

**The Political Economy of Public-Private Partnerships:
Forestry Co-management in Northwest Saskatchewan**

**A Thesis Submitted to the
College of Graduate Studies and Research
In Partial Fulfillment of the Requirement
For the Degree of Masters of Arts
In the Department of Political Studies
University of Saskatchewan**

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ABSTRACT

This thesis examines the political economy of public-private partnerships (PPPs), specifically how power has been shared among the partners involved in the co-management of forestry lands in Northwest Saskatchewan. It uncovers the political agendas of the groups involved, how decisions have been made and costs/benefits been shared, and considers the implications this model of co-management has for the future of forestry in this province.

This study reveals a complex partnership in which power is not being shared equally. A private corporation, Mistik Management Ltd., possesses power over production, knowledge and credit. It purports to be working together with stakeholders in the co-management of forestry lands in Northwest Saskatchewan, but in truth Mistik is managing this resource with minimal input from forest users and residents in the region. The company does, however, appear sincere in its consultation process with stakeholders and is trying to improve the level of their engagement in day to day forestry operations. In addition, and despite this deficiency in stakeholder engagement, Mistik is practicing what is arguably the most environmentally sustainable forestry management in the province.

Table of Contents

PERMISSION TO USE	iii
ACKNOWLEDGEMENTS	iii
ABSTRACT	iv
Chapter One: Introduction and Background	
1.1 Introduction	1
1.2 Co-management and Mistik Management	3
1.3 Co-management and Aboriginal Communities	9
1.4 Non-Governmental Organizations (NGOs) and Environmental Policy	11
1.5 Importance of this Inquiry	12
1.6 Focus, Objectives, Limits of the Study	13
1.7 Research Questions	14
1.8 Thesis Outline	15
Chapter Two: Methodology	
2.1 Introduction	16
2.2 Application of Theory	16
2.3 The Literature Review	17
2.4 Investigative Method	17
2.5 Conclusion	19
Chapter Three: Literature Review	
3.1 Introduction	20
3.2 Political Economy	20
3.3 Why Groups Form and How they Work	27
3.4 Predictors of Success for Co-management	29

3.5 Power Relations in Partnerships	34
3.6 Knowledge Systems	43
3.7 Challenges for Governance	47
3.8 Conclusion	50
Conclusion	50
Chapter Four: The Purpose, Partners and Power Sharing of the Partnership	
4.1 Introduction	52
4.2 Values and Motivations of the Partners	52
4.3 Partner #1: The Government of Saskatchewan	54
4.4 Partner #2: Mistik Management Ltd.	57
4.5 Partner #3: The Community Co-Management Boards	59
4.6 Partner #4: The Saskatchewan Environmental Society	62
4.7 Challenges for the Partners	64
4.8 Where do the Partners Fit in Goods and Service Delivery	65
4.9 Power Sharing in the Partnership	67
4.10 Sharing of Knowledge in Co-management	71
4.11 Conclusion	75
Chapter Five: Partners' Perceptions of the Fundamental Nature, Value and Legitimacy of the Partnership	
5.1 Introduction	77
5.2 Perceptions Regarding Community/Advisory Group Involvement in Mistik's Forestry Management	77
5.3 Perceptions regarding Traditional Ecological Knowledge (TEK) and the sharing of knowledge in the Partnership	83
5.4 Perceptions Regarding Financial Benefits and the Sharing of Power	85
5.5 Perceptions Regarding the Ideal of Co-management versus the Reality: Who is Responsible for Reconciling the Two?	87
5.6 Conclusion	90

Chapter Six: Summary of Major Findings, Lessons Regarding Resource Co-management and Further Research	
6.1 Introduction	91
6.2 Summary of Findings	91
6.3 Lessons Regarding Resource Co-Management Partnerships	94
6.4 Limits of the Study	96
6.5 Areas for Further Research	96
6.6 Conclusion	97
Appendix 1:	
Survey Questions	99
Appendix 2:	
The Co-management Agreement	100
Appendix 3:	
Forest Stewardship Council & Indigenous Peoples' Rights	101
BIBLIOGRAPHY	102

Chapter One:

Introduction and Background

1.1 Introduction

Public-private partnerships (PPPs) are an example of an innovative alternative service delivery model, one that is increasing in popularity with both governmental policymakers and private sector institutions. While there has been much written about PPPs, the literature tends to be descriptive, lacking a theoretical basis. This thesis is an attempt to fill part of that gap.

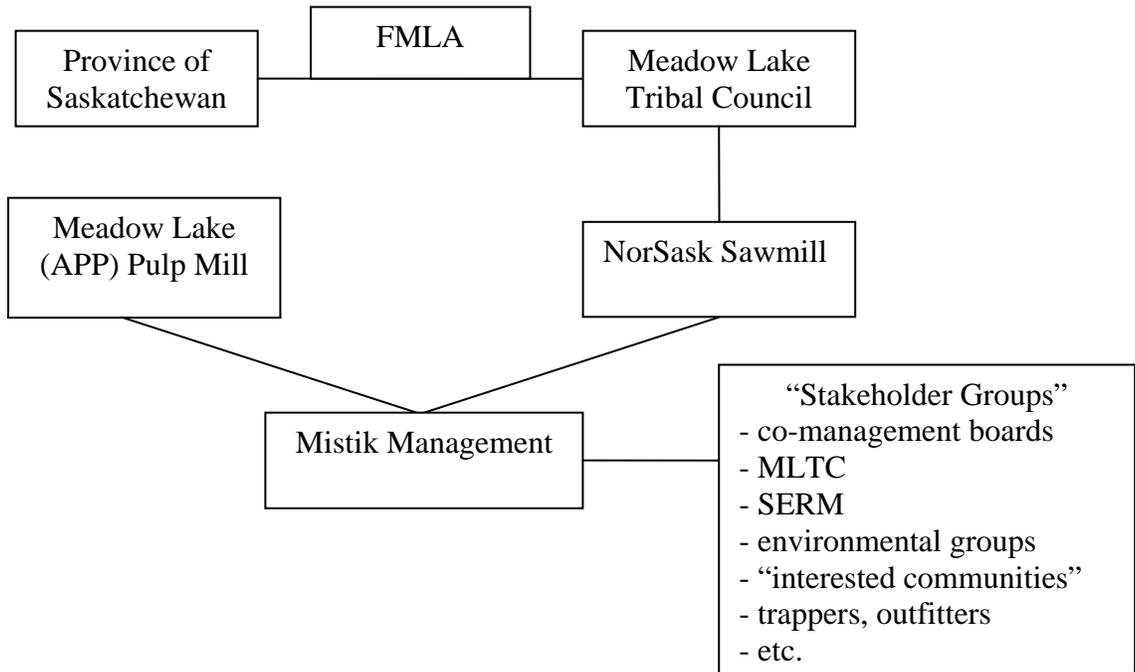
PPPs are becoming increasingly common as government chooses to devolve responsibility for program and service delivery to the private sector and civil society. The reasons for the creation of PPPs are numerous but precisely how they operate and their results are not well documented. What is of greater interest to this study is the inner dynamics of partnerships-- what each partner brings to the table, in terms of their values and goals for the partnership, how the partners share power and knowledge and how they all benefit from the arrangement. It is also important to consider the external forces that act upon a partnership, as is the case with any service model-- it does not exist or operate in a vacuum.

To analyze the internal and external dynamics of PPPs, theories such as political economy, collective action and social capital will be used. In addition, a specific case of a particular PPP model will be examined--- the co-management of forestry land in Northwest Saskatchewan. This case adds some additional concepts to the PPP discussion, as it brings together not only the traditional partners of government and the private sector but also Aboriginal communities living on reserve land. These communities have a unique culture, language and knowledge that impact this partnership and make this case a much-needed addition to the PPP body of literature.

Although the central focus of this thesis is the dynamics of partnerships, attention is also devoted to other important facets of this particular partnership such as the co-management of natural resources, sustainable forestry management and the implications of having an Aboriginal population with an entirely different knowledge base as one of the partners in a PPP model.

As part of the obligation to consult with Aboriginal peoples, the forestry company Mistik Management in Northwest Saskatchewan has joined co-management boards in the communities of the Meadow Lake Tribal Council. It has been trying to make these boards, its own Public Advisory Committee and the co-management process work for decades. This thesis will provide some important insights on, among other things, the challenges associated with engaging Aboriginal communities to co-manage natural resources, and specifically how well Mistik Management has performed this task. The following diagram illustrates how the partners fit and work together in this co-management arrangement:

Figure 1.1



1.2 Co-management and Mistik Management

The term co-management is used here to describe any formal or informal arrangement made between government, the private sector and/or civil society pertaining to the management of natural resources. The prevalence of this type of management has increased over the past 20 years; numerous examples of it can be found in developing nations where poverty and natural resource degradation have led state and society into co-management arrangements. It is also becoming more common in countries like Canada, where it is recognized that local landowners and Aboriginal populations have inherent interests and rights in the longevity and sustainable development of common pool resources, such as fisheries, forests, watersheds and pasture land.

The concept of co-management goes beyond a new or different form of resource management. It is an inherently political process:

...involving a restructuring of power and responsibilities among stakeholders. This restructuring involves moving away from a situation of top-down decisions and lack of coordination among Aboriginal and governmental resource management to decentralization and collaborative decision-making.¹

That being said, there is a wide variance in how power is being shared in co-management agreements, from a process wherein the public is informed of decisions made concerning resources, to an actual collaborative arrangement where responsibility and authority is shared equally among stakeholders. This concept will be explored further in chapter three.

Since the signing of the James Bay and Northern Quebec agreement in 1975, co-management agreements in Canada have proliferated. There are co-management arrangements and formal boards concerning caribou, beluga whales, timber, non-timber forest products and fisheries to name but a few. The co-management agreement of interest to this thesis is one

¹ Gerett Rusnak. *Co-Management of Natural Resources in Canada: A Review of Concepts and Case Studies*. (Ottawa: International Development Research Centre, 1997) Also available online at: http://www.idrc.ca/en/ev-82035-201-1-DO_TOPIC.html

between the Province of Saskatchewan, the forestry company Mistik Management and the communities of the Meadow Lake Tribal Council.

The largest First Nations' owned forestry company in Canada, NorSask Forest Products, is located in Meadow Lake, Saskatchewan. It is owned by the Meadow Lake Tribal Council. In 1988, NorSask entered into a Forest Management License Agreement with the Government of Saskatchewan, entitling the company to harvest timber within a region of the province termed the NorSask FMLA. In 1990, NorSask and Millar Western Pulp created a joint venture company known as Mistik Management Ltd.

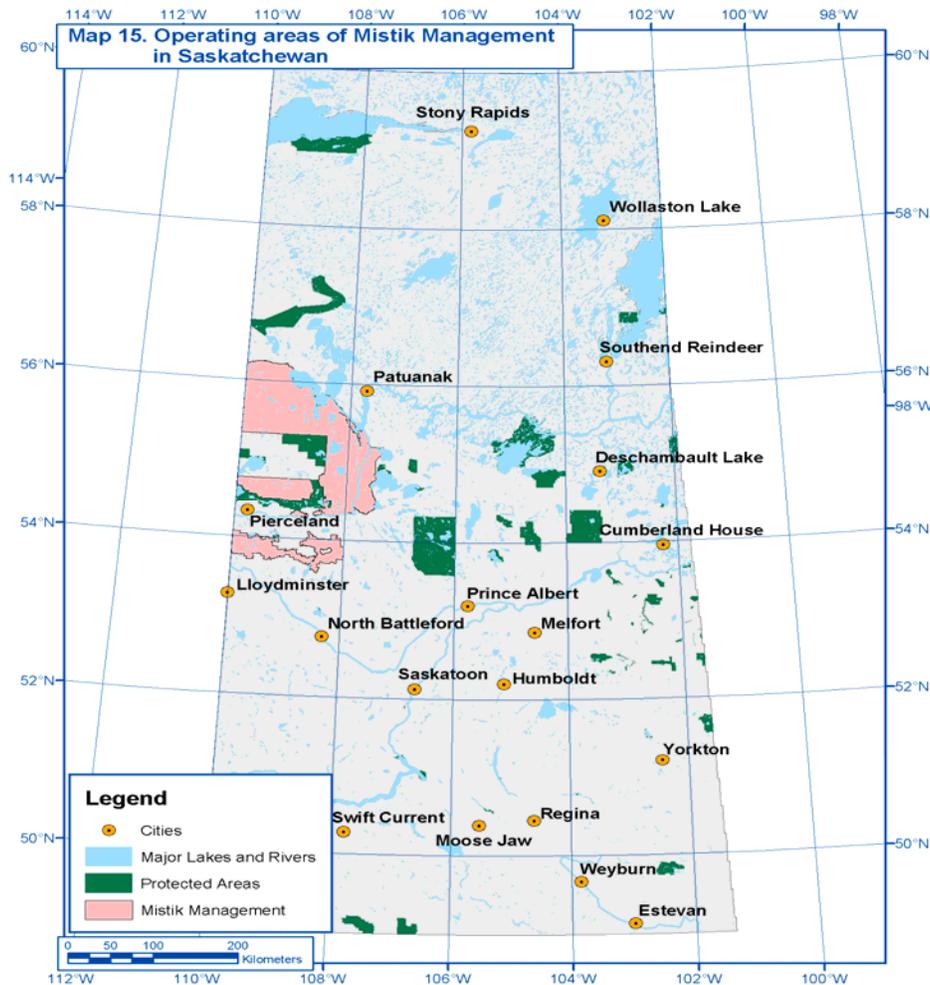
The purpose of forming Mistik was to ensure an ongoing supply of softwood for the NorSask sawmill and hardwood for the pulp mill. Thus, NorSask and the pulp mill are Mistik's two shareholders. Beyond the procurement of timber, Mistik has also been entrusted with the consultation of Aboriginal stakeholders in the region, a requirement of the original FMLA. To this end, Mistik joined co-management boards in MLTC communities, bringing them under the umbrella of a Public Advisory Group. This larger group consists of individual "stakeholder groups" (their term), such as environmental organizations, trappers, outfitters, forest workers and urban and rural municipality representatives.

Mistik has made significant contributions to the economy of northern communities. In 2004, the total full time employment provided by the forestry, saw and pulp mill operations amounted to 829 jobs.² Today, Mistik, along with its partners in co-management, is responsible for over 1.8 million hectares of forestland.

There are approximately 1,006,000 ha of potentially productive provincial forest types within the Mistik FMA area. Hardwood (primarily trembling aspen) forests are the dominant

² Mistik Management Ltd. *20 Year Forestry Management Plan*. (Meadow Lake: Mistik Management Ltd, 2007) 56. Also available online at: <http://www.mistik.ca/fmp.htm>

(32%) type, Jack pine-dominated forest stands are the next most extensive, followed by black spruce. Cumulatively, mixed wood forests comprise approximately 18% of the potentially productive forest land base of the FMA area.³ Mistik is responsible for a significant amount of timber in Saskatchewan. Harvest volumes were second only to Weyerhaeuser (when it was in operation); it is now a dominating force in the province's forest industry.



4

³ *Ibid.*, 243.

⁴ Global Forest Watch Canada. *Linking Forests and People*. Found online 1/12/07 at: <http://www.globalforestwatch.ca/tenure/maps/Map15.png>

FMA Licenses in the Provincial Forest with Actual Green Harvest Volumes and Areas

Year	Mistik FMA Mistik harvested volumes m3	Mistik FMA Mistik harvested areas HA	L&M FMA L&M harvested volumes m3	L&M FMA L&M harvested areas HA	*ML OSB Lands harvested volumes m3	*ML OSB Lands harvested areas HA	Weyer. PA FMA Weyer. harvested volumes m3	Weyer.PA FMA Weyer. harvested areas HA	Weyer PP FMA Weyer. harvested volumes m3	Weyer. PP FMA Weyer. harvested areas HA
*1999/00	1,022,991	7,315	162,631	673.3	-	-	1,233,657	7,185	1,171,683	5,161
*2000/01	1,286,932	8,279	129,825	490.0	-	-	1,541,525	9,465	891,382	5,167
*2001/02	1,054,234	6,876	28,167	538.4	-	-	1,319,372	8,086	1,460,268	5,635
*2002/03	1,062,077	7,923	139,752	850.8	-	-	1,700,713	10,359	921,533	5,712
*2003/04	1,205,459	6,461	115,259	854.8	70,407	795.6	1,731,502	9,362	1,114,049	6,712
*2004/05	986,828	7,313	121,614	702.6	47,111	563.0	2,297,816	11,790	1,195,273	6,848
*2005/06	979,358	n/a	138,787	n/a	49,541	n/a	1,905,833	n/a	1,285,741	n/a

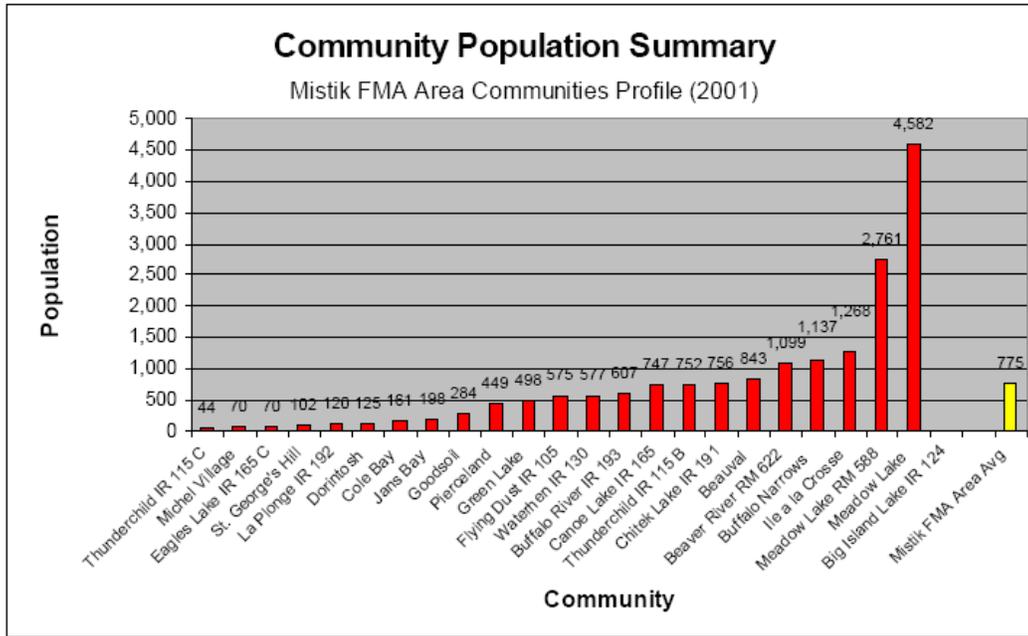
*current to November 28, 2006, as reported on Revenue and Woodflow reports; these volumes are not yet verified; volumes are before final reconciliation process; area harvested statistics are from forest company operating plan summary reports; volume harvested information is from Forest Service scaling records

5

This chart illustrates Mistik’s harvest volumes and areas in comparison with other license holders in the province. It is important to note that very little logging is currently taking place in the Weyerhaeuser FMA due to the closure of the Prince Albert mill, and that its license could soon be ceded to the province.

