

POLICY SERIES

The Third Annual Aboriginal Governance Index



Rewarding Good Governance on Canada's Reserves

**By Don Sandberg
and Joseph Quesnel**

About the Authors



Don Sandberg, Director, Aboriginal Frontiers Project was born in the Pas, Manitoba and raised in the northern community of Gillam, Manitoba. He attended school with the peoples of the Fox Lake First Nation. He is a Band member of the Norway House Cree Nation, where his mother attended residential school. Has lived in First Nations communities in BC and Manitoba. He is a first cousin to former Assembly of First Nations Grand Chief Ovide Mercredi. Mr. Sandberg was a columnist for the Aboriginal paper "The Drum" for several years. He has been employed with many First Nations in both Manitoba and British Columbia over the years in senior management positions. In 1999, Mr. Sandberg ran as a Liberal candidate in the Manitoba Provincial election. He has spoken on native issues at political forums and on television and radio over the years. He is constantly in touch with the people and the issues on many First Nations and brings forward on their behalf the problems and possible solutions that affect them. His main project is the Frontier Centre's *Aboriginal Governance Index*, the only independent assessment of First Nations Governance in Canada.



Joseph Quesnel is a policy analyst at the Frontier Centre for Public Policy who focuses on aboriginal matters among many other matters. He is from the Sudbury region of Northern Ontario, and has Metis ancestry from Quebec. He graduated from McGill University in 2001, majoring in political science and history. He specialized in Canadian and American politics, with an emphasis on constitutional law. In 2004, he completed a master of journalism degree at Carleton University in Ottawa, where he specialized in political reporting. For two years, he covered House standing committees, as well as Senate committees. His career in journalism includes several stints at community newspapers in Northern Ontario, including Sudbury and Espanola. Until he started working with the Frontier Centre, he was a journalist with the *Drum/First Perspective*, a nationally-distributed Aboriginal newspaper. He also completed internships at CFRA 580 AM, a talk radio station in Ottawa and the Cable Public Affairs Channel. He writes a weekly column in the *Winnipeg Sun* and contributes to the *Taxpayer*, the flagship publication of the Canadian Taxpayers Federation. Just recently, he has begun writing a public policy column for the *Drum/First Perspective*.

The Frontier Centre for Public Policy is an independent, non-profit organization that undertakes research and education in support of economic growth and social outcomes that will enhance the quality of life in our communities. Through a variety of publications and public forums, the Centre explores policy innovations required to make the eastern prairies region a winner in the open economy. It also provides new insights into solving important issues facing our cities, towns and provinces. These include improving the performance of public expenditures in important areas like local government, education, health and social policy. The authors of this study has worked independently and the opinions expressed are therefore his own, and do not necessarily reflect the opinions of the board of the Frontier Centre for Public Policy.

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Introduction

First Nation governance issues have been very much on the policy radar screen this past year, including the publication of two useful works (and the reprinting of another work) that drew attention to the problems besetting First Nation communities.

The first met with great controversy. When Frances Widdowson, a political scientist at Mount Royal College in Calgary, and Albert Howard, an independent researcher, released *Disrobing the Aboriginal Industry* in late 2008, they were shocked at the intensity of the attacks they received, much of them deeply personal. In their work, Widdowson and Howard lambast the conglomeration of special interests that converge to maintain Aboriginal dependency on the state. Even more controversial, they angered critics for daring to question whether certain cultural features of indigenous societies might actually hold First Nations back from realizing their potential. The team also landed in hot water for openly questioning whether Aboriginal economic development is an exercise in futility on many First Nation communities that lack a rudimentary economic base and access to modern commercial markets.

What is remarkable about Widdowson and Howard's contribution to the debate is that they are self-identified Marxists. Prior to this point, much of the criticism of the Aboriginal Industry originated from thinkers and activists who identified with the message of less government.

It is refreshing that the problems that plague First Nations are being noticed and analyzed from all sides of the political spectrum. As Widdowson and Howard put it in their book, "A real left-wing analysis of aboriginal policy requires a critical eye rather than a bleeding heart." We agree, and argue that this "critical eye" should apply to all effective research into Aboriginal policy issues.

To our delight this past year, many of the challenges identified by the Frontier Centre through its Aboriginal Frontiers Project, particularly within the Aboriginal Governance Index, were being debated front and centre.

At the same time, Professor Tom Flanagan released a new edition of his award-winning *First Nations, Second Thoughts?*, a trailblazing work when it was first published. In this new edition, Flanagan outlines why he thinks that while much of the progress to be realized on the Aboriginal file will come from the margins of political change, much of the work will have to be realized by First Nations themselves as they seek fundamental change in their communities.

Gordon Gibson, a public policy expert from British Columbia and a former provincial Liberal leader, released a new publication aptly called *A New Look at Canadian Indian Policy: Respect the Collective—Promote the Individual*. In this work, Gibson carefully dissects the challenges facing First Nations. He identifies part of the problem as the

"Part of the problem is the lack of individual rights among First Nations and the fact that First Nation governments are "small governments with large powers," which implies that band governments wield too much power over the lives of ordinary band members..."

– Gordon Gibson (2009)

lack of individual rights among First Nations and the fact that First Nation governments are "small governments with large powers," which implies that band governments wield too much power over the lives of ordinary band members. Gibson is correct, and many of the observations made by him and the other authors were evident to our policy analysts as they visited reserves as part of this year's Governance Index.

