state governments and other outsiders do not - tribes that make their own development decisions do better. Harvard Project research on topics as diverse as timber operations under PL 93-638 and Indian Health Service programs under self-governance compacts prove the point.

- ***Institutions Matter.*** Harvard Project research shows that successful tribal governments share a few core institutional attributes. They settle disputes fairly, separate the functions of elected representation and business management, and successfully implement tribal policies that advance tribal strategic goals. Fair dispute resolution is essential to the accumulation of human capital, physical infrastructure and investment finance because it sends a signal to investors of all kinds that their contributions will not be used inappropriately or taken over unfairly. Separating business and government is critical because many Indian businesses are government-owned. Finally, effective administration is a feature of successful tribes because, without it, legitimacy deteriorates and sovereignty is eroded as opportunities go untapped or other powers fill the vacuum left by weak tribal government.

- ***Culture Matters.*** Not long ago, the federal government espoused the argument that acculturation was a means to development. Indians, they argued, would develop as soon as they shed their "Indian-ness." Research by the Harvard Project finds exactly the opposite: Indian culture is a resource that strengthens tribal government and has concrete impacts upon such bottom line results as forest productivity and housing quality. Not only does culture provide important institutional resources, but a match between institutions of government and culture also matters to success.

Results of Harvard Project research are published widely. Summary treatments are provided in "Reloading the Dice: Improving the Chances of Economic Development on American Indian Reservations," in *What Can Tribes Do? Strategies and Institutions in American Indian Economic Development* (edited by Cornell and Kalt, American Indian Studies Center, UCLA, Los Angeles, California) and in "Sovereignty and Nation-Building: The Development Challenge in Indian Country Today," vol. 22, no. 3, of the *American Indian Culture and Research Journal.* More than 100 topical and tribe-specific reports are available through the Harvard Project's Report Series. These papers provide valuable tools for decisionmakers in government, business, education and other aspects of Indian affairs.

SERVICES TO TRIBES & TRIBAL ORGANIZATIONS

Research – The Harvard Project offers research services at the request of tribes and tribal organizations. With the assistance of faculty, graduate students and research assistants at Harvard University's John F. Kennedy School of Government, we investigate development and other policy-related issues of concern to tribes and First Nations.

Executive Education – We provide executive education sessions with individual tribes and First Nations, involving Native leaders, project managers and other personnel in a review of Harvard Project research findings and in discussions of the applicability of those findings to specific tribal or First Nation situations and development challenges.

Advisory Services – Harvard Project personnel consult with tribes and First Nations on a wide array of issues from strategic planning to the development of governing institutions to assisting with economic development decisions.

Honoring Contributions in the Governance of American Indian Nations (Honoring Nations) – Supported by the Ford and Rockefeller Foundations, this awards program identifies, celebrates and shares outstanding examples of tribal governance. Since 1998, Honoring Nations has awarded 48 exemplary tribal government initiatives in the fields of education, health care, land use, social services, economic development, culture, intergovernmental relations, wildlife management and environmental protection.

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