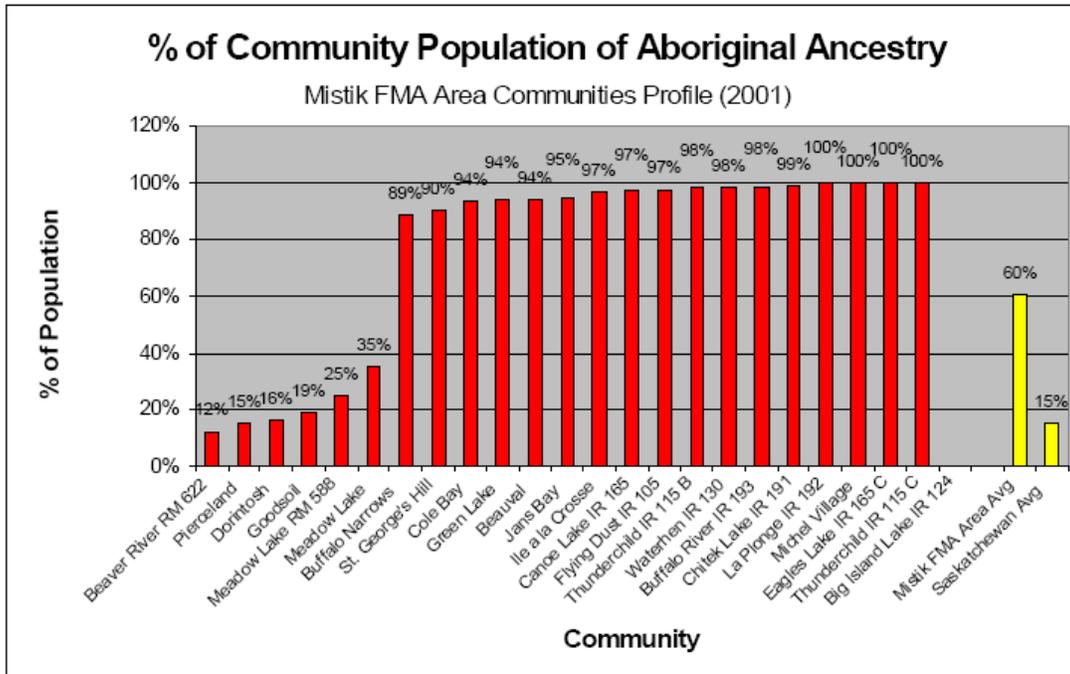
There are eleven Meadow Lake Tribal Council (MLTC) communities within the FMLA, nine of which currently have comanagement or advisory boards in place. A list of all 23 communities in the FMLA and their respective populations appears below:

⁵ Government of Saskatchewan. *First Report on Saskatchewan’s Provincial Forests*, (Government of Saskatchewan, 2006) 27.



6

Within these communities, the percentage of Aboriginal people is as follows:



7

⁶ Mistik Management Ltd. *20 year Forestry Management Plan*, (Meadow Lake: Mistik Management Ltd., 2007) 109.

⁷ *Ibid.*, 110.

In the communities within the FMLA, there is a high, and rapidly growing, population of youth. There is a higher unemployment rate than the provincial average. These factors taken together will see increasing demand for the employment opportunities found within Mistik.

Mistik does work to ensure there are opportunities for Aboriginal people in the FMLA. Specifically, the company aims for 60% of contractor person days to be done by Aboriginal workers. It has consistently surpassed this goal since 2003. It also strives to offer work to local people, Aboriginal and non-Aboriginal alike. Since 2003, the company has routinely surpassed its goal of 80%.⁸

A number of factors make Mistik Management and the NorSask Forest Management License Area an interesting topic, worthy of continued research and discussion. A number of authors have written on the area; it has been the subject of more than one thesis and dissertation. What makes this story unique is that a private industry has pursued extensive consultation with Aboriginal communities and other relevant stakeholders. While an essence of consultation was agreed upon in the Forest Management License Agreement with the province, Mistik has gone beyond the fulfillment of this obligation. It meets regularly with the co-management boards, has provided funding to them and has set up a Public Advisory Group. Perhaps more importantly, it has actually incorporated input from these boards into forestry operations. What remains to be seen is how much power is being shared with the community boards, and if this model of management is actually satisfying either party.

Mistik Management is in a unique position in Northwest Saskatchewan. It has established and maintained a relatively successful co-management process with Aboriginal communities. It has engaged a number of stakeholder groups, including local users, and an environmental NGO. Mistik also appears to be earnestly working towards sustainable forestry practices and is about to

⁸ Mistik Management Performance Indicator Summary. Presented by Al Balisky August 2007. Meadow Lake, SK.

be certified by the Forest Stewardship Council⁹. In 1999, the Sierra Club rated this company as an example of “best practices” within the forestry industry.

1.3 Co-management and Aboriginal Communities

A common theme has emerged in the literature on co-management-- the importance of community involvement in co-management schemes. More than one work speaks to hurdles, such as mistrust, that Mistik had to overcome in the communities, and the lengths it has gone to in order to ensure meaningful participation. Authors on this subject have provided background on the issue, revealing why and how these partnerships were formed and what obstacles they faced. An important distinction to be made in co-management with Aboriginal communities is the recognition in the courts of their right to be consulted on matters regarding resource management. Their rights to resource use should take precedence over those of commercial interests, though historically, this has seldom been the case.¹⁰

There are concerns with the manner of consultation taken on by companies such as Mistik, as to whether or not they are sincere or, in some cases, ethical. The fact that the community co-management boards are funded by Mistik creates some concern for the objectivity of the board and may affect the meaningful participation of community members. This is also a potential conflict of interest-- a concern echoed by the provincial government. Information such as this will aid the analysis of this case study, as the history of a partnership has the potential to affect its operations, whether it is 10 or 20 years down the line. The report entitled “Co-Management: Report of the Standing Committee on Aboriginal Affairs and Northern

⁹ Mistik announced January 8th, 2008 it has achieved FSC certification. The auditing team, did however, express concern with the community co-management boards’ functionality as well as Mistik’s level of engagement with them. There is also some discussion amongst the Public Advisory Board that the certification is to be challenged by the Big Island Lake Cree Nation.

¹⁰ Suzanne Mills, Maureen Reed. Renewable Resource Use in Northern Saskatchewan. In *Saskatchewan: A Regional Geography*. ed. M. Lewry (Regina: Canadian Plains Research Centre, 2004).

Development”¹¹ identifies what is working well within other co-management arrangements. It presents the results of a study undertaken by the Government of Canada to assess co-management practices in Saskatchewan and to offer up suggestions to the province for consideration.

The report cites statements from key witnesses, from the province and members of indigenous communities involved in co-management. The concept of integrated resource management is discussed, wherein traditional ecological knowledge (TEK) is blended with outsider’s scientific knowledge, towards a more holistic framework in which indigenous users feel valued and involved. Economic benefits of co-management are addressed -- when users are actively involved in a system, they are more likely to support a resulting development project. Together, the parties can work to ensure the development is ecologically sound and will contribute to the long-term health and success of the community.

Co-management is not seen to conflict with treaty rights, while it will likely work to resolve conflict over resource use. It is important to involve all interested members of the community, both Aboriginal and non-Aboriginal, in order to build true consensus and have decisions made by the board supported by all local people. Their participation should be aided by government, both in funding and in education.

This report looks favourably on co-management schemes-- as opportunities to engage Aboriginal communities, to apply truly integrated resource management, all towards the long-term health of communities and their surrounding ecosystems.

There are, however, other partners involved in shaping Mistik’s forestry management in addition to the community co-management boards. There is one environmental group in

¹¹ Raymond Bonin. “Co-Management: Report of the Standing Committee on Aboriginal Affairs and Northern Development”. (Canada: Queen’s Printer. 1995).

particular that has had a significant involvement with the consultative process. It is not unheard of for an NGO to work beside industry or government. To better understand the relationship between groups such as the Saskatchewan Environmental Society and Mistik Management, it is important to review what has been written about the topic.

1.4 Non-Governmental Organizations (NGOs) and Environmental Policy

The politics of environmental NGOs have been explored with reference to their growing more corporate over time. This concern is of particular interest to this case study, as the Saskatchewan Environmental Society in particular has worked very closely with Mistik Management over the last couple of years. One author has proposed that the more groups attempt to engage and lobby with business and government, the more they have begun to resemble them.¹² Many of the larger groups are losing their penchant for resistance or protest style politics and are instead becoming more focused on fundraising, reliant on “conventional tactics and more constrained by the imperatives of organization building and maintenance”.¹³

This reveals an interesting relationship between the members of this partnership. Environmental groups tend to have to look in and comment from the outside, but in the case of Mistik, they were invited in. This puts the Saskatchewan Environmental Society into a unique position, wherein it is capable of influence, and arguably, of being influenced itself.

ENGOS can also be construed as pressure groups, affecting policy created by the federal and provincial governments. There is a reported tendency of these groups to choose to stay outside the sphere of influence, for fear of co-optation, and to be in a better position from which

¹² Jeremy Wilson. “Continuity and Change in the Canadian Environmental Movement: Assessing the Effects of Institutionalization”. In *Canadian Environmental Policy: Context and Cases*. eds. Debora VanNijnatten, Robert Boardman (Toronto: Oxford University Press, 2002) 46-65.

¹³ *Ibid.*, 47.

to engage the public.¹⁴ The importance of having ENGOs work as pressure groups is explained well in the literature. As groups have been able to open up debates on environmental issues, they have pushed for greater accountability measures in terms of policy and government practices, and they have “enriched our democracy by articulating perspectives that have for too long went unexpressed”¹⁵.

It is important to note that while many ENGOs stay true to their grassroots politics, a number of groups have worked successfully with industry to enact change. While the list of their achievements is long and quite impressive, they are still subject to criticism from academics and other environmental groups, who see them as being corporate entities themselves.

It is important to consider the role of the Saskatchewan Environmental Society in light of this concern. While its motivations for involvement in the Public Advisory Group, its potential to act as watchdog and to enact change will be explored, so too will be the basis for this fear of co-optation and institutionalization.

1.5 Importance of this Inquiry

Co-management of natural resources in Saskatchewan involves a variety of groups and individual actors. Hence, it is topic ideally suited for political studies and more specifically, studies related to political economy. On a theoretical level, we can examine power relations, undertake a cost/benefit analysis and discuss the relationship between the state, the market and civil society. As the case study involves Aboriginal community boards and a Public Advisory Committee we can also expand the dialogue to consider the role of public private partnerships and the impact of group dynamics and social capital on natural resource management.

¹⁴ Jeremy Wilson. Green Lobbies: Pressure Groups and Environmental Policy. In *Canadian Environmental Policy: Ecosystems, Politics and Process*. ed. Robert Boardman (Toronto: Oxford University Press, 1992) 105-125.

¹⁵ *Ibid.*, 124.

Mistik Management is responsible for ensuring the terms of the FMLA are met, specifically to operate within a co-management framework with MLTC communities and engage in meaningful consultation with forest users and Northern residents. It is essentially MLTC who is responsible to ensure the terms of the FMLA are met. As Mistik is partially owned by MLTC, this case could be viewed as unique in terms of Aboriginal governance.

There has been a great deal written about private-public partnerships in the political science literature. To date, it has been mostly descriptive rather than theoretical. In employing the framework of political economy, I am hoping to add another lens through which to examine the subject.

Partnerships are becoming increasingly prevalent in society as government continues to prioritize its service delivery under the rubric of efficiency, so this topic itself is highly relevant to the field. Over half of our land mass in Saskatchewan is boreal forest. This forest contributes to tourism and recreation, it provides vital habitat for innumerable species, many endangered or threatened, and the forestry industry is a significant source of wealth for the province, contributing more than \$750 million a year into the provincial economy.¹⁶ It is my hope that taken together, the topics of political economy, partnerships and forestry combine to produce a unique thesis that offers insight into each field.

1.6 Focus, Objectives, Limits of the Study

For the purpose of this thesis, it is important to know what has motivated the different sectors and key actors to become involved with the co-management arrangement, how power has been shared among them and the costs and benefits each has accrued. I am specifically interested

¹⁶ Government of Saskatchewan. Industry and Resources. *Primary Forestry*, (Regina: Government of Saskatchewan, 2007) Downloaded 16/10/07: <http://www.ir.gov.sk.ca/Default.aspx?DN=0611cefd-529d-4a9b-af4b-0b8c1452e568>

in whether or not Mistik has enhanced the capacity of the Aboriginal communities to have greater involvement in forest management.

The focus of this study is the political economy of private-public partnerships, specifically the power relationships among the partners involved in the co-management of forestry lands in Northwest Saskatchewan. The objective of this thesis is to determine how power has been shared between the partners. It will seek to uncover the political agendas of the groups involved, how decisions have been made and costs/benefits been shared, and will consider the implications this model of co-management has for the future of forestry in this province.

The term “partnerships” refers to those formal and informal arrangements made between state and non-state actors. For the purpose of this thesis, the partnerships of greatest interest are those between the private company Mistik Management and certain members of its Public Advisory Group. Within this group the focus is on the Government of Saskatchewan, the community co-management boards and the Saskatchewan Environmental Society.

1.7 Research Questions

This thesis addresses three questions:

1. What are the motivations of the actors involved? What are the internal and external forces that have contributed to each party’s involvement in the co-management process?
2. What type and degree of power does each partner wield in a partnership? What are the specific power relations in the Mistik case study?
3. How is this partnership perceived by the partners? Is it a success or failure?

1.8 Thesis Outline

The thesis is comprised of six chapters. Chapter two contains a brief discussion as to the methodology employed; chapter three offers an extensive literature review indicating what has been done well and what gaps remain to be studied. The fourth chapter frames the analysis, explaining the foundations of both political economy and public private partnerships. It applies the theoretical framework to the co-management scheme being practiced by Mistik Management (as documented in reports and agreements). Within it, internal and external forces that have caused each party to seek partnership status are examined. Also discussed are the partners' motivations, the costs and benefits they have incurred because of co-management and how power has been shared among the players. Chapter five provides an overview of the findings of a short survey and some informal conversations conducted with stakeholders. The final chapter provides a summary overview and analysis of the major findings of the thesis, as well some observations regarding the limits of the study and suggestions regarding areas for further research.

Chapter Two: Methodology

2.1 Introduction

What follows is a brief chapter addressing a somewhat unique methodology that evolved throughout the writing of this thesis. The main tasks of the study are explained and care is taken to address the nature and limitations of the investigation.

2.2 Application of Theory

While this thesis has six topical chapters, it can essentially be broken down into two main parts. The first is an examination of theories that contribute to the study of public-private partnerships. The second is the discussion and analysis of a case study which tests the main theories presented by considering the perceptions of the partners in a co-management arrangement. This analysis further tests whether or not the arrangement truly is “co-management” or if it is in fact some other type of partnership.

Because data and information was collected throughout the writing of the thesis, it could be challenged that the theories were pre-selected to correlate to the case study, but this is not an accurate assumption. In truth, there remains much to be determined about this particular case, so much so that no theory can be officially proven or disproven to apply. In that regard, while there were indications that some ideas were more applicable to the case study than others, there was no true hypothesis to test.

An important aspect of the case study should be acknowledged as it applies to theory. Public-private partnerships usually, or traditionally, involve the state in partnership with a private entity, or in some cases, the state in partnership with a civil body. This case is somewhat

different in that it has a private body, Mistik Management, taking over the traditional role and territory of the state, in partnership with civil groups, the MLTC co-management boards and communities. This requires a shift in the theoretical examination, from realist/liberal notions that would explain state-market partnerships to that of liberal/dependency theory that better explain a market-civic pairing. This shift is what allows an expansion of thought, to consider the worth of Maslow's triangle, Olson's collective action and Putnam's social capital. At first glance, these theories do not appear to fit in a thesis about PPPs and political economy. However, once one understands how this case differs and the very specific nuances a private-civil partnership possesses, the usefulness of these theories becomes exceedingly clear.

2.3 The Literature Review

In an attempt to understand the political economy of partnerships in forestry co-management, an explanation is offered as to how political economy offers an appropriate framework for analysis of this case study. Relevant literature is then explored, including past interviews that have been conducted with the partners, to determine the costs and benefits for each of the parties involved in the partnership. "Literature" refers to everything from co-management agreements, government legislation, reports and theses to books, journal and newspaper articles, and information from Mistik Management's website. It is important to note that the majority of information in this work is from secondary sources.

2.4 Investigative Method

I began collecting information on this case in 2005, when I became an employee of the Saskatchewan Environmental Society. While being an employee within SES would appear to make me biased, in truth I was in a position to hear many sides of the story, from numerous

people with differing interests and concerns. When it came time to start actively researching for my thesis, I concentrated on the information presented by the two sides of the public involvement debate, hence pursuing the idea of power and control in partnerships.

I have been collecting information on the Mistik case study for more than two years, so most of the information contained in this work is from informal personal conversations conducted on an ad hoc basis. I have spoken to an estimated 25-30 people about this case, ranging from those at forestry management meetings who answered specific questions to those who have lived and worked in the MLTC communities and were able to provide valuable insight into people's perceptions of Mistik and their management of the FMA. This line of inquiry, while not overly structured, was the most appropriate for the Aboriginal MLTC community members, as well as my co-workers and colleagues, and it led to the questions that needed to be asked. This information, while it provided depth to the case and directed me to areas of concern, was not adequate to fully explain the functioning of the co-management arrangement, or how those directly involved in the process perceived the partnership. To remedy this, in August of 2007 I traveled to Buffalo Narrows to observe a co-management meeting and to interview board members. I visited with board members in Ile a la Crosse, and I observed a two day Public Advisory Group meeting in Meadow Lake. I also administered a brief survey (see Appendix 2), which was completed, in person or by telephone, by 12 members¹⁷ of the "stakeholder group" including members of the Buffalo Narrows and Ile a la Crosse co-management board.

This thesis was never intended to be quantitative. My goal was to try and unearth what theories might be relevant to PPPs and most of the information on the case study was gathered before I visited the MLTC communities in person. It could be contended that I was biased upon

¹⁷ Only two of the respondents were female, five were Metis, two were non-Aboriginal and five were First Nations. The surveys were not analyzed on this basis, but this may be relevant to their responses.

entering Buffalo Narrows, Ile a la Crosse and Meadow Lake, as I had a good idea as to what I would find, but none of the information I gathered was excluded if it did not “fit” with my assumptions. The survey results in particular, did confirm much of what was already known, but were of such variety¹⁸ that, taken alone, could not be seen to prove or disprove the applicability of any political theories. Nevertheless, the respondents filled some gaps and provided more specific information on Mistik’s failures and successes.

It is important to make note that all of the stakeholders, including Mistik’s staff, have been genuinely helpful and forthcoming over the last 2 years. It seems everyone wants their story heard.

2.5 Conclusion

This chapter explains why a specific methodology was chosen and what made it appropriate to the topic, as opposed to deficient. It discusses the writer’s relation to the case study, the ways and means of information collection and the challenges associated with what might be considered a normative study.

¹⁸ The survey questions were all open-ended so as not to constrain the dialogue. Information gathered that was not pertinent to the question asked was used to inform other aspects of the case study.

Chapter Three:

Literature Review

3.1 Introduction

This thesis examines the political economy of private-public partnerships, specifically the power relationships among the actors involved in the co-management of forestry lands in Northwest Saskatchewan. This literature review begins with an explanation of political economy and public-private partnerships. It then focuses on co-management with Aboriginal communities and concludes with some thoughts on NGO involvement in environmental policy making.

3.2 Political Economy

Authors such as Gilpin and Cohn offer a succinct definition of political economy as the study of relations between politics and the economy and the relevant actors within them. Susan Strange (1994) defines the field of political economy as the analysis of social, political and economic arrangements that affect the practices of production, exchange and distribution (who wins/loses), as well as the values that serve as the foundation for the greater system. She proposes these arrangements are not pre-ordained, rather they are created by actor's decisions "taken in the context of man-made institutions and sets of self rules and customs".¹⁹

This definition is made clearer by Strange in her discussion on values preferences in different societies. She states: "One obvious lesson is that different societies, in ordering their political economy, will give different values priority over others."²⁰ While some societies might

¹⁹ Susan Strange, *States and Markets*, 2nd edition. (London, New York: Continuum, 1994) 18.

²⁰ *Ibid.*, 4.

place great importance upon security, another might instead chose to prize freedom, justice or wealth creation above all else. This definition is clearly useful in the study of partnerships, as the members tend to come from different sectors, each with its own values and priorities. Strange's definition also reveals the ability of political economy to encompass theories outside of the discipline in order to better explain a phenomenon. In this case, political economy essentially becomes a lens through which we can examine the who, why and how of partnerships. It delineates characteristics of the state, private and voluntary sectors and it aids in the investigation of why such organizations of actors are formed and how they work. In addition, it also leads us to certain political implications, such as how partnerships are altering the shape of governance.