The Frontier Centre embarked on its first Aboriginal Governance Index in 2006. We did Manitoba first, and we established important connections with First Nation communities. Through the work of our very able Don Sandberg, our Aboriginal policy director, we discovered what elements made for the most successful indigenous communities. They included a commitment to transparency, a system of democratic accountability, a separation of band politics from business, and a system of checks and balances. In 2007, we added Saskatchewan to the mix and this past year, Alberta.

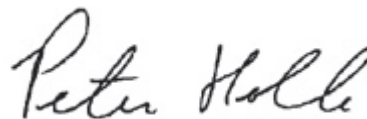
Over several years, we have built upon our valuable work in the field and improved the survey methodology. We also included a short form and a long form in our survey, which should improve our sample and gather more in-depth observations.

As always, we are motivated by a vision that First Nation communities can always improve. We reject the idea that everything is bad in "Indian Country". There are plenty of good stories out there, and we want to highlight them so that indigenous

communities that do not perform as well as others can find hope and inspiration. Our hope is that these models will be used to help inspire improvements in all First Nations; that is always our aim.

The Frontier Centre wishes to acknowledge the generous and continuing support for the Aboriginal Governance Index project from the Lotte & John Hecht Memorial Foundation, The W. Garfield Weston Foundation, and Jim and Leney Richardson, as well as many others.

In their travels, our policy analysts and field workers meet with progressive chiefs and councillors who are making a difference. They also meet with ordinary people who are movers and shakers within their communities; it is to these pioneers that we dedicate this year's AGI.



Peter Holle
President,
Frontier Centre for Public Policy

A Note from the Director of our Aboriginal Frontiers Project

The Aboriginal Governance Index (AGI) was never intended to seek out the negative aspects of our First Nations communities or to attempt to undermine our reserves. We started the AGI as our way of assisting First Nations in moving forward on band governance issues. We knew there were many challenges and barriers encountered by First Nations, and if we could assist, we would. Little was known about how individual First Nations across the country deal with the ongoing band governance issues that affect them. Therefore, we created our Aboriginal Governance Index. We travelled to the First Nations and visited band councils, the health and education administration staff, and most importantly, the people of each of these reserves in order to receive feedback from them on their problems and their successes. By doing so, we were able to get a better picture of the challenges facing the First Nations, and we were able to promote the communities' successes. This sharing of information is meant to be a positive step and to assist Aboriginal communities in understanding one another.

The reality is that each reserve is unique: some move forward by leaps and bounds in areas of economic development, employment, health issues, education, band governance, elections, clean water, housing issues and human rights; others have proceeded more slowly. This information must be shared so that other communities may follow. Assisting our brothers and sisters in Indian Country is our main goal.

We do understand there are detractors who try to undermine anyone who attempts to help First Nations people; in fact, some are Aboriginal leaders whose goal appears to be establishing themselves as the only decision-makers for the people. We ignore such people, for they are the minority and lack the understanding that we must all pull together and share information if we are to make our communities healthier.



Don Sandberg

Director,
Aboriginal Frontiers Project

Executive Summary

“Self-government” has become a buzzword within indigenous, scholarly and political circles and among trend-oriented politicians. This is often presented as the silver bullet that will yield better social and economic outcomes for First Nations people in Canada. While autonomy is certainly important to any community, it is essential to know what kind of governance structures and processes we are aiming for. Simply granting powers to a government does not ensure that good governance structures will be created that will be of benefit to the entire community.

In 2003, the Harvard Project on American Indian Economic Development identified the elements that characterize successful tribal governance. What this project revealed was that there exist certain characteristics that define good governance in any context. Among these are a clear separation between politics and day-to-day administration and service delivery, a competent and ethical bureaucracy, fair dispute-resolution mechanisms and stable institutions and policies. The questions contained in the Aboriginal Governance Index attempt to evaluate whether these important elements exist in First Nation governance.

While the Frontier Centre is sensitive to distinct cultural concerns, it is evident that First Nations, like all groups, desire governing institutions that are responsive, democratic, respectful of individual rights and yield broad economic opportunities for all members. Simply meeting cultural needs is not enough, or as Harvard researchers Stephen Cornell and Joseph P. Kalt put it, “It is not as if a Native nation is guaranteed governing success if all it

does is find systems and institutions that resonate with the culture of the people.” (Cornell and Kalt, 2007).

Canadian research organizations such as the Ottawa-based Institute on Governance (IOG) have attempted to reconcile IOG principles of good governance with First Nation governance traditions. Since 1997, the IOG has relied on five principles of good governance: legitimacy and voice, direction, performance, accountability and fairness. These principles are deemed universal and are endorsed by the United Nations Development Programme (UNDP). While attempting to reconcile these five principles with indigenous principles such as harmony and responsive leadership, IOG researchers Jodi Bruhn and John Graham noted from the outset “First Nations communities do not merely need self-government according to their traditions to flourish. As with all human societies, they also require good governance no matter what the tradition.” (Bruhn and Graham, 2008).

It is our aim to measure these good governance practices through surveys and analyses.

The Aboriginal Governance Index intends to provide Manitoba, Saskatchewan and Alberta First Nations with a convenient benchmark through which individual bands can measure their progress in achieving responsible self-government. It is hoped that individual band members can benefit from the information. Knowing where their band government ranks can be a source of empowerment for individuals. These members can then use the information to encourage their communities to adopt

better institutions of governance. A copy of the survey questions appears later in the report, and the authors hope that leaders of First Nations will read its contents closely and make the appropriate conclusions about policy reforms that could bring them closer to best practices.

Each ranking is based on a weighted composite of scores that evaluate five broad areas of good governance. The subdivided categories for good governance are:

- Elections - How fair and impartial are votes for leaders?
- Administration - How effectively is the band's business conducted?
- Human Rights - How much regard is given to basic rights?
- Transparency - How well are citizens informed about government?
- Economy - How good is the community at providing economic development?