Phillips (2007) work on the governance of innovation, wherein he incorporates sociological and behavioural thinking in addition to economic and political theories, offers an extension of the traditional IPE approach, which can help with the study of partnerships. His work, drawing on Boulding, explicitly delimits the "pure" governing actors (the state, the market and civil authorities) as well as a myriad of hybrids.

It is important to review these sectors' respective roles in governance. The state is considered the traditional legitimate authority and has certain core characteristics:

- the sustained ability to exercise overt and/or coercive power;
- the ability to regulate the inputs and outputs of markets; and
- the ability to define, shape and control a given society.²¹

Government has at its disposal a number of tools, including command and control systems, incentives, disincentives and regulation. Regulation can be based on normative or positive

²¹ Peter Phillips. *Governing Transformative Technological Innovation: Who's in Charge?*, (Cheltenham: Edward Elgar Publishing Inc., 2007).

grounds and is based upon legal traditions of civil code, common law, religious and customary law.²²

The market is based upon different assumptions than the state. It assumes that individuals left to their own devices will behave rationally in their transactions and will arrive spontaneously at a point of maximum utility. While this theory has its limits, it is true that authority has over time, shifted substantially from state to market forces. This shift can be chiefly attributed to state policies²³, wherein governments are seeking to steer and not row. Market actors, or the private sector, have taken on duties and responsibilities formerly under the jurisdiction of states. This includes goods and service provision as well as certain aspects of governance.

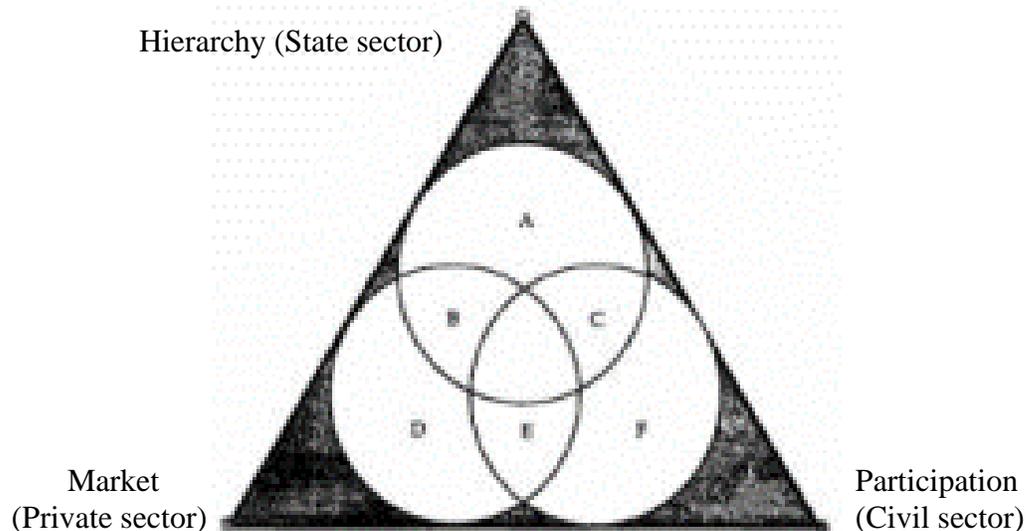
Civil society is composed of familial, religious and purpose-built structures. They are values driven, interest based and work towards enforcing norms.²⁴ While this sector has often been classified as one in opposition to state and market, it is also one that works towards goals integral to society, such as unifying and mobilizing citizenry. While some civil groups may work in opposition, they have, much like the private sector, taken up new roles and responsibilities in order to bridge the gap in goods and service provision and governance.

While many political economists arrange their analyses in this manner, state vs. market vs. civil society, a number of theorists have gone beyond the typology to examine how the characteristics of each group translate into action. This is evident in Picciotto's (1995) adaptation of Boulding's Triangle wherein he considers the types of goods and services to be offered in development programs and indicates which sectors are best able to deliver them.

²² *Ibid.*

²³ Susan Strange. *The Retreat of the State: The diffusion of Power in the World Economy*, (Cambridge: University Press, 1996).

²⁴ Peter Phillips. *Governing Transformative Technological Innovation: Who's in Charge?* (Cheltenham: Edward Elgar Publishing Inc., 2007).



	Nature of Public Goals	Dominant Parameters	Institutions	Example
A	Government	H	State Agencies	Justice, police
B	Toll	M, H	Public or regulated private corporations	Public utilities
C	Public	F, M	Hybrid organizations	Policy, rural roads
D	Market	M	Private corporations, farmers and entrepreneurs	Farming, industry, services
E	Civil	F, M	NGOs, PVOs	Public advocacy, professional standards, civic activism
F	Common Pool	F	Local organizations, cooperatives	Natural resource management

Parameters: Hierarchy=H, Participation=P, Market=M²⁵

Gilles Paquet explains the foundations of this triangle:

“(there is) the economic/market domain, where supply and demand forces and price mechanism are the norms; the state domain, where coercion and redistribution are the

²⁵ Robert Picciotto. *Putting Institutional Economics to Work: From Participation to Governance*, World Bank Discussion Paper 304 (Washington: The World Bank Group, 1995) 11.

rules; and the civil society domain, where co-operation, reciprocity and solidarity are the integrating principles.”²⁶

While there are certain goods and services that are best supplied by one sector, as in the government’s provision of public goods such as police protection, it is important to note that there is a significant amount of overlap, so that in many cases it is actually partnerships between the sectors that deliver specific goods.

Picciotto makes an important point in his explanation of his triangle, that it is the nature of the goods and services to be delivered that determines the organizational design of what is essentially the governance model. According to his line of thinking, a common pool resource, such as forestland, would best be governed by local organizations or co-operatives. Taken alone, this scenario does not seem terribly realistic. Picciotto offers an explanation of how this might be achieved:

The art of governance consists of achieving an appropriate balance between the products of various institutional goods so as to achieve a positive interplay between the state, the market, and the voluntary sector. There is a natural tension between each of these actors given their contrasting mandates and their different constituencies. An appropriate balance is struck when the full excessive power by any one sector is counteracted by one or the other two. Thus, if one sector is patently weak, judiciously selected capacity building projects can help redress the balance... Thus, effective governance involves cross-cutting and shifting alliances as well as deliberate capacity-building efforts aimed at mutually supportive operation of the state, the market, and the civil society.²⁷

This theory has a number of implications not only for the case study, which will be discussed in chapter three, but to the study of public-private partnerships in general.

Several authors have explored the reasons behind cooperation, whether it be “enforced” or in cases where game theory applies. They propose that stable cooperation is found in

²⁶ Gilles Paquet. The New Governance, Subsidiarity, and the Strategic State. In *Governance in the 21st Century* (Paris: OECD, 2001) 183-214. Found online at: <http://www.oecd.org/dataoecd/15/0/17394484.pdf>.

²⁷ Robert Picciotto. *Putting Institutional Economics to Work: From Participation to Governance*, World Bank Discussion Paper 304 (Washington: The World Bank Group, 1995) 12.

situations where there is frequent contact between the interested parties, when the partnership is result-driven and when the parties perceive the relationship as long lasting. Though common goals are necessary, each sector enters into the partnership for different reasons, internal to their organization. The goal here is to identify what these reasons might be.

There is a debate between those who view PPPs as “community governance”; necessary for effective and responsible policymaking, and those who are concerned with “incorporation”, wherein partnerships may result in the incorporation of independent actors into a corporate state. In order to form and maintain successful partnerships that retain the integrity of groups such as NGOs, there must be mutual trust and sharing of values among the partners. The central authority must be willing to cede power to the other sectors and should work towards building the capacity of the third sector towards meeting its goals (this concept will be explored in this thesis in the section that examines the potential motivations of the third sector).

The creation of partnerships as “strategic alliances” is becoming increasingly common in North America. This growth has been influenced by issues such as fiscal constraint of government, the perception that bureaucracies are inefficient and the interest of the private sector in becoming more involved in service delivery. Initially, the majority of partnerships were between government and industry. They have now been expanded to include actors such as voluntary, non-profit and labour organizations. A number of writers agree there is a growing need to facilitate these coalitions, to increase consultation and participation and to address the wide range of issues, interests and regional differences that are being brought to the table.

Kernaghan classifies partnerships according to the degree of power sharing between the partners. The levels are termed collaborative, operational, contributory and consultative²⁸, from the greatest degree of power sharing to the least. The case of co-management in Northwest Saskatchewan would be considered within this line of thinking as a “consultative” partnering, wherein the community boards (and the ENGO) do not have official decision-making authority, but their input is solicited by Mistik and integrated into management strategies.

The International Association for Public Participation (IAPP) has developed a more comprehensive model to both measure and illustrate the different levels of engagement. This document is highly relevant to co-management studies, as it provides another yardstick to measure the level of participation of parties involved. A true co-management model would fit into the “collaboration” category, but many often fit into the first three categories. Any partnership can be deemed “co-management”; it does not have to meet any prescribed conditions. A successful model will have a high degree of public participation, but this is a more time consuming and energy intensive process, requiring a high degree of commitment from the parties involved. It is also important to consider the qualities and capacities of the partners when assessing the level of participation, as well as their respective motivations coming into the partnership. For instance, a corporate partner that has a requirement of consulting the public is more likely to choose a quicker or more “efficient” route to public involvement, one seen in “consulting”. A public or not for profit body that has the goals of enhancing the capacity of a certain population is more likely to undertake a process such as “empowerment”.

²⁸ Kenneth Kernaghan. “Partnership and Public Administration: Conceptual and Practical Considerations”. In *Canadian Public Administration*. Vol 36 No 1 1993. (Toronto, Ontario: Institute of Public Administration of Canada, 1993) 57-76.

INCREASING LEVEL OF PUBLIC IMPACT

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the Public:	Promise to the Public:	Promise to the Public:	Promise to the Public:	Promise to the Public:
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:	Example Techniques to Consider:
<ul style="list-style-type: none"> ● Fact sheets ● Web sites ● Open houses 	<ul style="list-style-type: none"> ● Public comment ● Focus groups ● Surveys ● Public meetings 	<ul style="list-style-type: none"> ● Workshops ● Deliberate polling 	<ul style="list-style-type: none"> ● Citizen Advisory Committees ● Consensus-building ● Participatory decision-making 	<ul style="list-style-type: none"> ● Citizen juries ● Ballots ● Delegated decisions

29

This line of thinking harkens back to Boulding’s triangle. We may actually be able to predict the level of public participation a given entity will engage in when we know where it fits in the triangle. There are additional theories from the behavioural sector that will provide insight into how these partnerships might work.

3.3 Why Groups Form and How they Work

There are at least three different approaches to explain why groups form. Sociology proposes that groups form to pursue shared values or interests. Political scientists see groups forming to replace what has been lost in the weakening of kinship ties. They also consider the

²⁹ International Association for Public Participation. *IAP2 Public Participation Spectrum*. (International Association for Public Participation, 2007) Found online 3/6/07 at: <http://www.iap2.org/associations/4748/files/Spectrum.pdf>

possibility that humans have an inherent desire to herd. Economists suggest individuals form groups out of their own self-interest. Mancur Olson supports this latter belief and examines it thoroughly in his work on collective action. He expands upon the notion of ‘why’, going further to explain how groups do and do not work.

According to Olson, “any group, large or small, works for some collective benefit that by its very nature will benefit all the members of the group in question”.³⁰ He notes there are different types of groups and that certain arrangements and organizations are more effective than others.

Some groups will form somewhat organically, out of recognition of shared interests, while others are mandated by a central authority. Once the group has formed and begins to function, it then becomes apparent that not all actors within the group behave in an identical fashion. While this point might seem obvious, Olson investigates the theory behind it. He is chiefly concerned with the amount of time and energy different actors contribute, while they all receive the same gains. He states:

Though all the members of the group in question therefore have a common interest in obtaining this collective benefit, they have no common interest in paying the cost of providing that collective good. Each would prefer that the others pay the entire cost, and ordinarily would get any benefit provided whether he had borne part of the cost or not.³¹

While he does not employ the term, this situation is referred to in the literature as “free-riding”, a common problem whenever collective goods are the desired end. Olson feels this is more of an issue in larger groups, when individual’s actions are not readily observable by the other members. For this, and other reasons he suggests that small groups are more efficacious.

³⁰ Mancur Olson. *The Logic of Collective Action: Public Goods and the Theory of Groups*. (Cambridge, Massachusetts: Harvard University Press, 1965) 21.

³¹ *Ibid.*, 21.

Olson's work suggests that the collective good will be provided by the group in its totality only when the benefit to the individual exceeds his/her cost of participating in the group. In this situation, the group provides its own positive reinforcement to its members, which virtually guarantees its longevity and success. In the case of co-management, the cost borne by stakeholders involved in management could be calculated and compared to the measured benefits. One could assume that the stewardship and sustainability of the resource would be a collective good of great merit, but that may not be enough to compensate people for their individual contribution.

Financial incentives may be all that is required to have stakeholders remain involved in a co-management group. Olson proposes that in any cases where incentives are required they will have to be either financial or social. This is the case in many organizations or political structures in smaller communities wherein the contribution by an individual is recognized by others.

Olson provides a number of indications as to how groups can be successful in achieving common goals. There are, however, additional predictors of group/partnership success pertaining to co-management.

3.4 Predictors of Success for Co-management

Through the International Development Research Centre (IDRC), Tyler (2007) has compiled a list of "lessons learned" over the last 20 years of international co-management research. He suggests that first and foremost, people must be put at the centre of any initiative, that outsiders—be it government officials, researchers or private sector representatives-- engage in meaningful consultation with all the members of the community. Knowledge should be shared among partners and built upon. New institutions for management should be created towards establishing processes of local governance. Indigenous people's rights to common pool

resources must be recognized and their access secured. To ensure success, innovation should be a common objective—finding solutions that deliver early returns as well as long term gains that are interdisciplinary and supported by policy.³²

The IDRC also acknowledges a number of challenges inherent in co-management models.

The one challenge that bears mentioning relates to the difficulty engaging local people:

Participatory methods require skilled management, keen observation, tact, and patience. It is always easier to engage powerful, outspoken resource users than to work with the poorest and most isolated, who also tend to be the most reserved. These participants-on-the-sidelines, often women and members of minority ethnic groups, may be so busy with family survival that they have little time for interacting with external facilitators.³³

Without simplifying the issue too much, the argument could be made that the success of a partnership essentially depends upon two things: the characteristics of the group that is formed and the characteristics of the members involved. With respect to the latter point, it is not necessary to delve into personal attributes or capabilities of any of the partners or group members; it is rather more important to consider the characteristics of communities in general. To this end, the concepts of a “hierarchy of needs” and “social capital” offer some useful insights.

Abraham Maslow’s hierarchy of needs has been used widely, adapted and expanded upon for over fifty years. His ideas are often used in discussions on politics, and in this example, on governance:

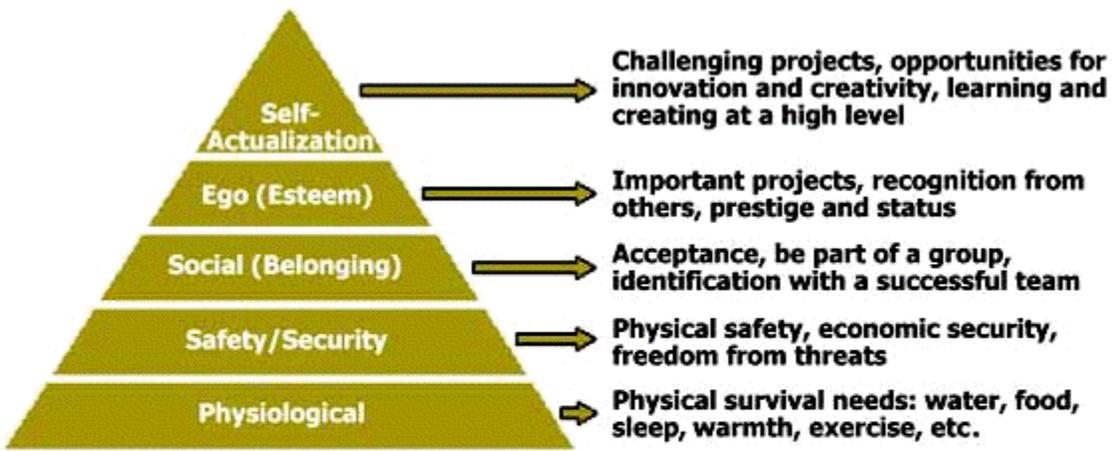
Without the underpinnings of literacy, physical health and a minimum sense of security, learning is seriously impeded. Without learning there can be little expectation of improvements in the quality of decision making at home, on the job or in the community at large.³⁴

³² Stephen Tyler. *Comanagement of Natural Resources: Local Learning for Poverty Reduction*. (Ottawa, Ontario: International Development Research Centre, 2006) 73.

³³ *Ibid.*, 76.

³⁴ Abraham Maslow. “A Theory of Human Motivation”. In *Psychological Review*, Vol 50, 1943 (Washington, DC: American Psychological Association, 1943) 370-396.

Literacy, health and security are referred to in his writings as “human needs”. Maslow went on from a general description of needs to arrange them in hierarchies of “pre-potency”. In effect, one must first have the most basic needs satisfied before they can strive to meet any ego-fulfilling needs. This concept is best illustrated by the pyramid that is now so often used in educational psychology, healthcare and business sectors.



Maslow's Hierarchy of Needs is shown above. The pyramid illustrates the five levels of human needs. The most basic are physiological and safety/security, shown at the base of the pyramid. As one moves to higher levels of the pyramid, the needs become more complex.

35

While this model has been criticized over the years and is viewed by some as being trite, or at best widely overused, it does bring some important points to light for the potential success of groups and the Mistik case study in particular. Since we are considering the efficacy of a partnership composed of members of northern Aboriginal communities, it is essential that we understand that the most basic needs of many community members are not being met, or are at the very least under threat³⁶. It makes sense that those people who are struggling to stay warm in

³⁵ University of Tasmania. *Community Leadership in Rural Health*. Found online November 10, 2006. <http://www.ruralhealth.utas.edu.au/comm-lead/leadership/Maslow-Diagram.htm>

³⁶ I have personally lived on reserve in northern Saskatchewan and have witnessed the third world conditions many of our Aboriginal residents live in.

their homes or to put food on the table are not going to be the first in line to sit on a community advisory board. If one considers who is active on tribal councils in the communities, it tends to be the more privileged individuals that are able to, or interested in, getting involved.

Regardless of whether or not it proves to be accurate in this case, Maslow's hierarchy is a good reminder to consider where individuals are coming from, both physically and emotionally, when you examine their behaviour in a group. It also points to potential difficulties of working with disadvantaged communities.

Like Maslow's hierarchy of needs, social capital is not a new term. Jane Jacobs was using it to describe urban cohesiveness and the importance of maintaining neighbourhoods in the early 1960s. Robert Putnam is one of the more prolific writers on the theory and has used it to examine "civic virtue" in both Italian and American contexts. Social capital can be defined as: "the stock of active connections among people: the trust, mutual understanding, and shared values and behaviors that bind the members of human networks and communities and make cooperative action possible."³⁷ In his foray into Italy, Putnam examined the differences between regional governments in the southern and northern parts of the country. He established a set of criteria to define a "successful institution" and then set about investigating why more institutions in the north succeeded while their counterparts in the south failed. What he discovered was that, due to differences in their histories, the north and south were almost opposite in their wealth of "civic community" or social capital. This led to the generalization that active, vibrant civic communities are integral to the functioning of democratic governance.