This year, we modified the survey methodology. We used a short form, and a long form. The short form features six questions that directly correspond to the five areas identified above as categories of good governance. The long form is a much longer survey. This allowed us to gather more in-depth and detailed information about each governance area as well as collect information pertaining to each First Nation.

The sample size this year is 5,106 with 1,688 from Manitoba, 2,616 from Saskatchewan and 802 from Alberta.

Of these, 4,635 are short surveys and 471 are long form. Ninety-seven bands were surveyed in the three provinces. As will be explained later, we were only able to include 68 First Nations in our final ranking.

Although we attempted to obtain as balanced a sample as possible, we had

a slightly higher percentage of female respondents overall and in each province. Overall, our respondents are 45.7 per cent male and 54.3 per cent female. In Manitoba, 47.5 per cent are male and 52.5 per cent female. In Saskatchewan, 45.3 per cent are male with 54.7 per cent female. In Alberta, the breakdown is 49.2 per cent male and 50.8 per cent female.

This report ranks governance in 23 Manitoba First Nations, 29 Saskatchewan First Nations and 16 Alberta First Nations. The rankings are based on personal interviews and surveys.

In conducting the surveys, we attempted to include band members from all walks of life and to ensure that the sample was representative. We decided to avoid obtaining too many responses from band officials in any particular community and to engage band members not connected to band administration as much as possible.

The analysis of the Aboriginal Governance Index, based on data gathered from direct surveys of people living in First Nations, ranked these communities as having superior systems of governance and assigned these total weighted scores:

- O'Chiese First Nation (AB) 73.2%
- Rolling River Nation (MB) 69.9%
- Siksika Nation (AB) 68.6%
- Beardy's and Okemasis First Nation (SK) 67.8%
- Wesley First Nation (AB) 66.3%
- Mikisew Cree First Nation (AB) 65.8%
- Bearspaw First Nation (AB) 65.6%
- Mosakahiken Cree Nation (MB) 65.5%
- Swan Lake First Nation (MB) 65.4%
- Muskoday First Nation (SK) 65.3%
- Tootinaowaziibeeng Treaty Reserve (MB) 64.8 %

- Ochapowace First Nation (SK) 64.8%
- Fort McMurray First Nation (AB) 64.2%

These First Nations scored the lowest in the Index:

- Thunderchild First Nation (SK) 56.3%
- Pine Creek First Nation (MB) 56.2%
- Kinistin Saulteaux Nation (SK) 56%
- Canupawakpa Dakota First Nation (MB) 55.6%
- Sturgeon Lake First Nation (SK) 55.5%
- Ermineskin Tribe (AB) 55%
- Dene Tha' First Nation (AB) 54%
- Poundmaker Cree Nation (SK) 52.3%
- Blood Tribe (AB) 52%
- Key First Nation (SK) 50%
- Swan River First Nation (AB) 46%
- Piikani Nation (AB) 45.9%

The balance of the First Nations surveyed ranked in between these highest and lowest-performing bands. A full list of their scores appears later in this report. A map of their locations is also included.

Here are the top five results from each province:

Band ID	Band Name	Index Score
Manitoba		
291	Rolling River First Nation	69.9
312	Mosakahiken Cree First Nation	65.5
293	Swan Lake First Nation	65.4
292	Tootinaowaziibeeng Treaty Reserve	64.8
280	Ebb and Flow	63.2
Saskatchewan		
369	Beardy's and Okemasis First Nation	67.8
371	Muskoday First Nation	65.3
363	Ochapowace First Nation	64.8
382	Okanese First Nation	63.9
347	Saulteaux First Nation	63.5
Alberta		
431	O'Chiese First Nation	73.2
430	Siksika Nation	68.6
475	Wesley First Nation	66.3
461	Mikisew Cree First Nation	65.8
473	Bearspaw First Nation	65.6

Unfortunately, many First Nations chose not to participate in the survey. In addition, some did not provide a response within a reasonable amount of time despite our repeated requests to access band members in order to conduct the survey. These First Nations were not included in the final rankings. Moreover, after careful consideration, we decided that any First Nation communities from which we received fewer than 20 surveys would not be included in the final rankings. We were not confident that our sample size was adequate to evaluate the quality of local governance structures in those communities.

It should be stressed that bands scoring very low on the overall ranking are not necessarily the lowest performing bands in the Prairies. All bands that participated in our survey should be applauded for their willingness to be scrutinized. We consider it extremely likely that the absolute worst-performing bands are found among those that refused to participate. By permitting their people to answer questions about their local governance, all of the bands in our rankings made the implicit statement that they have “nothing to hide.” We wish to note that even the bands at the bottom of our index should be congratulated for their willingness to participate and that governance structures in these bands are likely superior to those in many of the communities where the local government refused to allow the voices of the people to be heard.

The section on correlations is instructive in discovering what reforms are most critical for obtaining a better overall score for good governance. This year, we noted some strong statistical correlations between various categories. Some were familiar trends, but there were some surprises. The strongest positive correlation was between the

score on Elections and the total score at a correlation of .75, as well as a correlation of .70 between Transparency and the total score. In addition, Administration and the total score were positively correlated at .66.

In other words, these three measurements are the best indicators of the overall health of a band. If one measured only one or two aspects of band performance, these scores would give the best indication of how the band has performed overall.

Don Sandberg, our director of Aboriginal policy, encountered resistance to the surveys in some First Nations. This resistance most often came from the band’s political leadership and administration. This was also the experience of Aboriginal policy analyst Joseph Quesnel and other field workers.