In a more recent work, Putnam qualifies why social capital is important. It allows citizens to resolve collective problems more easily, it greases the wheels that allow communities to

³⁷ Don Cohen, Larry Prusak. *In Good Company. How Social Capital Makes Organizations Work*. (Boston, MA: Harvard Business School Press, 2001) 4.

advance smoothly, it widens our awareness of the many ways in which our fates are linked and people who have active and trusting connections to others develop or maintain character traits that are good for the rest of society.³⁸

If we subscribe to this theory, then a partnership based in, or involving, a community rich in social capital would thus have a better chance of being successful. While there is a growing body of literature on using social capital analysis in Aboriginal communities, there does not appear to be a working consensus on whether or not it is appropriate or even all that useful.³⁹ At first glance, however, it would appear that many communities are highly bonded. They tend to be of the same ethnic background and they share a common culture, language and history. Living on reserve, I have observed how active many people are in community events, religious and traditional activities. At the same time, their communities are also plagued by crime, addiction and abuse, symptoms of low social capital. This theory may serve to explain why some communities or institutions thrive while others do not, but it does not fully capture the essence of whether or not Aboriginal communities are going to be successful in partnerships.

Literature from the public-private partnership domain offers some additional predictors of success that have been gathered in this case by evaluating a number of “good” and “bad” partnerships. Successful PPPs tend to have a shared clarity of purpose, mutual trust and respect among the partners, adequate investment of time and resources, clear roles and responsibilities and a shared goal of long-term sustainability.⁴⁰

³⁸ Robert Putnam. (2000) *Bowling Alone: The Collapse and Revival of American Community*. (New York: Simon and Schuster, 2000) 288-290.

³⁹ Boyd Hunter, *Taming the Social Capital Hydra? Indigenous Poverty, Social Capital and Measurement*. (Centre for Aboriginal Economic Policy Research, Australian National University, 2005). Downloaded 20/02/07. http://www.anu.edu.au/caepr/Publications/topical/Hunter_social%20capital.pdf

⁴⁰ Stephen Osborne, “Part Four- Evaluation” In *Public-private Partnerships: Theory and Practice in International Perspective*. (London: Routledge, 2000).

Four additional criteria have also been extracted by examining case studies on co-management arrangements. First, the management system must be firmly linked to the community and have strong support from the individual members. Second, indigenous users must be allowed actual decision-making responsibilities in management. Third, the state must be willing to fund the co-management boards adequately, recognizing the opportunity costs borne by participants. Finally, cultural and linguistic barriers to Indigenous participation on boards must be reconciled to ensure open and honest communication and the necessary depth and breadth of community representation.⁴¹

While Maslow's hierarchy of needs and the theory of social capital lead us to ask pertinent questions, we also must incorporate some of the more practical information that has been collected in order to ensure a solid theoretical foundation to the study of partnerships.

3.5 Power Relations in Partnerships

Co-management of natural resources is inherently political, both in its operating structures and processes. As such, it is a management system rife with power exchanges. This thesis examines the types of power the major players wield and how that power is, and is not, shared. Special attention is given to the relationship between knowledge and power, specifically to scientific versus traditional ecological knowledge.

A number of writers have explored the roots and meanings of power as a political concept. Bertrand Russell considered means of influence in organizational dynamics, categorizing them into the power of force and coercion, the power of inducements and the power

⁴¹ Gail Osherenko, *Sharing Power with Native Users: Co-Management Regimes for Native Wildlife*. (Ottawa: Canadian Arctic Resources Committee, 1988).

of propaganda and/or habit.⁴² His line of thinking could apply to the Mistik experience, as the company has significant power for inducing and rewarding participation of Aboriginal communities. Hannah Arendt considers power to be a political force. She thought it was ever-present in interactions between people, and disappeared completely once they parted. As such, Arendt suggests the individual could neither hold nor exercise power alone; essentially being alone made one impotent.

Michel Foucault also regarded power as a complex dynamic of interpersonal forces. According to Foucault, power is not necessarily about institutions and structures; it is more about relationships and particular situations in society. He analyzes power relations apparent in different discourses, such as western science, and arrangements within the penal system and in the hospital/clinic. In the penal system, Foucault examined complex interactions and behaviors to reveal simple patterns of power exchanges. He contends that power was not exerted over-- that it was not something one was subject to-- it was, rather, more about perception than anything else. Perhaps the most poignant observation he made along this vein concerned the panopticon, a creation of Jeremy Bentham's. This machine enabled the prisoner to be viewed at all times, and from all angles. The prisoner knew the panopticon was in place, and that he could be seen. Foucault argues the prisoner's knowledge of this was integral to the success of the machine; that the realization that he could be watched at any time was more important than whether or not he ever was.

This concept of perception is applicable to the Mistik study. As mentioned earlier, the provincial government has formally ceded power to the forestry company, but it is only because the Aboriginal communities see Mistik as an authority within the system that the comanagement

⁴² Bertrand Russell. *Power: A New Social Analysis*. (New York: Routledge, 1938).

boards have functioned to the degree that they have. This may seem like an abstract or merely theoretical comment, but it also has weight in practice. Because Mistik is seen as a credible partner, there have not been any significant blockades since Canoe Narrows in 1992. For the most part, people have gone along with the co-management process, regardless of whether or not they believe in the outcome. It seems they believe in the system, or at least recognize the worth of their partnership within it.

Susan Strange has also written extensively about power from a political economy perspective. She was less a philosopher than Foucault or Arendt and as such, was more concerned with the roots of power and the resulting implications on political structures and institutions. Strange suggests it is not enough to ask who has the power in any given situation; we need to dig deeper to discover its source. It can be command or coercive force or it can stem from wealth or ideas. She classifies power as being either structural or relational. Relational power is the ability of “A” to get “B” to do something it would not normally do, something that in turn might benefit A. Those who possess relational power have the ability to make rules and the authority to ensure the rules are followed. This power can be afforded both through formal and informal agreements. One example of relational power is the New York Stock Exchange as it is a trading mechanism able to divest power from government. It functions within the financial superstructures created by government, but is able to dictate the rules of trading.

While some examples of relational power are straightforward, such as the power of one state over another due to military superiority, there is also an essence of perception involved. For instance, Mistik has relational power within the comanagement structure because it has determined the rules by which the participants play. While this power has been granted to Mistik by the provincial government, it also requires the buy-in of the Aboriginal participants. If Mistik

was not perceived as an authority within the comanagement structure, the governing arrangement would not be functional.

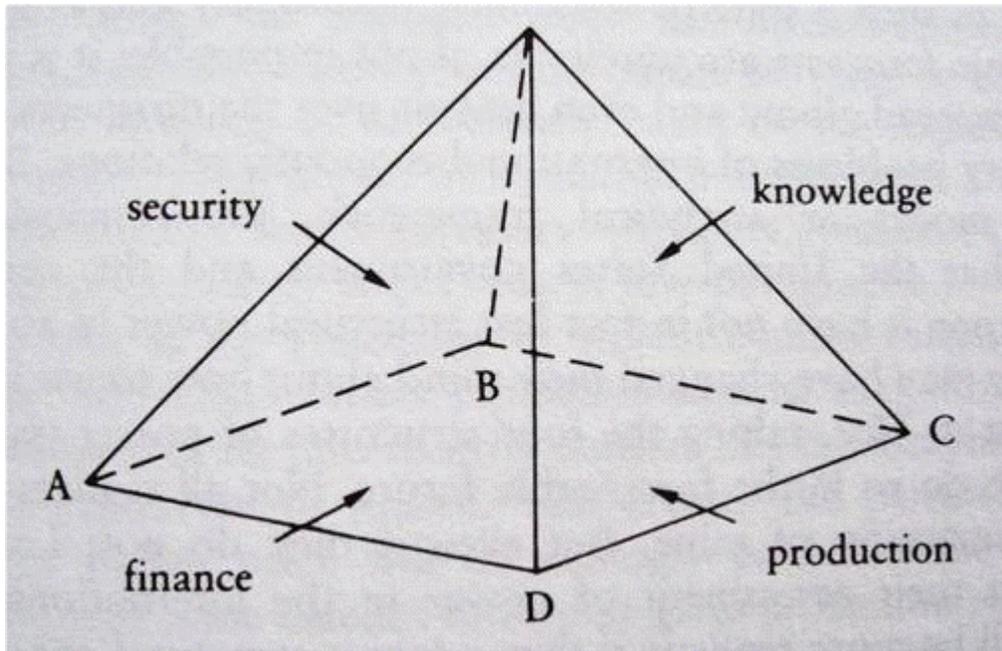
Strange asserts that structural power is the power to shape and determine structures because it:

Confers the power to decide how things shall be done, the power to shape frameworks within which states relate to each other, relate to people, or relate to corporate enterprises. The relative power of each party in a relationship is more, or less, if one party is also determining the surrounding structure of the relationship.⁴³

Strange regards structural power as being comprised of four related components or individual sources. She places them on along the sides of a triangular pyramid to illustrate this point. The sources are control over security, control over finances, control over production, and control over knowledge, beliefs and ideas.

Security is used here as the ability to protect a selected people from violence. Control over finances is seen in the ability to provide credit, control over production is the ability to provide necessary goods and services and control over knowledge is the power to grant or deny access to information.

⁴³ Susan Strange, *States and Markets*, 2nd edition. (London, New York: Continuum, 1994) 25.



44

While control over security is of paramount importance to the study of international relations, it is not applicable to the case study. Mistik Management offers no protection to the individuals in the communities so this section of Strange's structural power will not be explored here. The absence of this one side of the pyramid should not detract from the usefulness of the model as the company obviously holds and exerts the other three types of power.

Credit is one area of control traditionally reserved for lending or state-run institutions. Strange has written extensively about the power held and exercised by organizations such as the World Bank and the IMF, specifically in developing countries. She explains the relationship between credit and power as follows:

The power to create credit implies the power to allow or to deny other people the possibility of spending today and paying back tomorrow, the power to let them exercise purchasing power and thus influence markets for production.⁴⁵

⁴⁴ Strange, 27.

⁴⁵ Strange, 90.

While the power relations between these monolithic actors and third world states have been well documented and are fairly clear, there are other credit relationships that bear further examination. For instance, how does the balance of power change or shift in micro-credit associations? What if one of the partners is a for-profit corporation, such as in the Mistik case? Does the nature of the most powerful partner make any difference to the functioning of the partnership? This will be discussed further in the following chapter.

The power of any actor or institution that creates wealth in society is increasing, perhaps exponentially, over time. Strange explains how power is exerted through production:

A production structure can be defined as the sum of all the arrangements determining what is produced, by whom and for whom, by what method and on what terms. It is people at work, and the wealth they produce by working. They may be helped by animals, or by machines. Their efforts may be supplemented by a bountiful Nature. But it is about how people at work are organized and what they are producing. The production structure is what creates the wealth in a political economy.⁴⁶

Never before have corporate entities known such control over not only their own fate, but the fate of the market, public and civil society as well. This balance of power is perhaps the most dynamic, as it is subject to a growing resistance from the other sectors. Examples of this resistance from civil society are plentiful, especially in the developing world. They are seen in the formation of cooperatives aimed at usurping globalized trade and the New York Stock exchange, demonstrations that succeed in ending privatization of common pool goods and even the formation of unions in branded sweat shops. This is a subject that has been written about by many authors and is a source of constant debate.

Strange comes at the knowledge/power relationship from a structural angle. She suggests power is more about one party controlling another, by denying or granting access to knowledge.

⁴⁶.*Ibid.*, 64.

While the power derived from the other basic structures lies in the positive capacity to provide security, to organize production, to provide credit, the power in the knowledge structure often lies as much in the negative capacity to deny knowledge, to exclude others, rather than in the power to convey knowledge.⁴⁷

She subscribes to the commonly held belief that knowledge is power and that those who hold this power are highly regarded by others; she furthermore suggests that it is the exercising of this power and the control over communications and access that affords a distinct type of structural power.⁴⁸

Phillips further explores this notion of “control over” by asking the question “how do we know what we know?” Phillips plots the complex course of the governance of knowledge creation, specifically relating to western science, and the resulting access and benefit sharing. He also considers the actors and institutions in control of knowledge, asserting the university is “the cornerstone of the knowledge economy”.⁴⁹ The university is the home of cutting edge researchers creating knowledge; it is an institution also capable of storing and communicating whatever it is that is created. Phillips explores the internal and external control over this knowledge. The external forces are perhaps the most interesting in relation to his topic of innovation, as well as to this topic of knowledge, especially in the area of financial support. As outside funders are becoming more the norm, there is increasing concern that they are able to shape the type of knowledge generated at the university. There is little funding for studies of, for example, the classics, while an area such as biotechnology has numerous financial supporters to draw upon. Non-governmental organizations are also the purveyors of knowledge and are susceptible to the same kind of financial influence. They are often seen to shift their

⁴⁷ Strange, 119.

⁴⁸ Strange, 30.

⁴⁹ Peter Phillips. *Governing Transformative Technological Innovation: Who's in Charge?* (Cheltenham: Edward Elgar Publishing Inc., 2007) 14.

organization's entire mandate in order to be eligible for major pools of funding, from both the government and private sector. Both of these areas support Strange's pyramid of controls; in fact, financial power and power over knowledge may actually have a greater correlation than she at first envisioned.

While control over production and finances are both important concepts in the Mistik case study, the relationship between power and knowledge is of paramount concern. Knowledge is power. Sir Francis Bacon, who pioneered the modern scientific method, is credited with making this statement. Since his time, writers across the disciplines, including Michel Foucault and Susan Strange, have analyzed, expanded upon or adapted this concept to give it greater meaning and applicability to modern problems. Strange comes at the knowledge/power relationship from a structural angle. She suggests:

Knowledge is power and whoever is able to develop or acquire and to deny the access of others to a kind of knowledge respected and sought by others; and whoever can control the channels by which it is communicated to those given access to it, will exercise a very special kind of structural power.⁵⁰

While Foucault sees the power emanating from knowledge as more than the ability to restrict or deny access, he also considers the productive aspect. People would not be willing to go along with a system of governance that always said no, this would cause resistance or revolt. Rather, in Foucault's opinion, the ability to produce or create to benefit people is imperative to keeping the system functioning. This is essentially the carrot and stick approach, one that works best if kept in some sort of balance. With regards to knowledge, the university would not be "the cornerstone of the knowledge economy" if the results of its research were never made available or benefited the public. It is this institution's ability to produce that puts it at the forefront of the knowledge industry and affords it power in society.

⁵⁰ Strange, 30.

From this perspective, the converse is also true: power is knowledge. Those individuals and organizations that wield power have the ability to decide what knowledge is produced and how it is to be shared. Foucault covered this topic at length, in numerous writings, regarding the creation of “truth”. He saw power being exercised by those who were somehow able to turn knowledge into truth. According to Foucault:

Each society has its regime of truth, its “general politics” of truth-- that is the types of discourse it accepts and makes function as true; the mechanisms and instances that enable one to distinguish true and false statements; the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true.⁵¹

In co-management studies, there is a general conception that two main types of knowledge come into play-- western or scientific and Indigenous knowledge. Using Foucault’s line of thinking on truth, one can easily see that the two types of knowledge from both societies have their politics of truth. In our western society, truth is usually a fact that can be proven or disproven through research or study. Hence, funders, governments, scientists and academics hold the power in the knowledge sector. In Indigenous societies, truth is what has been observed and passed down from generation to generation through oral histories. Elders and those with whom they choose to share their truths hold power in their society.

Foucault notes that the interplay between the two is often characterized by the dominance of scientific knowledge over that held by lower class members of society. He suggests there are implicit sets of rules created by the scientific and university communities that work to discount knowledge held by outsiders. These rules determine what sorts of language and concepts are acceptable to the greater “knowledge” community and who will be considered credible. To

⁵¹ Michel Foucault, *Power*. (New York: New Press, 1994) 131.

understand exactly how these power systems work, it is first important to discuss the two types of knowledge—western and traditional ecological knowledge and to plot their basic evolution.

3.6 Knowledge Systems

Western knowledge systems dominate. Since the time of enlightenment, scholars have sought to distance themselves from nature through the use of science. At the dawn of enlightenment, it was widely thought that nature was dangerous and too far into the realm of the unknown. Europeans sought to increase their mastery, and hence power, over the unknown by breaking it down into observable, measurable parts. It was a period of tremendous growth in science and technical writing, the accumulation and communication of knowledge that together was considered to emancipate man from the subjection of the natural world.

Forerunners of the enlightenment, such as Bacon and Descartes, were instrumental in creating the analytic method, breaking down complex problems into logical steps of deduction. This reasoning has led through time to the compartmentalization of knowledge, a way of knowing that is reductionist and fragmented.⁵² Within the scientific method, variables are identified and controlled for. The result is a sustained or disproven hypothesis, what is essentially regarded as a “truth”. It is a truth because it is something reproducible under the same circumstances time and again; one step leads obviously to the next, to a quantifiable conclusion.

While there are a number of branches of science, as Phillips illustrates, Kuhn’s “normal” science is perhaps the most appropriate to a more general discussion of knowledge. Practitioners of normal science utilize specific language and typologies to describe their observations. While this is highly useful to communication between practitioners, it could also be conceived as a

⁵² Timothy Hayward, “Ecology and Enlightenment” in *Ecological Thought: An Introduction*. (Cambridge: Polity Press, 1994) 8-52.

barrier to access by non-practitioners. The medical community perhaps best represents this in the jargon used to describe and communicate disease processes, types of diagnostics, etc. It is not uncommon for medical doctors to use jargon in communication with patients, leaving them often so confused they do not even know what questions they should be asking. Foucault saw this power relationship in the *Birth of the Clinic*, though he did tend to focus on control over the body, and not control over knowledge.

This type of knowledge is referred to by a select group of writers⁵³ as “mode 1” knowledge. It is the type of information produced by the scientific or academic community, one separate and distinct from the greater society. What this rendering of science does not consider is that no knowledge, or truth, is produced in a vacuum. Sheila Jasanoff points out that science is very much embedded within the larger society. The process of knowledge creation is open to influence at every stage, and as Jasanoff describes, it is entangled with social norms and hierarchies.⁵⁴ Another conception of knowledge, known as “mode 2”, reconciles this false distinctiveness. It is important to understand the difference between the two modes:

In Mode 1 problems are set and solved in a context governed by the, largely academic, interests of a specific community. By contrast, Mode 2 knowledge is carried out in a context of application. Mode 1 is disciplinary while Mode 2 is transdisciplinary. Mode 1 is characterized by homogeneity, Mode 2 by heterogeneity. Organisationally, Mode 1 is hierarchical and tends to preserve its form, while Mode 2 is more heterarchical and transient. Each employs a different type of quality and control. In comparison with Mode 1, Mode 2 is more socially accountable and reflexive. It includes a wider, more temporary and heterogeneous set of practitioners, collaborating on a problem defined in a specific and localized context.⁵⁵

⁵³ Michael Gibbons, Camille Limoges, Helga Nowotny, Simon Schwartzman Peter Scott and Martin Trow *The New Production of Knowledge: The Dynamics of Science and Research in Contemporary Societies*. (London: Sage, 1994).

⁵⁴ Sheila Jasanoff, (ed). *States of Knowledge: The Co-production of Science and Social Order*. (London: Routledge, 2004).

⁵⁵ Gibbons et al., 3.

So, while good science was once conceived of as international, impersonal and virtually anonymous,⁵⁶ it now appears to be shifting into a mode more fitting with a co-management model. If scientists and resource managers are amenable to the Mode 2 type of knowledge, there may be greater hope for compiling a more holistic picture of natural resources and building consensus with Aboriginal communities. While Mistik has access to extensive sampling, maps and the latest scientific data on forest management, the company will theoretically benefit from incorporating traditional knowledge from the local communities. It remains to be seen in this particular case if this has been done, or if there are any plans to do so.

There is a re-emerging type of knowledge called traditional ecological knowledge (TEK). According to LaDuke “TEK is the culturally and spiritually based way in which Indigenous people relate to their ecosystems. This knowledge is founded on spiritual-cultural instructions from time immemorial and on generations of careful observation within an ecosystem.”⁵⁷

There are a number of sources for TEK acquisition. It can be passed down from generation to generation through a written or oral history, it can be gained by direct observation by those already knowledgeable and close to the land and it can be revealed to chosen people in spiritual visions.⁵⁸ It is based upon values such as “respect, coexistence, cooperation, honor, thanksgiving, reciprocity, balance and harmony, and recognition of interrelationships among all of Creation.”⁵⁹

⁵⁶ Robert Merton. *The Normative Structure of Science*. in Storer, N.W. (1973) *The Sociology of Science*. (Chicago: University of Chicago Press, 1942) 272.

⁵⁷ Winona LaDuke. (1994). “Traditional Ecological Knowledge and Environmental Futures,” in *Colorado Journal of International Environmental Law and Politics. Endangered Peoples: Indigenous Rights and the Environment* (Boulder: University Press of Colorado, 1994) 127.

⁵⁸ Marlene Castellano. “Updating Aboriginal Traditions of Knowledge,” in *Indigenous Knowledges in Global Contexts*. eds. George Dei, Budd Hall, and Dorothy Goldin Rosenberg (Toronto: University of Toronto Press, 2000).

⁵⁹ Deborah McGregor. “Coming Full Circle: Indigenous Knowledge, Environment, and Our Future” In *American Indian Quarterly*. Vol 28 No 3,4. (Lincoln: University of Nebraska Press, 2004) 385.

It is easy to see from this description how TEK differs from Western, scientific knowledge, and how difficult it can be to reconcile the two. Some authors suggest that this is an impossible task, or at least one that has historically been done very poorly. There is a concern amongst scholars and Aboriginal communities alike that traditional knowledge is not being accessed or used properly, because it does not fit into the dominant paradigm. While forestry managers rely on the recording of precise numbers for inventory and harvest levels, First Nations people tend to collect more general information and communicate it orally. Reconciling the two modes of knowledge gathering and creation is obviously a difficult task. Since these non-quantitative understandings cannot really be translated into scientific language, they often are seen to drop out of the database.⁶⁰ The point has also been made that TEK cannot be taken out of context, that separating the information from the source or space makes it meaningless. Some go further to suggest this may even be unethical.

However, Aboriginal individuals and their communities have a vested interest in sharing their knowledge when it comes to effective, responsible resource management. There is much for forest “managers” to learn from the elders, and those who have lived most closely with the forest. They have what should be considered a privileged knowledge, one specific to their land and tree species that knows no timeline. While resource companies have a vested interest in production and profit, it is the Aboriginal communities who will be most effected by how their resources are managed. They are thus faced with a dilemma: do they make the effort and take the time to share what it is they know, not knowing if it will be used appropriately and for the benefit of the resource, or do they simply withhold this information?

⁶⁰ Paul Nasdasy. “The Politics of TEK: Power and the “Integration” of Knowledge”. *Artic Anthropology*. Vol. 36 No 1-2. (Madison: University of Wisconsin Press, 1999) 1-18.

Aboriginal “people wish to share knowledge, but the context has changed and knowledge now has to be protected to avoid exploitation. Indigenous people are concerned that their knowledge is being labeled and sold.”⁶¹ There is thus a concern here about intellectual property rights. Winona LaDuke asserts: “We who live by this knowledge have the intellectual property rights to it, and we have the right to tell our stories ourselves. There is a lot to learn from our knowledge, but you need us to learn it.”⁶²

If we are to believe that this knowledge is not being sought out properly or ethically by non-Aboriginals and not used appropriately, we have to ask--why? Is it because the will does not exist to incorporate the knowledge as it exist, without codifying or dismantling it to fit into Western scientific systems, or is it because this is in fact impossible? We can go further from this to ask whether or not it should even be attempted. Regardless of the answer, it is these power relations between and within the systems that are of greater interest to this study.

3.7 Challenges for Governance

“Governance” would be much easier to define if it was an activity or process conducted solely by “government”. In reality, as is evident in the partnership literature and in the discussion on the state, market and civil society, governing is the responsibility of myriad institutions and actors. Phillips provides an apt definition: “self-organizing, inter-organizational networks which exhibit interdependence, sustained game-like exchanges where the interactions are rooted in trust.”⁶³ He also suggests that governing involves a purpose, a set of actors, a domain to be governed and a process of governing. It is more than what states and governments do. It involves

⁶¹ Deborah McGregor. “Coming Full Circle: Indigenous Knowledge, Environment, and Our Future” In *American Indian Quarterly*. Vol 28 No 3,4. (Lincoln: University of Nebraska Press, 2004) 387.

⁶² Winona LaDuke. Voices from White Earth: Gaa-waabaabinganiikaag, in *People, Land and Community*. Hannum, H. (Ed). (Great Barrington MA: E. F. Schumacher Society, 1997) 35.

⁶³ Peter Phillips. *Governing Transformative Technological Innovation: Who's in Charge?* (Cheltenham: Edward Elgar Publishing Inc., 2007).

an array of humanly constructed processes that determine how interactions will lead to specific outcomes.⁶⁴

Though it seems self-evident, there has been a tangible shift from “government” to “governance”. This shift,

...involves decentring, flexibility, professionalisation, and forms of authority that rely on reputation and demonstrated competence rather than coercive control. Leadership is achieved through exemplary performance and encouragement of others. At the same time information flows laterally, not only within government and within corporations and associations, but across their boundaries. The lattice is the frame for organising in society as a whole.⁶⁵

It is generally agreed upon that governance has changed and is continuing to do so. What was once hierarchical and coercive is now more like a network or community of actors capable of not only delivering goods and services, but performing actions associated with governance as well. But, as some authors suggest, this change comes with a unique set of challenges. According to one article, “for modern states, the problem has become one of maintaining ultimate control yet sharing the exercise of public authority”.⁶⁶ In essence, government has to ensure that the rowers are not wandering off course and that as steerers, they retain the ability and power to set them straight. The rowers, in turn, have to ensure they have the capability to fulfill their new responsibilities and all that comes with them.

There is much for the central authority, likely the state, to do to support the other sectors towards their common goals. According to Paquet, effective governing systems require:

Rights and authorities enshrined in rules; resources (i.e. the array of assets made available to individuals and institutions such as money, time, information and facilities); competencies and knowledge (i.e. education, training, experience and expertise) and organisational capital

⁶⁴ Ibid.

⁶⁵ Martin Albrow. *Society as Social Diversity: The Challenge for Governance in the Global Age*. In *Governance in the 21st Century*. (Paris: OECD, 2001) 161. Found online at: <http://www.oecd.org/dataoecd/15/0/17394484.pdf>.

⁶⁶ Michael Atkinson, William Coleman. *Policy Networks, Policy Communities and the Problems of Governance*. In *Governance: An International Journal of Policy and Administration*. Vol 5 No 2. (Blackwell Publishing, 1992) 154.

(i.e. the capacity to mobilise attention and to make effective use of the first three types of resources).⁶⁷

This line of thinking indicates that the state should be moving away from the director role to one of facilitator. While this might seem like mere semantics, the difference will play out in practice. For instance, with regards to the community advisory boards, Mistik is paying for people to be involved in the comanagement process. Whether or not this actually enhances their capacity remains to be seen. What is lacking is any support from government to educate, train or support the community members who live closest to the resource to become actively involved in the business side of the management. While Mistik is giving micro-credit loans to small operators, the government is taking a passive role in both stewardship and community development.

Attention also needs to be paid to the end result of partnerships. All the sectors need to work together towards “creating, managing and maintaining governing systems that are accountable, responsible, and transparent (ART)”.⁶⁸ Phillips claims government is stressed and is struggling to achieve these goals, while the private and voluntary sectors have been found to “fail the ART test” outright. There is little mention elsewhere in the literature on policy networks and partnerships and how ART might be secured. While authors such as Paquet and Picciotto spend a great deal of time delineating who is best able to provide a service, there is no mention of what the implications might be if they fail in their endeavour.

If partnerships incorporate measures towards ART, this could be considered another predictor of success. Regardless, while the dissemination of power and responsibilities amongst

⁶⁷ Gilles Paquet. The New Governance, Subsidiarity, and the Strategic State. In *Governance in the 21st Century* (Paris: OECD, 2001) 204. Found online at: <http://www.oecd.org/dataoecd/15/0/17394484.pdf>

⁶⁸ Peter Phillips. *Governing Transformative Technological Innovation: Who's in Charge?* (Cheltenham: Edward Elgar Publishing Inc., 2007) 2.

members of the private and third sector continues, the role of the state has not been minimized. It remains an integral force in society, one that must adapt to its new roles as team member, facilitator and capacity-builder.

3.8 Conclusion

Three major themes emerge from the literature. The first is that partnerships do not exist in a vacuum; rather they are subject to external forces or motivations, such as societal arrangements and institutions. The political economy literature identifies these forces. Partnerships are also affected by their own internal dynamics; behavioural theory indicates what some of these forces might be.

The second theme concerns access and benefit sharing. In terms of access, some actors in society are better suited to deliver certain goods and services, and most will be delivered by partners from the different sectors. The benefits relating to this delivery will be affected, if not determined, by the power relations between the partners.

The final theme relates to the imbalance of power that may or may not be inherent in co-management of natural resources. Creating partnerships between different sectors means having partners with different goals and motivations, often with different levels or types of knowledge. The comparison of western knowledge and TEK has shown the difficulties this creates for sustainable resource management.

This section has taken us from the more general theories and concepts, such as political economy and the roles of state, market and civil actors, to more specific issues relevant to the case study. It is important to note that many of the theories explored here have rarely, if ever, been applied to existing partnerships and certainly not to those between corporate entities and Aboriginal communities.

The discussion about the different types of knowledge and the question on whether western and TEK can be integrated is nothing new to natural resource studies, but it is an issue highly relevant to this case study so it does require further exploration. The following chapter will address the implications all of these issues have for the case study, while chapter four will highlight the different partner's perceptions of these same issues.

Chapter Four:

The Purpose, Partners and Power Sharing of the Partnership

4.1 Introduction

While the preceding chapter provides some insight into features common to partnerships and information on issues relevant to co-management, this chapter will illustrate key features of the Mistik Management case study and the partners within it. Of special interest to this case are the values and resulting motivations of the partners involved and how differing motivations can, and have, contributed to discord. It is also important to explore here why certain sectors/actors are better suited to deliver a good or service, how the sectors interact in the delivery, and the impact power—both the type and degree wielded—has on the interaction. The sharing of knowledge will also be addressed here as it directly affects the sharing of power and has special relevance to this case study.

4.2 Values and Motivations of the Partners

Public-private partnerships bring together actors from different sectors, often with very different values and motivations. Some of the differences are inherent--private actors seek profit, and government agencies are designed to put the public first, but motivations tend to be more complex.

Generally speaking, co-management agreements have arisen due to conflict over rights and or use of a specific resource. Often there is a local user involved who wishes greater access or sharing of benefits vying against a central authority. With regards to forestry co-management, one author writing specifically on the Mistik FMLA documented what she identified as causative factors:

Conventional management practices have failed to sustainably manage forest resources, meet community needs, or meaningfully involve local resource users in management; lack of respect for, and integration of, local (traditional) knowledge and management systems in forest management; declining and overexploited forest resources; wildlife population crises or perceived crisis; political incentives, aboriginal rights, and land claims; economic and industrial development pressures; local interest in protecting species and ensuring wise harvesting practices; pressure from environmental groups; government decentralization and the devolution of management and research responsibilities to the forest industry and the need to appreciate forest values other than timber.⁶⁹

Kernaghan proposes that partnerships enable agencies to achieve goals they could not otherwise achieve, preserving the same level of service with less financial and human resources. Partnerships are thought to increase both the providers and clients' sense of ownership and enhance their feelings of personal empowerment.⁷⁰ This information points to motivations of the actors involved and what the end goals of a partnership should be.

The 'who', 'what', 'when' and 'where' questions prompted by political economy, while they are important, are not particularly compelling. They are details used to tell a story. The questions that are most relevant to this study and arguably most important to the field of political studies are 'why' and 'how'. What caused the government to enter into an agreement with MLTC, Mistik to engage the community members, and members of the Public Advisory Group to come on board, and how does the partnership work?

Susan Strange uses the language of social, political and economic arrangements and values that act as the foundation for the greater system. While government, industry, Aboriginal communities and NGOs all exist within the same system, they have very different characteristics

⁶⁹ Fiona Chambers. *Co-management of Forest Resources in the NorSask Forest Management License Area, Saskatchewan. A Case Study*. Master's Thesis. (Calgary: University of Calgary, 1999) 17.

⁷⁰ Kenneth Kernaghan. "Partnership and Public Administration: Conceptual and Practical Considerations". In *Canadian Public Administration*. Vol 36 No 1 1993. (Toronto: Institute of Public Administration of Canada, 1993) 57-76.

as defined by Strange. These arrangements and values impact the relationships among the partners. Analysis of these factors is used to answer the ‘why’ behind the partnerships.

4.3 Partner #1: The Government of Saskatchewan

With regards to the Government of Saskatchewan, the familiar rubric of downsizing, efficiency and lack of expertise has resulted in Saskatchewan Environment decreasing its level of involvement in forestry operations. While the then NDP government maintained its core Crown corporations, it also entered into a number of economic and business partnerships with private industry. Not all of these arrangements have been successful, such as with the Meadow Lake pulp mill. This government is increasingly recognizing the role of the private sector and has devolved a number of responsibilities onto it. Some of the underlying goals within government, as evidenced in all the literature on public-private partnerships, are fiscal restraint, efficiency and value for money. These are goals shared by private industry. Where the two sectors diverge is the interest in the public good. It may be that the Government of Saskatchewan believed it was in the public’s best interest to engage the MLTC in forestry management and not just for the sake of devolution of their responsibilities.

As the partner with government in this case is an Aboriginal body, additional factors need to be considered. Basic legislation and a number of court cases such as Sparrow and Delgamuukw have re-emphasized the rights of Aboriginal people in regards to natural resources and the potential for their greater involvement in day-to-day management. The “duty to consult” is further evidence of this.

Under the BNA Act, provincial governments have jurisdiction over all publicly held forestland not located in national parks. In Saskatchewan, the provincial government operates under the regulations pursuant to the Forest Resources Management Act. The purpose of the act

is to “promote the sustainable use of forest land for the benefit of current and future generations by balancing the need for economic, social and cultural opportunities with the need to maintain and enhance the health of forest land.”⁷¹

The province has obviously recognized that these are not goals to be achieved alone, rather they require collaboration with companies such as Mistik and communities within their FMLA.

An important distinction to be made in co-management with Aboriginal communities is the recognition in the courts of their right to be consulted on matters regarding resource management. The constitutionalization of these rights traces back to Section 35 of the Charter of Rights and Freedoms in 1982. While the constitutional amendment did not *create* any new rights:

The provision recognizes and affirms the "existing Aboriginal and treaty rights" of the Aboriginal peoples of Canada, and situates those rights outside the Canadian Charter of Rights and Freedoms with its section 1 limitation clause. The absence of terms defining the rights placed the task of interpreting the scope of section 35 squarely in the judicial sphere.⁷²

Aboriginal treaty rights are obviously highly relevant to this comanagement study. First Nations in Canada have inherent rights to their traditional lands; land use planning and natural resource management must respect this. There have been a number of court decisions made in the last 20 years that have clarified and strengthened this position. In *R. vs. Sparrow* (1990), Ronald Sparrow’s specific fishing practices, while considered illegal in the eyes of the province, were considered by the Supreme Court to be evidence of “inherent Aboriginal and treaty rights”.

⁷¹Government of Saskatchewan. *Forest Resources Management Act*. (Regina: Government of Saskatchewan, 1996) c.F-19.1, s.3.

⁷²Mary Hurley. *Aboriginal and Treaty Rights*. (Ottawa: Parliamentary Research Branch, Government of Canada, 2000). PRB 99-16E. Found online 28/12/07: <http://dsp-psd.communication.gc.ca/Collection-R/LoPBdP/EB/prb9916-e.htm>

This was a landmark case in the interpretation of the Charter, as it was the first to uphold Section 35 and actually illustrated the government's fiduciary duty to Aboriginal people. Another important case that is relevant to this study is that of *Delgamuukw* (1997) wherein the Supreme Court recognized Aboriginal title as the right to the land itself, not merely the use of the land for traditional purposes. However, while Aboriginal treaty rights can be seen as a motivating factor for government to involve them in natural resource management, the point must also be made that Aboriginals do not hold the right to log outside their traditional territory for commercial benefit. This will be explained further in the discussion of MLTC communities' motivations for partnership.

The "duty to consult" is another factor that needs to be taken into consideration in this case. The Government of Saskatchewan has explained this duty:

Consultation must take place before any legislation, policy, program or other activity that could adversely affect Treaty or Aboriginal rights is developed or put in place. The consultation process is essential because it may lead to a different approach being taken that would not adversely affect Treaty or Aboriginal rights or would lessen the effect on those rights. As well, failing to consult could result in the courts ordering that the government not proceed or that the action be stopped, struck down or become the subject of damages. The risk of government action adversely affecting existing Treaty or Aboriginal rights and being found unconstitutional in the absence of consultation means that First Nations and Métis people are much more than a 'stakeholder'...⁷³

The responsibility of consulting with Aboriginal stakeholders was agreed upon by MLTC with the signing of the first FMLA with the province. However, the style or practice of co-management may or may not represent a greater achievement than the mere undertaking of a consultation process required by law. There are varying levels of power sharing in both formal

⁷³ The Government of Saskatchewan. (2006) "Guidelines for Consultation with First Nations and Métis People: A Guide for Decision Makers" Found online Dec.15.06 at: http://www.fnmr.gov.sk.ca/html/documents/otherdocs/Guidelines_for_Consultation_web.pdf

and informal arrangements. One of the most interesting (and arguably most important) tasks in any politically based co-management study is the examination of such power relations.

The role of the government in forestry management should not be underestimated. They are still the regulators of the industry and have considerable control over Mistik's management of the forest. The province has always advocated a "use it or lose it" approach, and has actually taken land away from Mistik when they felt it was not being put to the best or most productive use. Mistik will continue to walk a fine line in this case with trying to preserve habitat to maintain their Forest Standards Council certification and to meet the demands of the government towards productivity and profit. Again, the province needs to be assured they will continue to receive value for money in this partnership. The act of taking land away from Mistik and awarding it to another forestry company suggests that profit may very well be the greatest motivator for the government to be involved in this particular partnership.

4.4 Partner #2: Mistik Management Ltd.

Mistik's motivations are somewhat more complex. There are a number of reasons why Mistik chose to enter in co-management with the community boards and why they engaged in an extensive consultation process. The first is mentioned above, that it was the fulfillment of a responsibility:

Section 39 of The Forest Resources and Management Act of Saskatchewan imposes certain obligations on Mistik not only to consult with 'Aboriginal and other people using land with the license area' but to respond to their concerns and to the issues raised by them in relation to Mistik's activities on the license area.⁷⁴

It was also a response, in some cases, to opposition from Aboriginal communities. This is well documented with regards to the Canoe Narrows blockade, wherein protestors demanded

⁷⁴ Mistik Management Ltd. *Public Involvement*. Found online Dec.20.06.
http://www.mistik.ca/public_involvement.htm

(amongst other things), input into the management of their forestlands. Mistik may believe, as mentioned previously, that partnerships enable agencies to achieve goals they could not otherwise achieve. Thus, it may have entered into co-management to counter this resistance and to pave the way towards their desired path of forestry management.

To determine what exactly this company's goals are, one could turn to the content of its publications and website that asserts:

Mistik Management Ltd.--a meeting place for the people of the north, Mother Nature, timber users, and forest workers. Our bond is a belief lived and breathed by all people who live in northwest Saskatchewan that the boreal forest is a special trust to be managed for all values ... and all users.⁷⁵

This company purports to share a common vision with northerners, of a management plan that "provides the most good to the most people over the longest period of time" and that it manages not only for the greatest yield but for the natural, economic and social environment as well. These phrases suggest there is more to the consultation and partnering process than mere obligation. The skeptics among us might suggest this is a tool of marketing. Mistik appears to have the interests of Aboriginal communities and the sustainable management of the forest at heart--this paints a heartwarming picture of community and industry working together towards solutions, the meeting of all the partners expressed needs, all towards the best long-term management of the forest. This picture could be quite compelling for potential investors, consumers of forest products, other communities interested in forest management and even environmentalists. So, some part of this process for Mistik could very well be strategic. A question that follows from that is whether or not that makes the company any less credible or the partnering process any less legitimate?