As noted in Sandberg’s reports for all three provinces, there was a higher level of rejections and non-responses this year. This means that when we visited a First Nation, we were unsuccessful in receiving approval from the band chief or council to do the survey. In many instances, we were not given a response within an adequate period, in which case we could not score the community and had to move on to other regions. This is unfortunate given that on most First Nations we receive active support and co-operation from grassroots band members. Sandberg also noted that due to the lack of adequate accommodations on some reserves in northern Manitoba, the team was unfortunately unable to conduct surveys in those communities. We hope they will be able to access these communities next year.

Some positive news

On the positive side, the Frontier Centre has noticed a higher level of “buy-in” from many indigenous communities. Many welcome our survey team back onto their reserve and actively assist our researchers in obtaining a good sample of the population. For this, we are very grateful.

At a government level, we notice increasing support for the AGI among the leadership. Joseph Quesnel noted that some chiefs use their rank and score on the AGI as a source of pride and community promotion. For example, Grand Chief Morris Shannacappo of the Southern Chiefs’ Organization, a major representative of Indian bands in Manitoba, boasted of the high rank his community of Rolling River First Nation received in the 2007 AGI. It was noted that Rolling River First Nation uses its high rank as a way of promoting the community to Winnipeg businesses. Ultimately, it is our desire that all First Nations use the AGI as positively as does Rolling River First Nation.

Legislative Developments

During this past year and presently, indigenous governments have been assisted by some legislative changes. In 2008, the federal government finally passed an amended bill that will eventually subject First Nation band governments to the *Human Rights Act*, one of the most important avenues for human rights protection in Canada. In order to receive passage, the government accepted amendments to the bill from the opposition parties, amendments that some argue diluted the original intent of the bill.

The Frontier Centre hailed the original bill as an important first step toward improved lives for indigenous people. Unfortunately, the final bill did not come without compromises, and it includes two particularly limiting factors: The first is a three-year period before the bill’s provisions will affect First Nation governments, although it applies immediately to the federal government. The second is the inclusion of an interpretive clause that forces the adjudicating body to balance “collective aboriginal rights with individual rights.” Some analysts at the Frontier Centre think this clause is unnecessary and an invitation to dilute the rights of individual First Nations people. The Frontier Centre, over time, is in a unique position to document how this legislation will change the quality of life for First Nations.

Summary of All Saskatchewan Surveys

Rank	Band Name	Band #	Elections	Administration	Human Rights	Transparency	Economy	Total
1	Beardy and Okemasis	369	80%	66%	68%	65%	57%	67.8%
2	Muskoday First Nation	371	84%	48%	78%	60%	49%	65.3%
3	Ochapowace First Nation	363	77%	53%	75%	65%	48%	64.8%
4	Okanese First Nation	382	66%	59%	72%	58%	63%	63.9%
5	Saulteaux First Nation	347	75%	48%	67%	64%	58%	63.5%
6	Pasqua First Nation	383	81%	54%	62%	60%	57%	63.3%
7	Wahpeton Dakota Nation	358	92%	64%	44%	65%	47%	63.1%
8	Cote First Nation	366	84%	50%	79%	51%	42%	62.8%
9	Island Lake First Nation	397	77%	45%	81%	50%	52%	62.1%
10	Waterhen Lake	402	68%	54%	73%	47%	66%	61.8%
11	Keeseekoose	367	80%	47%	84%	38%	55%	61.6%
12	Little Pine First Nation	340	83%	53%	58%	53%	57%	61.3%
13	Flying Dust First Nation	395	84%	50%	53%	58%	58%	61.0%
14	Cowessess First Nation	361	64%	51%	72%	56%	55%	60.2%
15	Lac La Ronge	353	75%	47%	65%	49%	61%	60.1%
16	Black Lake First Nation	359	73%	56%	67%	45%	58%	59.9%
17	Peter Ballantyne Cree Nation	355	75%	45%	76%	46%	50%	59.5%
18	Ahtakakoop First Nation	406	76%	46%	54%	49%	67%	58.6%
19	Moosomin First Nation	342	68%	46%	78%	39%	55%	57.1%
20	Mistawasis First Nation	374	73%	39%	61%	42%	73%	57.8%
21	Yellow Quill First Nation	376	67%	51%	70%	48%	50%	57.7%
22	Sweetgrass First Nation	348	67%	40%	77%	43%	57%	57.5%
23	Red Pheasant	346	72%	44%	66%	44%	58%	57.3%
24	Mosquito Grizzly Bear's Head First Nation and Lean Man First Nations	343	58%	47%	75%	38%	63%	56.3%
25	Thunderchild First Nation	349	66%	48%	54%	56%	56%	56.3%
26	Kinistin Saulteaux Nation	377	65%	41%	60%	53%	57%	55.9%
27	Sturgeon Lake First Nation	360	72%	41%	62%	49%	50%	55.5%
28	Poundmaker	345	65%	38%	62%	51%	40%	52.3%
29	Key First Nation	368	38%	35%	80%	32%	63%	49.5%

Notes from the Saskatchewan Survey Work

Saskatchewan reserves: This is year two for our visits to this province, and the residents on these reserves were again very interested in participating in our AGI project. The exceptions, as with other provinces, are some reserve leaders who appear reluctant to allow us to visit the band members. For the survey teams, this is unfortunate those who we intended to survey are also our people, and we must all work together if we are to make our communities a better place to live.

Some comments from our AGI survey consultants include "It has been common in many Saskatchewan reserves that chief and council are nowhere to be found. On a few reserves, they don't even bother to show up unless it is payday or there is a meeting." As a result, band members are in the dark as to the status of band governance. Some respondents appeared unsure how to answer some areas of the questionnaire, because they said band meeting minutes are rarely posted and council meetings are 'closed door affairs' limited to only the band council and their assistants.

Another common concern expressed by band leaders is that they think the "wrong people" on the reserve will fill out the surveys and make them look bad. Montreal Lake Cree Nation Chief Roger Bird indicated that he was just elected to office, and he thought his reserve was not yet ready for the surveys.

At the Frontier Centre, we consider all this, but for some reserves, these are common stalling tactics.

Most reserves, including Saskatchewan First Nations, usually have two or more large families or groups who battle constantly for control of the band offices that carry with them the power to give financial compensation to whomever they

see fit. These power struggles become protracted and "dirty"; they have been known to divide families and long-time friends who choose opposite political sides. As a result, they may never speak to one another again. In some cases, a brother and sister can become bitter rivals. This is one reason we survey the reserves—to see if there are answers that can eliminate some of these problems and move past all the infighting.

For example, Muskeg Lake First Nation decided not to let us talk to their people, so of course the red flags immediately went up. Are they doing such a terrible job as leaders? Does their band council muzzle the people on this reserve? What is there to hide? Only the band council members can answer these questions. The surveyor noted his desire for the freedom to be able to speak to anyone who may try to work for the good of the people.

Another area we encountered problems with was that once we located band leaders, we received the old run-around while waiting for an answer that we often knew would never come. Pelican Narrows was one such reserve as was Peter Ballantyne Cree Nation. Once again, their people were not afforded the opportunity to have input into how they can move forward and overcome some of the problems we face as First Nations Peoples.

For two years, we attempted to meet with the chief and council of the Whitecap Dakota First Nation (south of Saskatoon), but they appeared to ignore our requests. Were the people of this reserve not happy with having the bright lights of the new casino dot out the stars each night? Was gambling affecting the residents? Is the casino a blessing to this reserve? Only the people can answer these questions.

To all the Saskatchewan First Nations and their leaders who participated in this very important survey and who welcomed us into their communities, thank you for

your forward thinking. Your communities should be very proud of your openness and transparency.

Summary of All Manitoba Surveys

Rank	Band Name	Band #	Elections	Administration	Human Rights	Transparency	Economy	Total
1	Rolling River First Nation	291	82%	38%	84%	76%	60%	69.9%
2	Mosakahiken Cree Nation	312	79%	64%	68%	53%	63%	65.5%
3	Swan Lake First Nation	293	82%	57%	64%	65%	55%	65.4%
4	Tootinaowaziibeeng Treaty Reserve	292	81%	60%	74%	51%	55%	64.8%
5	Ebb and Flow	280	75%	56%	72%	51%	58%	63.2%
6	Wuskwi Sipiik First Nation	324	71%	63%	68%	55%	56%	63.0%
7	Cross Lake First Nation	276	86%	54%	58%	58%	54%	62.7%
8	Grand Rapids First Nation	310	85%	53%	57%	59%	54%	62.4%
9	Sapotaweyak Cree Nation	314	81%	62%	55%	51%	60%	62.0%
10	Brokenhead Ojibway Nation	261	75%	53%	59%	63%	55%	61.7%
11	Lake St. Martin	275	76%	59%	53%	56%	64%	61.6%
12	Opaskwayak Cree Nation	315	80%	57%	60%	53%	54%	61.2%
13	Nisichawayasihk Cree Nation	313	78%	63%	46%	56%	65%	61.1%
14	Norway House Cree Nation	278	79%	56%	56%	55%	56%	60.8%
15	Dakota Tipi	295	77%	54%	58%	54%	52%	60.0%
16	Peguis First Nation	269	77%	54%	52%	57%	55%	59.5%
17	Tataskweyak Cree Nation	306	74%	58%	55%	53%	55%	59.1%
18	Long Plain First Nation	287	70%	55%	54%	64%	48%	59.0%
19	Mathias Colomb	311	63%	60%	62%	53%	56%	58.6%
20	Fort Alexander	262	64%	47%	67%	50%	54%	57.1%
21	Little Saskatchewan	274	75%	45%	66%	45%	46%	56.3%
22	Pine Creek	282	74%	45%	55%	49%	55%	56.2%
23	Canupawakpa Dakota First Nation	289	64%	54%	54%	52%	55%	55.7%

Notes from the Manitoba Survey Work

The Frontier Center for Public Policy's Aboriginal Governance Index has become a beacon of light for many of Manitoba's First Nations peoples. It provides them with the opportunity to voice their concerns about how they expect their band councils to not only lead them into prosperity but to also improve human rights issues, accountability, education, health, economic development and job creation.

This Aboriginal Governance Index takes us into year three visiting our Native brothers and sisters in Manitoba's Indian Country, and we repeatedly hear sentiments from people expressing their happiness that the field workers are coming out to hear their concerns as they have said that no one has ever done this type of work for them before.

Opaskwayak Cree Nation: Located near The Pas, Manitoba, this First Nation has always taken the lead in all areas. This year is no exception. OCN has gone outside of Canada's borders including overseas to find buyers for their products from wood pellets to rough fish. This First Nation continues to be a leader in the economic field.

Rolling River First Nation: This community has been on the radar for some time now since Morris Shannacappo, the former chief and now Grand Chief of The Southern Chief's Organization, turned Rolling River into an economic player in an area that borders Riding Mountain National Park. There are more good things to come from Rolling River First Nation.

Shannacappo is a celebrated and respected grand chief and all others pale in comparison when it comes to the passion and respect he has for his people. He has to take credit for toning down a well-known Manitoba radical on his staff. Take a big bow, Grand Chief.