⁷⁵ Mistik Management Ltd. *Home Page*. Found online Dec.20.06. www.mistik.ca

This issue might be better illustrated with another example of Mistik's operations. In 2006, it expressed an intention to achieve Forest Stewardship Council certification. Would Mistik, or any forestry company for that matter, undertake the FSC process, achieve certification and keep it a secret? The answer is obviously, no. The bottom line, as with any industry, is profit. However, the pursuit of profit, as many companies have shown over the last number of years, can be tempered with concern for the natural and social environment. Indeed, a number of companies have found ways to fulfill the triple bottom line, conducting business in a manner that is economically, socially and environmentally sound. There is no reason to believe that Mistik does not have the potential to achieve this as well. Its goals may be just as claimed: to manage the forest for the greatest good, for the greatest number of people, for the greatest span of time. One test of this company's commitment has come now that it has achieved FSC certification, as this carries with it specific considerations for Indigenous people's rights (Appendix 3).

4.5 Partner #3: The Community Co-Management Boards

The fact that Mistik was created by the Meadow Lake Tribal Council may have influenced its community members to get involved in the consultation process. This was presented as a way for people to have their voices heard and to have some control over their natural environment. One point that is particularly interesting in relation to the literature on political economy is that community members were not presented with a multitude of choices for forestry management. The discourse examines choices that actors make in specific circumstances. Was co-management really a choice for the MLTC communities? While participation by each individual member on the board is a choice, it should be noted that they were only offered one form of management.

As mentioned previously, Aboriginals in Canada do not hold the right to log outside of their traditional territory, which very much limits their ability to engage in forestry practices. There have been a number of court decisions before and after 1982 that make a distinction between traditional activities permitted by treaties and those deemed for commercial profit that are not.⁷⁶ Logging has been classified as an activity for commercial gain, one that was not practiced by Aboriginals before European contact, so no inherent right exists. More succinctly, “where the practice, custom or tradition arose solely as a response to European influences then that practice, custom or tradition will not meet the standard for recognition of an Aboriginal right.”⁷⁷ A partnership such as the one with Mistik could be seen by some as a necessary arrangement to engage in.

One also has to consider the social and economic conditions in these communities. There is a high level of poverty on Saskatchewan’s reservations and those within the MLTC are no exception. People struggle to find work and there are few opportunities close to home. There is also a strong push for increased economic development in the Northwest, centred on the exploitation of natural resources. Aboriginal leaders are seeking the greatest benefit from these resources as there are few other opportunities for wealth creation. Mistik has created over 58,000 person days of work annually for residents of Northern Saskatchewan, many who are Aboriginal.

The company has injected a significant amount of money into the MLTC communities in their funding of the boards, which has undoubtedly influenced people’s involvement and support for it. The fact that the boards are paid relative to the amount of timber logged and have complete control over how the money is spent has lead some to question the impartiality of the

⁷⁶ R. v. Marshall, [2005], R. v. Bernard, [2005], R. v. Peter Paul [1998] supra note 17 at 249, R. v. Gladstone [1996] supra note 133 at para. 57., R. v. Van der Peet, [1996], Lac Courte Oreilles Band of Lake Superior Chippewa Indians et al v. Voigt et al, (W.D. Wis. 1991).

⁷⁷ R. v. Van der Peet, [1996] 2 S.C.R. 507 at para. 73.

process and the implications for sustainable management of the forest. This is a concern Saskatchewan Environment has echoed, though it is presently unknown as to whether it is a problem and needs to be changed.

Many people got involved with the co-management process hoping the boards would evolve from a consulting level to that of real authority for decision-making. While input from the boards has been used to draft the 20-year management plan for the region, currently no boards actually have the authority to make decisions. In the end, Mistik is responsible for the day-to-day management and is free to accept or reject input from the boards. Regardless, board members have reported they feel their input is valued and has made a difference. According to one community member:

The most important thing about co-management for me is running our own (fur) block, to be able to look after it, to plan for the future. That's the best thing that has ever happened to us, to have some control over our lives. If it wasn't for that, then we'd have nothing left up here...it's really something, you know, to manage your own life.⁷⁸

This is a sentiment echoed by many other members of the community boards. Thus, perhaps the greatest motivator for communities to get involved in co-management is the chance to have control over how their resource is being managed.

There is a tendency in the literature on Aboriginal resource management to romanticize the culture. It is much easier, for example, to report that a First Nations community, as opposed to a forestry company, would enter into co-management out of altruism, rather than out of self-interest or personal gain. This is a dangerous line of thinking and one that will not capture the complexity of this situation. It is reasonable to believe that there are those individuals and community members, regardless of their race or culture, who will become involved in a process

⁷⁸ Diana Chambers. *Co-management of Forest Resources in the NorSask Forest Management License Area, Saskatchewan. A Case Study*. Master's Thesis. (Calgary: University of Calgary, 1999) 16.

for their own benefit. This point is especially relevant when one considers to what length and for what period of time Aboriginal people in this country have been bereft of power in political and social systems. Entering into co-management may be one attempt to win it back.

4.6 Partner #4: The Saskatchewan Environmental Society

The Saskatchewan Environmental Society (SES), a member of the Public Advisory Group, can be considered an informal partner in the co-management process. Located in Saskatoon, this environmental NGO has over 300 individual members across the country. They subsist on memberships and donations, accepting no core funding from the government. They have the mandate of “working towards a world in which all needs can be met in sustainable ways”. SES functions to provide education to the public on environmental issues, they act as a watchdog against government and corporate actions and they develop environmental policy options in order to influence decision-makers. They are also a registered charity, a designation that enhances fundraising, but also serves to hamper their ability to get involved on a more political basis.

The group’s Executive Director, Allyson Brady, has become increasingly interested and involved in forestry and was looking to work with a company towards achieving Forest Stewardship Council certification. The Canadian Boreal Institute was the impetus to this interest, as they were looking to fund an environmental group to do this.⁷⁹ Weyerhaeuser was not particularly interested in the process, but Mistik was. It first wanted to achieve Canadian Standards Association certification, for which it required the participation of an environmental group. The decision was made for Brady to work with Mistik towards achievement of both standards as a representative of SES.

⁷⁹ This could be seen as another example of NGOs altering their work or mandate to suit the interests of funders.

As a member of the Public Advisory Group, Mistik pays for all of Brady's travel expenses in order that she is able to attend the Public Advisory meetings as well as some of the Community board meetings. This, in a sense, increases the capacity of the group to be involved in the process. In this sense, Mistik is thereby fulfilling one of the duties of the more powerful partner, and one that is usually reserved for government. Indeed, the concept of a private industry acting to build the capacity of the voluntary sector is another unique element of this case study that has farther-reaching implications for the study of partnerships.

Brady attributes SES's continued involvement with Mistik to other factors. She is supportive of the company on a philosophical basis--because their workforce is predominantly of Aboriginal ancestry, money made by the company stays in northern Saskatchewan, and they have supported individuals in the north through acts such as co-signing loans for local contractors. It appears to Brady that profit is not Mistik's only goal and that it is truly a different kind of forestry company.

The Saskatchewan Environmental Society, and the executive director in particular, have been accused of being "corporate lackeys" for working so closely with Mistik, criticism that has not fallen on deaf ears. The group is mindful of its responsibility to remain objective through their ongoing relations with the company, and as always, is accountable to their members and board. That being said, they will continue to work with Mistik as long as the partnership continues to benefit both parties and Mistik maintains its sustainable management of the forest. The group does not report feeling "incorporated"; rather they see themselves as working with Mistik towards mutually beneficial goals.

There are obvious commonalities amongst the partners in terms of their motivations. On the one hand, each group appears to have laudable goals--of sustainable forestry management

and meaningful engagement of stakeholders. On the other hand, they are also acting out of their own self-interest. The forestry company has profit as a chief motive, as does the government (if perhaps to a lesser degree) and the community boards want control over the management of their resource. The environmental group wishes to see management that is environmentally sound and socially beneficial and this process offers them some influence.

4.7 Challenges for the Partners

There are a number of potential challenges inherent in any type of partnership that involves private actors. These challenges include, but are not limited to: 1) the corruptive potential of partnerships with powerful private-sector organizations; 2) working out a balance between transparency and secrecy; 3) contrasting approaches to risk management between the government and the private industry; 4) the distancing of citizens/users from the government as they are more closely engaged with the corporate body; and 5) blurred lines of accountability.⁸⁰

Specific to this case study, there are additional challenges that stem from each groups' motivations for involvement in the co-management process. To take the perspective of the forestry company, it is faced with balancing the government's "use it or lose it" mandate against the criteria of the FSC certification and the wishes of the ENGO partner. It also needs to keep the community advisory boards engaged in the process, whether it be through increasing their power or decision making authority or by offering them other more tangible benefits. All of the different interests in these forestlands need to be accounted for and addressed if this company hopes to continue its success along the triple bottom line.

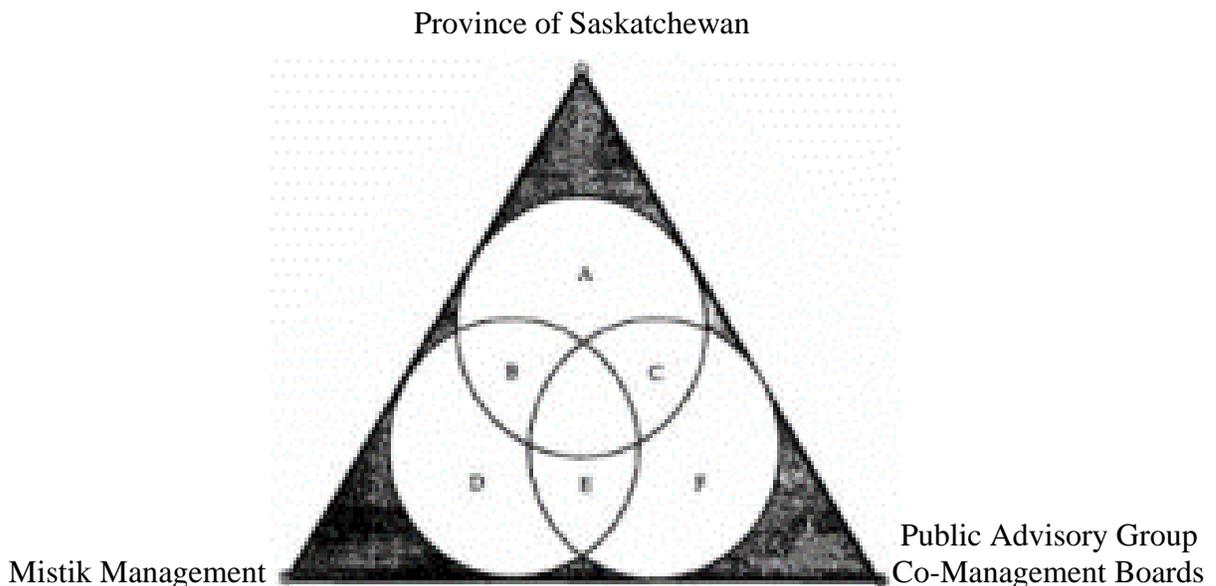
Partnerships are more than new types of management. Rather, they are, as one author has suggested, a hybrid of management and governance. Indeed, as Mistik has taken over the

⁸⁰ John Langford. "Governance Challenges of Public-Private Partnerships" In *Collaborative Government: Is There a Canadian Way?* ed. Susan Delacourt & Donald Lenihan (IPAC. Toronto: Ontario, 1999).

management of the forest in Northwest Saskatchewan, it has also taken the government’s place in consultation and engagement of the citizenry and have thus, taken a role in governance. In addition, if it can find a way to increase the power of the co-management boards, it may end up providing Aboriginal communities within the MLTC an opportunity for a form of self-government. Only time will reveal the true implications of this particular partnership, but as it stands today, there is potential for Mistik Management to change the face of forestry in this province. Its success will undoubtedly depend upon the functionality of its partnerships.

4.8 Where do the Partners Fit in Goods and Service Delivery

Boulding’s triangle helps to explain the relationships between the actors in the case study; it illustrates which actor is the most logical choice to control/deliver goods or services and shows areas where partnerships are likely to form:



There are two points to take away from this. The first is that natural resources are common pool goods that exhibit particular challenges—especially overuse. Theory suggests they

need to be governed and managed for the good of the many. Thus, a natural resource should be managed by either civil society alone, a partnership between civil society and the government, a partnership between civil society and a private actor, or a combination of all three. It is difficult to imagine either the co-management boards or the PAC taking full responsibility for forestry management, so a combination is likely the best approach. (There might, however, be another civil group, like a specific community or group of communities that would have the capacity to manage the forests.)

The second point is that different actors can at times operate like one of the other sectors. This is seen when Mistik lends money to operators, when co-management boards govern resources and distribute benefits, or when the Province of Saskatchewan enters into private business ventures, like the Meadow Lake mill. Each actor has the potential for success in entering into these other areas, but they will each meet with their own respective challenges.

To shift the focus from the product to the process, consider the action of capacity building. This has traditionally been the role of the state, building the capacity of civil society to enter into new areas of service or program delivery. With regards to the Mistik case study, no one is building the capacity of the community members to become more involved in forestry management. The province has essentially abdicated its role to interact with and consult forest users, focusing more on the legislative and enforcement aspect of forestry management. They are truly the hierarchical force in this example, but they do not engage the civil sector to the extent usually seen in a true PPP, or as indicated in Boulding's triangle.

Civil society has been identified in this theory as best suited to care for common pool resources, but in this example, neither the capacity nor the supporting legislation currently exists to make it happen. In truth, Mistik as the private entity has far more control over the

management of the resource, so the success of the partnership will likely have more to do with how and to what extent it shares this control with the communities and how well the two groups work together.

4.9 Power Sharing in the Partnership

Susan Strange suggests it is not enough to ask who has the power in any given situation; we need to dig deeper to discover its source. It can be command or coercive force; it can stem from wealth or ideas. She classifies power as being either structural or relational. Sources of the former are relevant to the Mistik case study; they include control over security, control over production, control over credit and control over knowledge, beliefs and ideas. Mistik Management, together with the province, has control over the production of timber and wealth creation for individuals in the Aboriginal communities. The forestry company has also been giving start up loans to local contractors and forest workers. The argument could also be made that it holds the balance of power in the knowledge sector: the majority of traditional knowledge once held by Aboriginal communities has been made public and Mistik already has access to extensive sampling, maps and the latest scientific data on forest management.

Mistik's power over production is guaranteed through the Forest Management Act (FMA) and its related Forest Management License Agreement (FMLA) for the region, and has been exercised in part through the creation of the 20 year Forest Management Plan (FMP). Mistik exerts its control over production through the 20 year FMP, which the Government of Saskatchewan must sign onto to bring into effect. The creation of the FMP is Mistik's responsibility, but it did open the process up to stakeholders, specifically the Public Advisory Group. What remains to be seen is if it actually ceded any control over the management strategy, or if they really did just consult; the two concepts are in no way synonymous.

Mistik has a contract with an independent auditor, KPMG, who assesses the company's performance and makes the findings public. In areas where it is deemed to be falling short of identified goals, the onus is on both the company and the government to work towards solutions. The role of the government in forestry management should not be underestimated. It is still the regulator of the industry and has considerable control over Mistik's management of the forest. The province has always advocated a "use it or lose it" approach, and has actually taken land away from Mistik when it felt it was not being put to the best, most productive use.

The MLTC communities do maintain some semblance of power in the comanagement relationship, though it is difficult to classify. The owners and operators of Mistik still recall the events of the Canoe Narrows blockade and the resistance the community members were able to mount to their logging efforts. Since that time, there have been a number of incidences and protests involving individuals and families, such as when Mistik has planned to log too close to their cabins or trap lines. It seems community members remain able to impact Mistik's operations, though it appears to be on a case-by-case basis and not on their forest practices in general. So power over production is being shared, but to a limited extent.

Mistik enhances its power by actively engaging in lending to the communities and their entrepreneurs. While Mistik is not the only source of credit available to contractors in the MLTC communities, it suggests it is offering credit to people who would not otherwise be able to gain access. According to Al Balisky from Mistik Management:

For many years, Mistik was the bank and assumed all the risks. The banks wouldn't touch a lot of these contractors. On behalf of the mills, Mistik took all of the risk and made a tremendous outlay of money initially. Then to get contractors up to speed, dedicated staff went that extra mile to ensure they would succeed.⁸¹

⁸¹ Jeannie Armstrong, "Mistik Management Ltd. Takes Homegrown Approach to Forest Management". *Star Phoenix* (Saskatoon, SK: July 28, 2005) E5.

As of 2005, it was reported that Mistik was assuming “50 per cent of the risk on a large number of Beaver River Community Futures Development Corporation- related loans...(and that) Mistik routinely provides financial management and administrative assistance for contractors.”⁸²

In addition, Mistik purports to be enhancing the capacity of the Aboriginal communities to become more involved in forest planning. It is contributing to this goal by paying the Community Advisory Boards \$.50 for every tree logged within their Forest Management Unit (FMU). This money would ideally be used to enhance the board members’ capacity to take part and travel to meetings, but they are free to spend it however they wish. While this may not reflect the initial purpose of the funding, there may be implications here for the enhancement of communities’ social capital. Regardless of how the money is used, the fact that Mistik provides it affords the company another level of power in the communities and co-management process.

It initially appears that the relationship between Mistik and the Community Advisory Boards would fit in the IAPP’s “collaborate” category. At least this would be the conclusion if one reviews the contents of Mistik’s website, the goals of the co-management agreement and the plans for the Public Advisory Committee. However, after informal discussion with community members and other relevant stakeholders, it appears Mistik engages more on a level of “consultation”. The reasons for this categorization are supported by survey results in the following chapter.

Assuming the collaboration scenario was actually the case, there is an important caveat that weakens it and makes it seem feasible—Mistik’s reports assert advice and information will be incorporated “to the maximum extent possible”. This opens up an important discussion for this case and co-management in general. Rarely will profit and the greatest possible (i.e. “most

⁸² *Ibid.*, E5.

efficient”) use of a resource be sacrificed for cultural, environmental or individuals’ concerns. Some communities may not want to see their resources mined, logged or fished at all, but economic forces require it. Mistik Management and the Province of Saskatchewan are compelled to consult on their forestry practices, and will make certain allowances, but the bottom line, as in the vast majority of capitalist ventures, is profit. It has been shown that the province’s goal is to ensure that the Annual Allowable Cut is adhered to and that those who will not cut at that rate may have to forfeit land within their FMLA. Where does this leave Mistik Management? If it wishes to remain in operation and create wealth for itself and its employees, and the communities in which they operate, can Mistik afford to share decision-making power to the extent seen with true “empowerment” (as categorized by the IAPP)? This would obviously depend on the types of decisions being made at the community level and the capacity that exists within the communities and their boards to be full partners in the process. This line of thinking will be explored further in chapter four.

Co-management boards are a power structure within a pre-existing superstructure. There are town or band councils in place in these communities; there are also well established class systems based upon wealth and familial ties. As discussed in Olson’s work, people join groups for different reasons, sometimes for their own personal gain. In small communities in particular, the same people tend to be involved in different projects--people who can afford to spend the time and money required. Anyone from a small town or reserve community will recognize this. Co-management boards are thus more likely to be made up of the resource users, such as fishermen and trappers as well as contractors, members of town council and people who hold positions of power in the community, be it formal or informal. Some of these people stand to benefit from their association with Mistik, especially the contractors. Others benefit personally

from being on the boards as they participate in decisions that affect their livelihoods. All of these people are responsible for how their community benefits as they decide how the stumpage fees are spent. This is not to say there is any level of corruption or conflict of interest associated with co-management boards, rather that there are internal dynamics that affect access and benefit sharing and they should be considered.

4.10 Sharing of Knowledge in Co-management

One more good produced by the partnership is knowledge. There have been instances wherein Aboriginal people were brought into co-management arrangements in order to gain access to their traditional ecological knowledge. As mentioned earlier, this presents a dilemma for some: while they wish to work together towards sustainable forestry planning, they worry their information when taken out of context will not be appropriate and that where it is, they will not benefit from sharing it. Conversely, the point has been made that the sharing of their knowledge can have greater implications:

Aboriginal people have a strong desire to see their knowledge and traditions inform the decision-making that impacts their lives and lands. The study of tek is therefore not just an esoteric or academic exercise; it can be and has been utilized as a powerful tool in the establishment of Aboriginal influence in environmental and resource management regimes.⁸³

So, while the sharing of knowledge may be for the greater good, the question remains whether or not there should be any tangible remuneration. Intellectual property rights enter into the equation, especially in the cases of communities that live in poverty. Once their traditional knowledge is made public, they lose any future opportunity of benefiting from it on their terms.

⁸³ Deborah McGregor. "Coming Full Circle: Indigenous Knowledge, Environment, and Our Future" In *American Indian Quarterly*. Vol 28 No 3,4. (Lincoln: University of Nebraska Press, 2004) 396.

Their knowledge is treated in the majority of legal systems as part of the public domain, so it can be used by virtually anyone as soon as it is in print form. The idealist would see this as beneficial as it may enhance the sustainability of other resource management schemes, while the realist recognizes corporations are the most likely group to get involved and exploit the information for profit with no resulting benefit to the communities from whence it came.⁸⁴ Efforts have thus been made to establish protocols for sharing Indigenous knowledge, though it does not appear they are widely used in Canada.⁸⁵

An obvious disharmony between the two types of knowledge inherent in co-management is a theme prevalent in the literature. The implications of this disharmony are far-reaching and represent a significant challenge to the success of any management arrangement. The differences between western scientific and Indigenous knowledge are fairly obvious, but bear repeating. Western knowledge tends to be compartmentalized; it has a unique language and is communicated in written form. Indigenous knowledge is holistic and based upon experience and observation. It too has its specific language and is communicated chiefly through oral communication, such as story telling. Some people resist even referring to Indigenous knowledge as “knowledge”; it is not so much a way of knowing as it is a way of being.⁸⁶ Attempts to reconcile the two forms have met with varied success, but the challenges are fairly consistent:

TK cannot be easily separated from the broader socio-context that gives it meaning and value, without trivializing or misrepresenting this knowledge. Nor can it be divorced from the people who own and want to effectively control and apply this knowledge to advance their interests. Yet, this is precisely what happens when environmental managers and conservation bureaucrats come looking for TK.⁸⁷

⁸⁴ Darrell Posey, Graham Dutfield. (1996). *Beyond Intellectual Property: Toward Traditional Resource Rights for Indigenous Peoples and Local Communities*. (Ottawa: International Development Research Centre, 1996). Found online May 6, 2007. http://www.idrc.ca/en/ev-9327-201-1-DO_TOPIC.html

⁸⁵ Personal conversation with Dr. Kelly Bannister, researcher at University of Victoria. December 29, 2006.

⁸⁶ Paul Nasdasy. “The Politics of TEK: Power and the Integration of Knowledge. In *Arctic Anthropology*. Vol 36 No 1-2. (Madison: University of Wisconsin Press, 1999).

⁸⁷ Marc Stevenson. *Traditional Knowledge in Environmental Management? From Commodity to Process*. Working Paper 14. (Edmonton: Sustainable Forest Management Network, 1998). Used with permission.

It seems very much like trying to fit a square peg into a round hole; if it is at all possible; the square will have to be altered in order for it to fit. Many writers, Aboriginal and non-Aboriginal alike suggest it truly isn't possible and that the attempt essentially limits the ability of Aboriginal populations to participate in resource management in any meaningful way. It seems that some scientists and resource managers assume that what cannot be quantified is either not real, or not relevant:

There are categories in the field of scientific resource management which appear to have no analogues in TEK. This creates the illusion that First Nations people have nothing to say regarding these topics. Examples of this type are categories such as "mining" and "forestry". Though Aboriginal people certainly used both minerals and trees in precontact times, their practices had little resemblance to contemporary mining or forestry. The knowledge that they did possess concerning the location of these resources and how to obtain them are seen as rudimentary or outdated, unable to provide even supplementary data for foresters...⁸⁸

This is not to say that integrating western and Indigenous knowledge is an impossibility, but it certainly seems so taken from a purely scientific perspective. The purpose of this thesis however is not to suggest how to reconcile the two concepts,⁸⁹ but to illustrate how they conflict and to identify the power relations at the root of the struggle.

From the inception of a co-management arrangement, the dominant culture is in control. The language of the agreements tends to be in English, using concepts such as resource "management" and terms like "harvest" and "yield". Some writers on the topic suggest Aboriginal people are essentially forced to accept the "scientific" way of managing resources and that little effort is made to include or even acknowledge the specific experience based knowledge possessed by the First Nations, or their traditional notions of living with the trees, fish and wildlife.

⁸⁸ Nasdasy, 7.

⁸⁹ Firket Berkes gives some suggestions on how this might be accomplished in *Sacred Ecology: Traditional Ecological Knowledge*. (Philadelphia: Taylor & Francis, 1999) 28.

This harkens back to what Foucault suggests concerning the creation of truth. The dominant culture decides what knowledge and language is the most appropriate in the management system and often cannot, or will not, open the discourse to other ways of thinking or knowing. Furthermore, through what is essentially the extraction of knowledge from Aboriginal communities, the locus of control is continually reinforced.

While some western scientists suggest traditional knowledge is a ploy for Aboriginal communities to wrest back some control over natural resources, other non-Aboriginal academics see the move to access this knowledge as yet another example of exploitation. According to one writer, now that Aboriginal lands have been taken over, resources harvested and populations sufficiently marginalized, the next logical step is to access and gain control over their traditional knowledge.⁹⁰ They argue this would likely work better when it is made to look like ‘consultation’. Others make the argument that it is best to access traditional knowledge and make it public before it is gone. Some see the traditional lives of the elders fading due to the increasing modernization of Aboriginal communities and worry that their lessons and knowledge will fade away with them.

Co-management of natural resources is obviously political, both in its operating structure and process. The prior chapter described how the concept of power relates to the process from the sources of power as identified by Susan Strange, to the interplay between knowledge and power covered by Michel Foucault to the eventual implications of the power exchanges specific to comanagement of natural resources. One focus was applying the knowledge/power dynamic to comanagement in general, with some specific considerations made for the case study of Mistik Management.

⁹⁰ Marc Stevenson. *Traditional Knowledge in Environmental Management? From Commodity to Process*. Working Paper #14. (Edmonton: Sustainable Forest Management Network, 1998).

With regards to the Mistik case study, it is unclear whether it is even interested in traditional knowledge. There is no evidence in the reports provided by Mistik that any exchange of TEK is being undertaken. It cannot be assumed that every co-management arrangement with Aboriginal communities is concerned with accessing their TEK, nor can it be assumed that exploitation is the goal or result. Everyone who experiences or writes about co-management has their own perspective, based upon their values and worldview. What is essential is that all involved recognize what they bring to the table and that these arrangements, like all systems and organizations, have very specific power dynamics.

Further research could be done in this area to find examples of co-management schemes that have managed to integrate both kinds of knowledge without altering either form to make it fit. It would be interesting to know how this knowledge could be collected, stored and communicated while respecting the beliefs and rights of all those involved. It is not enough to label this task as impossible, as any success would contribute greatly to sustainable resource management.

4.11 Conclusion

The information contained in this chapter is important for a number of reasons. First, the research shows that the partners all have different values, motivations and goals for entering into this public-private partnership. While that can be said of many partnerships, it is safe to say this one in particular has significant value dissonance and faces a number of challenges as a result. With regards to this co-management case in particular, there are also concerns with having a private entity enter into areas normally the responsibility of civil society and/or the state. This has obvious implications for access and benefit sharing, specifically in the sharing of power and knowledge. The following chapter offers the partners' perceptions of how power and knowledge

is and is not being shared in order to provide more insight into what appears to be “role-shifting” in Boulding’s triangle.

Chapter Five:

Partners' Perceptions of the Fundamental Nature, Value and Legitimacy of the Partnership

5.1 Introduction

The purpose of this chapter is to provide an overview and analysis of the perceptions of stakeholders in the Mistik case, their views concerning the nature of the co-management arrangement, the value of this partnership to the MLTC communities, and its perceived legitimacy.

I have been following the Mistik case for over two years and have spoken to a number of people in the MLTC communities, the Public Advisory Group, Mistik staff, academics and people with a general interest in the sustainable management of Saskatchewan's forests. Throughout this time I have been gathering information and opinions of stakeholders through informal discussions and with a formal survey (Appendix 1). Taken together, the survey results and the information shared by a diverse collection of people paints a complex picture of a unique partnership.

5.2 Perceptions Regarding Community/Advisory Group Involvement in Mistik's Forestry Management

The theory and review of secondary data sources suggest a mixed picture of the role of community and advisory groups in Mistik's operations. Two main issues were explored in the survey and interviews. First, the stakeholder's knowledge of the management plan and their role in it, and second their general feelings about their level of involvement. One goal was to have respondents identify specific examples of how their input was actually used.

The stakeholders' perceptions appear to differ according to the community, the individual's position within it, as well as their cultural background, but within their responses, two major issues persisted. The first is that most people were not aware of the contents of the management plan and were really only able to comment on specific instances where Mistik did or did not respect their interests. Community board members from Buffalo Narrows gave some very specific examples of how Mistik respected different trap lines and widened buffer zones, with as many conflicting examples of where and when they did not. There was no mention of the content of the management plan and it was pointed out by one individual that the document was too lengthy and difficult to understand, so it would likely not be read by any community members on the board.

More than one stakeholder indicated that it is difficult for them to contribute to management plans, as they are very technical, but still somehow intuitively based. The majority of board and committee members do not have a scientific background, so they fear the information that they provide is seen as either inadequate or too difficult to incorporate. Along the same vein, the 20 year FMP has been written by experts, and many stakeholders feel they do not have the required knowledge to analyze it.

The second issue concerns the manner and degree of consultation undertaken by Mistik; the majority of respondents indicated they were not consulted to their satisfaction. Ile-a-la-Crosse co-management board members reported that while Traditional Resource Users in the communities had been duly consulted, the co-management boards were not. One member reported that the FMP was in reality *presented* to the board and that their input was never actually sought.

According to Mistik, much of the input from communities is related to requests for the deferral of specific harvest areas, usually to accommodate interests such as trapping. There is also the belief amongst Mistik's leadership that they are well aware of the communities' general wishes and preferences for forestry management and that their input is continually being sought and utilized in every 5 year operating plan.

As would be expected, people's views on co-management and Mistik's operations differ according to their type and level of involvement in the process, where they fit in to the bigger socio-economic context, and their worldview. Some people in the MLTC communities are satisfied with Mistik and are not interested in getting further involved in their consultations. Others report they have not been adequately consulted and wish to be engaged to a greater degree, while some communities like Buffalo River want nothing to do with Mistik and do not want their traditional forestland logged by "outsiders" (even though they are partially owned by MLTC).⁹¹

These discussion points reveal some of the true key features of this partnership. First, neither Mistik Management, nor the MLTC communities, is involved in true co-management of natural resources⁹². This company's relationship with the MLTC communities is at best, consultation. They do work with the co-management boards, but they do not co-manage resources with them. The board is actually just another vehicle through which people voice their specific concerns about certain areas of interest. While Mistik has actively engaged the boards on these issues, there has never been the intention to work with them on actual forestry planning.

⁹¹ To see some of the concerns of different communities, go to "Public Issues and Concerns Summary" on Mistik's website: http://www.mistik.ca/public_involvement.html

⁹² The meaning of co-management is subject to debate. The International Development Research Centre views co-management as including those arrangements where community members have little to no power, where they are consulted or informed of management plans. This thesis focuses on power dynamics and power sharing, thus does not consider such arrangements to be true co-management.

The second point is that they are engaged in a consultation process. This process requires further examination. The difficulty in assessing whether or not consultation has been a success or failure in this case is that there are differing points of view and that many people answer questions about it based upon their own agendas, sometimes transparent and sometimes hidden. The people that commend Mistik on their involvement in the communities tend to be those people who have directly benefited from it, as well as those employed directly by the company.

The responses in this area fit within what the literature tells us about co-management and partnerships in general. If we recall the predictors of success listed in chapter three, none of these responses should come as a surprise. This list also further illustrates the causes of failure. People who live close to a resource and depend upon it are going to want real input into how it is managed, regardless of whether or not they are seen as having the capacity or expertise to do so. It does not appear that local resource users are being put at the centre; if they were, their input would weigh more heavily. The potential for change here is slim; this is not one of Mistik Management's goals and it is not likely something a private company would work toward.

The MLTC communities do not have the rights to manage the forestland in northern Saskatchewan. They have the right to be consulted on the management plan and to use the resources in traditional ways, but they do not have legal rights to these common pool resources. This is not written in stone however, as land claims in Canada have begun to favour Aboriginal bands, as seen in the Nisga'a settlement.

The point about building networks must also be addressed. While the MLTC communities have partnered with Mistik and Mistik has partnered with the provincial government, there appears to be little coherence among the communities themselves. Most of the communities, unless they are closely situated geographically, seemed to have little

knowledge about what was going on elsewhere. The fact that they are not a united group further weakens their ability to pressure the other partners and generate changes. They also appear to be alienated from the Meadow Lake Tribal Council itself; many people reported that the deal with Mistik was made without any community input and was essentially forced upon them.

If one subscribes to the notion that innovations must be interdisciplinary and that security of livelihood can only be achieved if inequitable institutions and social arrangements are altered, the MLTC communities face an uphill battle. While they are situated in a pristine part of Saskatchewan, have access to lakes and forests and are able to hunt and fish, institutions such as schools and healthcare facilities are lacking. There are few opportunities for wealth creation and many people have come to rely on social assistance. While this discussion takes us beyond forestry management, the point bears repeating that partnerships with Aboriginal communities are vastly different from all other PPPs. Besides taking into account language and cultural differences, any partnership also has to contend with the fact that one of the partners is economically and socially disadvantaged and has a long history of disenfranchisement.

Alleviation of these long-term problems may require change at every level of policy making. So, while economic gains can be made in partnerships with private enterprises, there is still a dire need for government--from local councils, the MLTC, the province and the federal government--to work harder at leveling the playing field for community members. There should be a collective goal of enhancing the capacity of the communities to become involved in real co-management. As of today, it does not appear that the will, or interest, to do this exists at any level.

The discussion with stakeholders on this topic points to a number of issues for the co-management process. The first is that it is difficult for communities in general to assess whether

or not they are contributing to forestry management. While one person will obviously know if they have been consulted and to what degree, they may not know how much input their community has had overall. This is because the 20 year FMP is very lengthy and somewhat difficult to understand.

A second issue is that community input appears to be chiefly on a case by case basis, which is not akin to forest planning. For example, certain individuals' interests may be protected by increasing buffer zones, but there is no guarantee that these best practices will be repeated elsewhere.

This discussion reveals some significant findings as to the level of success or failure of this partnership. Stakeholders' perceptions indicate there is a potential failure on community members' part to be informed about the management plan. Moreover, Mistik is failing either by not incorporating stakeholders' input to a significant degree, or by not making this input obvious or understandable to the general public. The people who give Mistik failing grades in their consultation process report they have never been adequately consulted, or not so to the degree that they believe others have been. Certain Métis individuals allege the company is only interested in hearing from Treaty Indians, while some people in Ile-a-la-Crosse think much more time is spent consulting in other communities like Buffalo Narrows, and the majority of people report that the process everywhere has just been skimming the surface of the real feelings, attitudes and concerns of northern residents. Conversely, many other people give the company an "A for effort" as they have made, and continue to make, frequent visits into the communities and have spoken at length with key stakeholders and northern residents in general.

It seems success or failure depends upon who you are talking to. From Mistik's perspective, consultation has not occurred at a level the company's leaders would like, but it has

enabled them to move forward with their 20 year management plan, and has afforded them their FSC certification. From their standpoint, it should be considered a success.

From the communities on the whole, it would have to be considered a failure. While some people have forged healthy relations with Mistik and have protected their interests, the communities on the whole report that they have not had real input into forest management. The reasons for this failure are not one hundred percent clear. Mistik reports it is due to community members' disinterest in forestry and the consultation process. A number of northern residents indicate that while they are interested in forestry, they find it difficult to understand much of the information that Mistik has presented them with, that they do not have the time or the capacity to attend their meetings and that they are really only being given the opportunity to rubber stamp plans that are already in the works. Others report not seeing the benefit in getting involved at any level as all the benefits of the logging, including forestry jobs, flow straight to Meadow Lake and do not impact their communities. Again, peoples' perceptions have a direct correlation with their own interests. The salient point here is that if the partnership is seen as a failure by any one of the partners, it would have to be considered a failure in its entirety. It is not enough for a co-management arrangement to achieve the goals and aspirations of only some of the people involved; if the Aboriginal communities in this case feel that they are not being involved to the degree they would like or that their input is being ignored, the very foundation of the arrangement is flawed.

5.3 Perceptions regarding Traditional Ecological Knowledge (TEK) and the sharing of knowledge in the Partnership

Questioning in this area was designed to determine if Mistik was accessing traditional knowledge from the communities and if so, how this was being accomplished. Unfortunately, the

questions asked of community members and Mistik staff about TEK turned out to not be very engaging for respondents. Most people from the communities did not relate to “traditional knowledge” and instead reiterated examples of specific allowances made for trap lines and certain animal species. In addition, some people suggested it is difficult to know how much knowledge has been gathered from the communities as Mistik has spent a significant amount of time in the area, talking to many people on an informal or one-on-one basis.

Mistik replied in a similar fashion, citing specific allowances being made for trapping interests, but was unable to clearly define what traditional knowledge really is. Al Balisky, Mistik’s GM, did state: “The only ‘bona fide’ traditional knowledge we have used is related to avoidance of historic portage travel routes, burial sites and sites of significant personal and/or community importance that Aboriginal communities have requested remain undisturbed.”⁹³

These results support information found in the literature review, that “traditional knowledge” is difficult to define, and that it either does not exist to the degree that it once did or that much of it may have already been collected from Aboriginal communities. It also supports the thinking that traditional knowledge is more than information or specific facts; it is a way of being, of interacting with and being part of nature. This concept is something forestry planners would likely not recognize, so that when a trapper asks that a certain piece of land not be harvested, or berry-pickers request decreased logging activity in a specific area, they make allowances without consideration of the bigger picture.

Another contributing factor to Mistik not identifying community input as “traditional knowledge” could be the FSC certification principle related to indigenous rights. Principle 3 calls for Indigenous peoples to be compensated for the application of their traditional knowledge in forestry operations. This needs to be agreed upon in a formal arrangement prior to any logging

⁹³ Personal communication with Al Balisky, September 12, 2007.

taking place. Thus, the onus here is on the communities to identify the knowledge they hold and share with Mistik as “traditional knowledge” and negotiate the terms of compensation. Until that is achieved, Mistik is unlikely to pursue any recognition of traditional knowledge beyond what they currently consider “bona fide”.

This discussion identifies more potential reasons for failure of this co-management model. Knowledge held by individuals in the community is not being identified or accessed in a transparent manner and it is certainly not being incorporated into forestry management in any meaningful way. In addition, aspects of traditional knowledge that the community members have shared has neither been appropriately acknowledged nor compensated.

5.4 Perceptions Regarding Financial Benefits and the Sharing of Power

In order to delve further into the power relations between Mistik and the MLTC communities, respondents were asked to discuss how financial benefits are being shared. Overall, there were mixed views.