Buffalo Point First Nation: This may be the leading example for other reserves when it comes to taking advantage of a pristine area and developing a tourism destination that boasts a golf course, a marina, a museum, a convention centre, camping, cottage lots for lease, paved roads, deer wandering near cabins and a bountiful lake adorn this reserve. The downside is that this reserve is under hereditary leadership and the people who run it appear to be non-Aboriginal. It appears that the Aboriginal population lives in a separate part of the community.

Broken Head First Nation: Located on Highway 59 near Grand Beach, this First Nation has finally come of age with a huge casino development, a new hotel and conference centre, and a modern, new gas bar.

For the first two years of the Governance Index, it was hard to get past the chief and council to complete our survey work. With the new band council in place and Debbie Chief as the Chief, we were welcomed onto this reserve. Chief has her hands full with the old chief trying to reclaim her crown.

In an interview, Chief stated, "money from the casino profits in part goes towards paying for the post-secondary education of community members, no matter where they reside."

Peguis First Nation: Glenn Hudson was re-instated as chief for a second term this year. Hudson is a breath of relief in Indian Country. He works very hard for his people as he always did before becoming chief. The old dragons have been put out to pasture and Peguis can move on to many new ventures. Former chief Louis Stevenson tried to unseat Hudson by promising every band member \$10,000 from the Selkirk land settlement. This did not work. We hope Hudson will invest much

of this money into his people's future once the band members vote on the claim. Keep an eye on this reserve, as it will go forward in leaps and bounds.

Norway House Cree Nation: This community finally elected a chief with a vision for the people of Norway House. No longer are human rights abuses tolerated. As well, nepotism is not prevalent. Accountability and transparency are now the norm.

Over the past 10 years, the band council racked up a debt of approximately \$80-million, which the new council has to pay down. The past leadership then walked away hailed as heroes for all the new buildings, streetlights and paved roads. Nevertheless, there was no economic development or job creation, just an \$80-million debt. On an even sadder note, the former chief moved up into one of the highest posts in Manitoba Indian Country, but as the people of this community commented, "At least we finally got rid of him." The last three council members of the old regime were ousted this spring for corruption. We hope this reserve and others will never have to deal with a band council that behaves like a dictatorship. The harm caused by these people will take a long time to heal. The families that took sides will eventually be back on speaking terms, but the old wounds will never be far from the surface. Norway House Cree Nation can now look forward to better times.

Other Manitoba First Nations commanding attention for progress are Dakota Tipi First Nation, Sioux Valley First Nation, Long Plain First Nation, Wuskwi Sipiik First Nation, Grand Rapids First Nation and Cross Lake (Pimicikamak) First Nation.

The reserves that are at the bottom of the list in Manitoba include an unexpected one: Poplar River First Nation. This reserve scored the highest marks in year one of

the Governance Index, but this year, due to bad leadership, the reserve ranks at the bottom of the heap. There are no apologies here. Our survey consultants went to Poplar River and received permission from a band councillor to go ahead and poll people. The next day, the Chief, incensed by this intrusion, drew up a Band Council Resolution (BCR) barring Don Sandberg from entering the Poplar River reserve. The BCR stated in part that Don Sandberg was prohibited from entering the reserve and that band constables were to detain him if he did, whereupon the RCMP should arrest him.

Issues of fraud in Manitoba

Election fraud issues exist on far too many reserves. This past winter in Manitoba, six reserves were simultaneously going through legal battles regarding election issues. These usually involved allegations of vote buying or electoral misconduct.

The Assembly of Manitoba Chiefs (AMC) is attempting to hold all Manitoba band elections at the same time with a four-year mandate for all band councils. Lacking in this proposal is any attempt to clean up the electoral problems that plague many reserves. There is also no attempt to set up an independent tribunal to deal with election irregularities.

Election problems will continue to dominate the headlines and the fallout on the reserves will continue to split families and friends as families and friends battle for control of the band funds. These issues will continue to rage on in the court of public opinion and in the reserve homes while the AMC appears to do nothing.

There are reserves in the far north that gave us permission to visit, but due to the lack of accommodations, we were unable to do so. Reserves like Lac Brochet, Tadoule

Lake and Shamattawa also did not have adequate accommodations. Shamattawa has always been assigned a bad reputation, but the people were reported as being friendly and accommodating.

In general, "hats off" to the Manitoba communities and leaders who welcomed survey workers and willingly participated in the Aboriginal Governance Index. They realize the Index is a positive step in assisting First Nations to move forward and to improve band governance issues. They assist in making Aboriginal communities healthier places to live.

Summary of All Alberta Surveys

Rank	Band Name	Band #	Elections	Administration	Human Rights	Transparency	Economy	Total
1	O'Chiese First Nation	431	78%	73%	82%	68%	63%	73.2%
2	Siksika Nation	430	86%	68%	63%	66%	58%	68.6%
3	Wesley First Nation (Part of Stoney Tribe)	475	79%	54%	79%	55%	62%	66.3%
4	Mikisew Cree First Nation	461	69%	55%	86%	56%	58%	65.8%
5	Bearspaw First Nation (Part of Stoney Tribe)	473	75%	59%	86%	51%	52%	65.6%
6	Fort McMurray First Nation	468	77%	44%	79%	52%	66%	64.2%
7	Chiniki First Nation (Part of Stoney Tribe)	433	61%	46%	85%	52%	41%	61.0%
8	Chipewyan Prairie First Nation	470	67%	66%	51%	55%	64%	60.0%
9	Beaver First Nation	445	64%	39%	73%	60%	53%	59.0%
10	Sunchild First Nation	434	73%	37%	92%	34%	40%	56.7%
11	Driftpile Cree Nation	450	66%	46%	64%	48%	55%	56.6%
12	Ermineskin Tribe	443	50%	42%	71%	51%	57%	54.7%
13	Dene Tha'	448	63%	43%	67%	42%	53%	54.2%
14	Blood Tribe (Kainai)	435	66%	43%	63%	38%	48%	52.0%
15	Swan River First Nation	457	47%	39%	47%	51%	44%	46.0%
16	Piikani Nation	436	44%	37%	64%	25%	60%	45.9%