Questions in this area elicited a number of negative responses, such as Mistik is using stumpage fees to buy off the communities and that the money never actually reaches the co-management boards. A few people responded that this money has been used to benefit the communities in other ways, such as the hiring of summer students to work on community development projects and the sponsorship of a local hockey team. Mistik places no conditions on these funds--the towns and boards can use them as they see fit.

A member of the Public Advisory Group stated that this was a progressive action that no other forestry company in Saskatchewan has ever undertaken. While there has been some concern that basing payments on stumpage fees encourages greater harvesting levels, the point was also made that the communities most affected by the logging would receive the greater

amount in stumpage fees. Mistik reported that some of this money has been used to pay for participants' travel to co-management meetings, but that most of it has gone to general projects in the communities.

There was no mention of any funds being used for training or capacity-building of community or board members. One community has even used the funds to hire a lawyer to challenge the co-management agreement. This policy of "no-strings attached" funding could be viewed as a contributory factor to the failure of the partnership, if the goal was actually to get community members more involved. If the goal of the money is to compensate the communities for the loss of surrounding timber, which appears to be the case, then the policy is likely sound. It also may have the effect of increasing the social capital of the community. In addition, as the town councils or co-management boards have the option to spend it as they see fit, it could be a different way of empowering communities to better care for themselves.

This sharing of financial resources does occur on Mistik's terms, so it obviously impacts the overall sharing of power in the partnership. Regardless of how Mistik is viewed by the communities, the boards or the advisory committee, it holds the majority of the power. As Susan Strange has illustrated, it holds control over production, credit and knowledge. The communities do have input into the management over their forests, but they do not have control over them.

So, what kinds of power do the communities possess? They do have the ability to alter Mistik's forestry practices on a case-by-case basis; that has been proven. However, the *greatest* source of the communities' power is their ability to resist. This was seen in the blockade at Canoe Narrows, wherein MLTC realized it would have to work closer with the communities on forestry management and Mistik would have to get involved. It is now being seen in Buffalo

River, where Mistik is not currently harvesting timber, and in certain cases where talks with individuals broke down and small blockades occurred.

This form of resistance has always occurred around natural resource management and is on the rise as certain resources become increasingly scarce (as mentioned earlier, this is one of the chief motivators for co-management, but as seen in Buffalo River, it is not always an adequate solution). The politics of resistance is an interesting topic, though not one that has been specifically addressed in this thesis. It is relevant to this study as there is dissention amongst some communities and boards and outright refusals to participate from others. Within any form of resistance, there are at least two dynamics. There is the active rebellion and the more passive disengagement. Both are occurring in the MLTC communities. There is also a more creative force underfoot. For example, in Ile-a-la-Crosse there are board members who intend to create community-based consultation processes and if so desired by the community members, ecosystem-based management plans. The community would have to truly mobilize around this effort; it would take a significant amount of time and energy, and it would require leadership. If this initiative is successful, it would have far-reaching implications for natural resource management in Saskatchewan and beyond.

5.5 Perceptions Regarding the Ideal of Co-management versus the Reality: Who is Responsible for Reconciling the Two?

Stakeholders were asked a series of questions to reflect the level of knowledge surrounding the concept of co-management, to find out if people are satisfied with their specific arrangement and, perhaps most importantly, to determine who it is they see as responsible for “fixing” the identified problems within the partnership in question.

This inquiry elicited a wide variety of responses. Some community members identified co-management as meaning the function of their comanagement board and nothing more, with no suggestions as to what the ideal form might be. One board member identified the ideal form as one wherein Mistik is open and honest with the communities and subject to their influence; another reported the ideal as a highly transparent and well functioning board, fully representative of the respective community.

A representative of Mistik reported the ideal as, yet again, a functional board with good governance structure and practices. Problems with the current system were noted and attributed to the fact that some boards (in Mistik's opinion) are ineffectual, while others are completely dysfunctional. This same respondent also indicated that any necessary changes or improvements to the comanagement process are the responsibility of the local communities.

One member of the Public Advisory Group got to the root of the question, stating that these community boards are not true co-management models, rather they are merely for consultation. This individual further suggested that many of the MLTC communities do not actually have the capacity for true co-management, as this would take a significant amount of time, expertise and commitment. Ideally, this could all be achieved if community members had enough interest and the stumpage fees could be used to support their time. While this type of involvement would have to come from some individual or community based initiative, it should also be supported by different levels of government, such as the Province of Saskatchewan and the MLTC tribal council. It is not the task of a forest management company to build the capacity of community members.

The implications of this response are far-reaching. The MLTC communities are in a partnership with both a private and state body, neither of which have the interest of ceding power

for forestry management. To recall Boulding's triangle, wherein Mistik at times behaves more like a civil actor, it in truth remains a private profit-driven entity. As such, there is no clear economic benefit for the company to enhance the capacity of communities to become more involved in actual management of forest resources. Moreover, this is not something the Government of Saskatchewan or MLTC has mandated or even encouraged it to do. So, while the communities can improve the functioning of their co-management boards and increase their participation in Mistik's consultation process, there is limited opportunity for them to manage forestland. This is likely why some communities have ceased to correspond with Mistik--they seek a level of control over forestry that will likely never be achieved in this partnership.

Like any political arrangement, people within it tend to operate out of self-interest. The Saskatchewan Environmental Society, for example, continues to work with Mistik as long as it works towards and adheres to environmental best practices and incorporate the group's input into their management plan. Communities like Buffalo River are looking to enhance their traditional land base and do not want Mistik to remove timber they feel they have no right to. Other communities state they could manage the forests better, providing more jobs for the people in the north, but are working with Mistik for now as it is the only option and it is bringing some wealth into the communities.

This line of thinking fits well with what we know about partnerships. As Susan Strange points out, partners that come from different sectors will have different values and priorities. In addition, the motivations of each group will affect how the partnership functions and what degree of success can be achieved. For the most part, the people contacted in this research recognize that Mistik is a private entity whose motivation is profit. Mistik is not viewed as a civil body, or a group that should be working to enhance the capacity or social capital of the

communities. The people who reported dissatisfaction with the consultation process or distaste of the co-management boards indicated some improvements could and should be made by Mistik, but that any real change or benefits for the community would have to come from the provincial government or from the communities themselves.

The “government” was mentioned by a number of people as the actor who should be making necessary changes and protecting the interests of the communities. This may be due to the history of Aboriginal people in the north--having been placed on reservations, their traditional lands taken away and made to be dependent on social assistance. They undoubtedly would see the government as the provider and the sector that should be righting wrongs, paying back what has been taken and working in the communities’ best interest. However, it is just as likely that this is due to the fact that many actors in civil society are not experienced in negotiating with corporate bodies and do not see them as “providers” that might work in other’s best interests.

5.6 Conclusion

Until this enhancement of the communities’ capacity can be achieved, perhaps Mistik is the best possible actor to manage forestlands in and around the MLTC communities. It has better environmental practices than its counterparts; it does seem genuinely interested in maintaining the forests and meeting the immediate needs of the community members, it is accessible and accountable for its actions. While there is no real interest in co-management per se, the staff actually seems to be interested in improving the consultation process. The challenge for Mistik is that many people don’t really want to be merely consulted; they want an active role in how the forest is managed. The challenge for the communities is that there does not appear to be room for this level of involvement in this particular partnership.

Chapter Six:

Summary of Major Findings, Lessons Regarding Resource Co-management and Further Research

6.1 Introduction

One of the problems I set out to investigate in this thesis is how well Mistik has engaged the MLTC communities in co-management of the forestry lands in their FMLA. To illustrate the challenges associated with this, public-private partnerships, political economy and behavioural theories were used to dissect the case study and examine its internal and external dynamics. In addition, informal discussions and the results of a brief survey were used to identify the perceptions of the community and board members, Mistik staff, members of the Public Advisory Committee and outsiders interested in the company's management practices.

The primary goal of this chapter is to summarize the findings of this study and to indicate what the greater implications are for public-private partnerships, policy makers and institutional design. In addition, attention will be paid to the limits of the study and potential areas for further research on this topic.

6.2 Summary of Findings

As the political economy and PPP literature illustrate, co-management requires a partnership among different sectors in society. Traditionally, this has been between state institutions and civil society, wherein the civil actors live close to the resource and depend upon it and the state works to enhance their capacity to take more responsibility for the resource. Together, they can work to manage a common pool good collectively and sustainably. In this case, we have a private entity, Mistik Management, trying to act at times like a hierarchical authority, as well as a social networker or civil body, but neither role is a particularly good fit.

Procuring timber and making a profit has to be its driving force. It may never be able to work hand in hand with communities in “true co-management”, if for no other reason than the absence of external incentives or benefits. It is not its job to care for people in the north or to build their capacity to get more involved; that has traditionally been the role of government (and is not something *typically* asked of a corporation). That being said, Mistik does appear to be interested in a level of corporate social and environmental responsibility and is encouraging community members to become more involved in the consultation process.

This partnership exists in a tumultuous time in the forestry industry (with the fluctuating value of timber and the rising Canadian dollar) and a time in Saskatchewan when there is increasing interest and pressure for economic growth and development, especially in the north. To further compound the problem, the majority of people Mistik is trying to involve in forestry planning live in poverty and some have little interest or ability to spend time on anything other than making ends meet.

All of the partners, as we would expect, are acting out of self-interest. The problem with this is that their interests, because of the imbalance of power in this partnership, are not equally reflected in the partnership. Mistik has final say on whether or not input from stakeholders is used, and to what degree. They are legally bound to consult Aboriginal forest users, but there is no strict definition of what meaningful consultation actually is. They need involvement from an environmental group for certain certifications, but they do not have to implement suggestions made by SES if they do not fit with their vision for the forest. Essentially, Mistik has control over production and knowledge and, in some cases, credit as well.

Much of the literature on public-private partnerships does not address power imbalances, assuming partners will be on equal footing. Political economy theory offers one way to consider

power imbalances. Perhaps because it tends to be the state working in partnerships with civil society, rather than a private body, that an imbalance is assumed and not discussed. There tends to be language in this discourse of both partners bringing different skills and attributes together into the partnership to accomplish goals neither could alone--but not of one partner holding the majority of power and dominating the other. A state body behaving that way would likely not be tolerated in a democratic society. A private corporation, however, is much more difficult to control. MLTC communities cannot vote Mistik out of power. It seems their most powerful action is that of resistance, something that takes far more energy and commitment.

The point should be repeated here that just because Mistik has not done a good job in their consultation process does not mean they are a malicious group of people, or that their management plan is inherently flawed. It has formed good working relationships with a number of people in different communities, it has arguably the best environmental practices of any forestry company in Saskatchewan and it is bringing wealth and jobs into the north. It has also been diligent in attempts to engage people, holding meeting after meeting in the northern communities that are often not well attended.

The bottom line is that a for-profit corporation will likely only go so far. It is unwise to assume they can or should be depended upon to build community, to keep everyone else's best interests at heart or to sacrifice unduly for the betterment of society. There is significant discord between the values and interests of private, public and civic actors. Hence, it is fair to say that any co-management system that has a private body as a partner will have a unique set of challenges that may or may not be reconciled.

6.3 Lessons Regarding Resource Co-Management Partnerships

While a number of general implications for public-private partnerships have already been discussed, there are more specific concepts that need to be addressed with regards to PPPs involving Aboriginal populations, as well as what this all means for policy makers and institutional design.

For PPPs with Aboriginal populations, there are obvious cultural differences that need to be taken into account. There is also the issue of benefit sharing for the use of traditional knowledge and power sharing with a population that has been denied it since colonization. Of most interest to this case study is the capacity of these communities to take responsibility for sustainable resource management. At this point, they don't have the opportunity to do this, but as in other parts of the country, interest in community-owned forestry is growing. Any progress towards this goal will require the communities to come together. It will require leadership and full support of stakeholders. A private company such as Mistik has little to gain by supporting such an initiative. International political economy literature supports this notion, that a private corporation exists in the market, is subject primarily to supply and demand, with profit as its ultimate goal.

A venture such as this would have to be initiated by the community and supported by all levels of government-- town councils, co-management boards, the MLTC and the Province of Saskatchewan. The government in this case would have to take on a role of facilitator. While the logistics of this are unclear as Mistik has a 20 year FMP and there are binding agreements in place, any move towards community based management would require a significant shift in thinking and policy.

Implications for policymakers can be found in the literature on ART. Phillips reminds us that all sectors need to work towards governing systems that are accountable, responsible and transparent.⁹⁴ In this case, this would require the province to become more involved in the partnership and to take responsibility for its success or lack thereof. It appears the move to shift the task of consultation onto Mistik has not worked. It meets the bare minimum of the duty to consult and there are virtually no actions of capacity building taking place. TEK has become a marginalized idea in this consultation process. It appears that Mistik is either not able to recognize it, or that it has actually been lost. The former appears more likely.

The Meadow Lake Tribal Council (MLTC) has not been discussed in this thesis as a partner. That is because although they are owners of Mistik, the council does not appear to have an active role in its operations. It is likely that certain representatives are involved, but determining who is and to what degree would be difficult. It is rumoured some council members are board members of Mistik, but this information is not available to the public. This relationship again, fails the ART test outright-- any involvement of the MLTC should be made known. Elected officials from the MLTC could act as links between Mistik and the communities, but they appear to be absent. It is interesting to note that when community members were asked who is responsible for improving the consultation process, no one mentioned MLTC.

With regards to institutional design, it is not enough for government to abdicate responsibility for resource management to a private company and give them the task of consulting with Aboriginal stakeholders. There should be some level of accountability built into this system so that all the people dissatisfied with it have another level of recourse. The Minister of the Environment has the responsibility “to promote the sustainable use of forest land for the

⁹⁴ Peter Phillips. *Governing Transformative Technological Innovation: Who's in Charge?* (Cheltenham: Edward Elgar Publishing Inc., 2007) 68.

benefit of current and future generations by balancing the need for economic, social and cultural opportunities”⁹⁵, but it seems that economics, as is often the case, is the chief focus of this type of forestry management. Any provision of “social and cultural opportunities” has been at the hand of Mistik, not the Minister, Saskatchewan Environment or the Province of Saskatchewan. So, not only is the design of this management model flawed, the state actor is essentially absent. Its main concern seems to be maintenance of the Annual Allowable Cut and royalty income generation.

6.4 Limits of the Study

While I have been familiar with the Mistik case for over two years and have spent time in the MLTC communities in the past, I did not spend enough time there this year to fully explore these issues. Much of the information was gathered from a small number of key sources (the majority of which were males), so some of the nuances of the case may have been lost or misrepresented. I am also an outsider to the communities so cannot pretend to have a thorough understanding of all the different communities issues and concerns. This thesis is but a glimpse into the politics of this particular case. More in-depth and widespread structured interviews would have to be conducted to get a complete picture of the partnership.

6.5 Areas for Further Research

It is important to note that there are currently no community-owned or cooperative ventures in the forestry industry in Saskatchewan. A number of questions flow from this realization. Is it because the capacity truly does not exist? How would this be assessed in the MLTC communities? A number of community members reported the capacity does in fact exist

⁹⁵ Government of Saskatchewan. *Forest Resource Management Act*. (Regina: Government of Saskatchewan, 1996) c.F-19.1, s.3.

and that they could practice less mechanized forestry to employ greater numbers of people and they could run their own mill. Is it true that the capacity does exist but neither Mistik nor the provincial government wants to cede any more control over operations?

While this thesis has provided some insight into the motivations of the partners involved in this case study, there remains much to be studied on the topic. Among other things, it would be interesting to know how much influence Mistik's Aboriginal employees have upon both the company's management practices and how its senior leadership chooses and interacts with the different partners. The role of ENGOs in PPPs with private actors is an interesting notion that requires further analysis. It would also be worthwhile to further explore this notion of corporate led governance; it has been discussed in regards to other sectors, but not significantly so within resource management. More such case studies of private actors involved in partnerships with civil society would have to be examined in order to draw any meaningful conclusions.

6.6 Conclusion

Mistik's relationship with the MLTC communities is commonly referred to as co-management. This is the arrangement that was agreed to in the initial FMLA signed by MLTC, and it is the language employed in their agreements with the individual communities. The use of this term is misleading. The relationship that exists between the Province of Saskatchewan as regulator, MLTC as signing partner, Mistik as the body responsible for co-managing with the communities and the communities themselves is, at best, a public-private partnership that allows little room for meaningful public participation. The term co-management is being used incorrectly and does not reflect the current reality.

That being said, there are many instances where Mistik recognizes the limits of this partnership, including the language of their "co-management" agreements. There is no mention

of governing or managing forests together with stakeholders or MLTC communities; they are rather, apparently, only committed to addressing the *impacts* their forestry operations have upon forest users' values and the rights enjoyed by Indigenous or Aboriginal peoples.

Mistik has not successfully engaged MLTC community members and their co-management boards. This is however, only one of the problems that was to be addressed in this study; another was to identify those theories that apply to public-private partnerships. This review demonstrates that theories of political economy and power directly apply, as do behavioural theories of social capital and collective action, if to a lesser degree. While this is a significant contribution to the study of PPPs, it should be stated that this thesis is merely a glimpse into the theories behind and practice of partnerships. While it has added to the discourse, there remains much to be determined on the case itself, and perhaps more importantly, on its potential implications for the forestry industry, Aboriginal self-government, the future of ENGOS and the changing face of governance.

Appendix 1:

Survey Questions

Survey Questions for Community Advisory Board Members:

1. How has Mistik used your input in their forestry management plan?
2. Does the plan incorporate any traditional knowledge? If yes, how did Mistik access this knowledge?
3. Did the \$.50 stumpage fee paid to your board enhance your ability to get involved in the comanagement process? How?
4. What does the term “comanagement” mean to you? What is the ideal form of comanagement for your community? How could this ideal be achieved, and who is responsible for making any necessary changes?

Appendix 2:

The Co-management Agreement

The principles of the co-management agreement between Mistik and the MLTC communities are as follows:

- 2.1 Mistik has a valid FMA which has been granted to it by the Province and which allows Mistik to harvest trees and manage the forest within the license area in accordance with principles of integrated resource management.
- 2.2 The people who reside within the forest area have a right to be consulted with respect to the manner in which their values are impacted by Mistik's forest management activities and to require reasonable accommodation and protection of such values with respect to forestry impacts;
- 2.3 On behalf of the people of Saskatchewan the Province owns the forest and resources located on Crown lands and has the responsibility to review and approve all forest harvesting and management plans developed under the FMA.
- 2.4 Mistik has a responsibility to address the impact of its forest operations on the existing rights enjoyed by indigenous or aboriginal peoples and which arise by law or from any Treaty or Aboriginal right guaranteed by section 35 of the Constitution Act of Canada, including the right to fish, hunt, trap and gather.⁹⁶

⁹⁶ Mistik Management Ltd. *Forestry Co-management Agreement*. (Meadow Lake: Mistik Management Ltd., 2007)
Available online at: http://www.mistik.ca/public_involvement.htm

Appendix 3:

Forest Stewardship Council & Indigenous Peoples' Rights

The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognized and respected.

3.1 Indigenous peoples shall control forest management on their lands and territories unless they delegate control with free and informed consent to other agencies.

3.2 Forest management shall not threaten or diminish, either directly or indirectly, the resources or tenure rights of indigenous peoples.

3.3 Sites of special cultural, ecological, economic or religious significance to indigenous peoples shall be clearly identified in cooperation with such peoples, and recognized and protected by forest managers.

3.4 Indigenous peoples shall be compensated for the application of their traditional knowledge regarding the use of forest species or management systems in forest operations. This compensation shall be formally agreed upon with their free and informed consent before forest operations commence.⁹⁷

⁹⁷ Forest Stewardship Council. *Principle 3: Principles and Criteria for Forest Stewardship*. (Bonn: Forest Stewardship Council, 2000) Found online 20/11/07: <http://www.fsccanada.org/generalresources.htm>

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