Notes from the Alberta Survey Work

This is the first time Alberta's First Nations were visited. Survey workers visited band councils, health and education offices and people in their homes. We initially assumed that of the three Prairie provinces, we would encounter some of the most progressive-minded First Nations in the country. Because of the boom from the oil and gas industry and their spinoffs, we thought the reserves would benefit as many Alberta First Nations do benefit directly from fossil-fuel extraction. We quickly discovered that for the most part, these reserve councils are the hardest to deal with that we have ever encountered. Trying to find many of these leaders was an ongoing and daunting task. It also appeared that no one in the band offices could give us answers. We were repeatedly told to leave our contact information and informed that we would be put on the agenda for the next band council meeting, or that they would get back to us. The most significant and repetitive problem we came across, however, was that not many bands ever followed up on these commitments.

Others stated that they did not like our questions on elections. We could have asked "nicer" questions, but our view is that in the areas of human rights, election fraud, nepotism and accountability, problems do exist and must be remedied. If our Native communities are to heal and become players in the industry that surrounds their territories, these questions must be included in the survey. It is never our intent to seek out problems; it is our goal to see if we can assist in moving our people forward.

Alberta First Nations were challenging in many ways. Band council members were frequently travelling and with all this travel for meetings, one would think that these reserves were a going concern, yet that was not visible. Other problems

were an absence of authority at the band office to give direction or approval and in many instances not being able to get in touch with any band leaders. There were problems with chiefs and councils who denied their people a voice in any positive changes to their communities. This occurred on far too many reserves and was disturbing. Much has to change on many Alberta reserves so that their people have a voice rather than being subject to a quasi-dictatorship.

A special mention - Alberta reserves where our people were welcome:

O'Chiese: This reserve is our highest scorer overall. Located adjacent to Rocky Mountain House, this First Nation displayed a great degree of transparency and warrants further investigation. One can tell this is the case just by looking at the community's web site, which displays a link to their 2007-2008 financial audit and posts the most recent band election results.

Swan River First Nation (Kinuso): Our survey consultants indicated that the people and especially the elders were among the friendliest people with whom they had the pleasure of spending time. The Chief's mother and son visited with our team members for some time, and the team went away in a very uplifted mood. A big "thank you" to Swan River First Nation for being such wonderful hosts.

Piapaw: Glenn Sagness proved very informative on how our survey could be conducted. Here, the people expressed a genuine interest in how things could improve for many First Nation communities, and our team learned much from them. Piapaw is proud of their multi-band agreement. It was good to see First Nations working together to reach a common goal.

Boyer Indian Reserve: Very helpful with photocopying letters and providing maps for our survey team. Thank you.

High Level - Bushie River Reserve: Very supportive of our Aboriginal Governance Index, and they provided the team with maps and population stats.

Other positive First Nations: Meander Lake, Assumption, Driftpile and others that should be mentioned but escape the author's memory at present.

Chipewyan Prairie First Nation: This is one First Nation to watch. Recent changes in band leadership are apparently making a difference in the quality of life. When we arrived in the community of Janvier, band councillor Jules Nokohoo assisted us in distributing the survey and by showing his support, and he actively promoted the survey among average band members. He had an attitude of responsibility toward the people and recognized that the survey was an important gauge of how he and other councillors are doing their jobs. Nokohoo is a progressive councillor who is attempting to bring change to the community, and he is particularly interested in beautification of the reserve. He seems to be a model councillor and is a leader to watch. We also appreciated the great help we received from staff at the band office in Janvier.

Louis Bull First Nation: This band council requested a letter that stated all information gathered would be the sole property of the band—a request we could not fulfill, as all information in our surveys is and always will be public information. Many bands were seriously concerned that this information would fall into federal government hands or that it would be given to the provincial government. It should be recalled that for First Nations across Canada, the transfer payments they receive come from the federal government – the taxpaying public. This money assists

First Nation in operating their governments and provides the essential services for their people. Yet they do not appear to want anyone to know what is really going on in these communities. Why?

Siksika Nation: We were invited to speak with the very professional and knowledgeable band manager in this community. Apparently, there are plans to improve band governance, including the separation of politics from day-to-day administration and service delivery. This reserve seems quite progressive and should be watched closely.

Some Alberta reserves that presented problems:

Sucker Creek: Nepotism was rampant with this band council. In addition, they would not give permission to us to speak to their people, thus denying them the freedom of speech. They also refused to allow their people to have a say in ways to improve the lives of Aboriginal people.

Dene Tha': We received a poor response from the band council. This is another reserve where we were denied the right to speak to the people, so we wonder what this band council has to hide. Red flags appear for these reserves. We did receive strong support from the elders and others along with prayers for our people. This band council was very unaware of who should be in charge on any reserve—the people. After some band councils are elected, they appear to act in a dictatorial manner which we find to be regrettable and sad.

Blood Tribe (Kainai): This First Nation appears to be on the right track in terms of agricultural development, but many First Nation people here are concerned with the level of ownership of agricultural land by non-Aboriginal people. We were also concerned about how band council meetings seemed to be closed to the public.

Overview of the three Prairie provinces

Europeans arrived in North America where they “discovered” a country already occupied by Aboriginal peoples. To avoid conflict, Crown—Aboriginal—treaties were born. The Royal Proclamation of 1763 affirmed treaty-making as the policy of the Crown and Aboriginal peoples. This has led to today where 19 modern treaties have been negotiated and ratified.

The settling of comprehensive land claims and self-government agreements are important milestones in solving the outstanding human rights issues of the Aboriginal people. They do not, in themselves, resolve many of the human rights grievances afflicting Aboriginal communities, and they do require more political will regarding implementation, responsive institutional mechanisms, effective dispute-resolution mechanisms and stricter monitoring procedures at all levels.

These thoughts were expressed by the *United Nations Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People, Report on Canada*, released in 2004.

Although this report was in reference to ongoing disputes between First Nations’ governments and the Government of Canada, it may also be a message to Native leaders that human rights abuses still occur on far too many reserves and that this abuse of our brothers and sisters will not be tolerated. The message should be that you will be remembered for the wrongs you committed upon your own people. History will not forgive these abusers of human rights, and we must remind the world that in the 21st century, human rights abuses are still a problem on many Canadian reserves, as those elected to office abuse their powers by silencing their critics by any means possible.

Sadly, we encountered these events as we conducted our Aboriginal Governance survey. Some band councils deny their people the freedom of speech, and in some cases, they ordered our team off their reserves.

This project began as our way of seeing if we could assist the Native people in moving beyond some of the social and economic conditions that plague their reserves. We wanted them to have better and healthier communities. At the time, we did not know how closed these communities were to the outside world.

A useful point to recall is that in the first year Poplar River First Nation scored the highest marks on our surveys. However, this year, the chief was upset that others in his community gave the team permission to survey the people, and he drew up a Band Council Resolution (BCR) barring the surveyor from the reserve. The chief stated that the surveyor talked with selected individuals—presumably unauthorized in his view—to gain entry to “his” reserve. He also directed that the band constables and the RCMP arrest the surveyor and put him on the next plane out of his reserve. He did not bother to check if the surveyor was actually on the reserve. What was interesting was that the surveyor had not set foot on it.

This shows how much a leader can abuse the powers of his office. This is a terrible message to send to those who may want to invest in Aboriginal communities everywhere.

Many Prairie First Nations are doing exceedingly well in areas of economic development and long-term planning for healthier Native communities. We must still strive to reach for higher goals. We must change the way we govern, as the top-down approach is

simply not working, and it continues to isolate the average reserve resident. The people must elect tribal council leaders and grand chiefs, and the sharing of knowledge and power by the people will eventually be the blueprint for successful First Nations.

We sit on and control enormous assets; we should be major economic players. Instead, many leaders spend enormous amounts of time and money to chase government funds for past wrongs; such wrongs should not be forgotten, but we must put more effort into economic development and not sit idly by while others exploit our vast resources.

Some in governments think we need to be controlled through dependency on handouts, but this means we have less control over our destiny. We propose the following:

- We should aim for a fair and equitable

Background

The legal underpinnings of First Nations in Manitoba, Saskatchewan and Alberta Indian reserves began with a Royal Proclamation in 1763 that recognized Indian nationhood and titles to lands. In 1867, the *British North America Act* assigned jurisdiction over Indians and lands reserved for Indians to the federal government.

The 1876 *Indian Act* provided the basis for the regulation of Indian affairs. The Numbered Treaties 1 to 10, which allocated reserve lands to various tribes, were signed with Manitoba Indian bands between 1871 and 1905. Although five Manitoba First Nations were not signatories to these treaties, they operate within the same rules.

Manitoba has the highest proportion of Aboriginal people in Canada. Registered First Nations members numbered more than 100,645 in 2006, and just over three-fifths live in 63 First Nations that occupy

reserve lands. Some have the largest populations and landmasses of Aboriginal bands in Canada.

- resolution of all treaties as some treaty claims are still unresolved;
- We must encourage our best and brightest to stay on the reserves instead of driving them away;
- We must look outside Canadian borders for partnerships and investments. China and Korea are looking at partnerships with several Aboriginal groups based on a trade mission to those countries;
- We spend too much time on our past. We must look forward to our future and prosperity.

We will be travelling to the First Nations again this year. Our message is "Be a part of progress and welcome those who want to help. Do not close the door on our First Nation peoples and their future. It is time to move on and become players with those who want First Nations to succeed."

Saskatchewan is close behind Manitoba with 91,400 registered Indians as of the 2006 Census. This population is spread over 70 First Nations, of which 62 are affiliated with one of the eight tribal councils in Saskatchewan. Bands throughout the province are historic signatories to Treaties 2, 4, 5, 6, 8 and 10. These treaties were signed between 1871 and 1906.

Alberta was also a signatory to the Numbered Treaties, with First Nations there being signatories to Treaties 6, 7 and 8. There are 44 (or 43 depending on the source) First Nations in Alberta in three treaty areas with 133 reserves on approximately 730,680 hectares of land. The Aboriginal population in Alberta is growing twice as fast (20 per cent growth since 2001) as

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that of non-Aboriginal Albertans (10 per cent growth), according to Statistics Canada's 2006 census.

According to data from 2006, Alberta had a population of 97,275 who identified as First Nation. Of those, 58,782 lived on a recognized Indian reserve in 2005.

Governance in these communities has evolved rapidly in recent years. The federal government, once the paternalistic controller of almost all aspects of Aboriginal life through its Department of Indian Affairs and Northern Canada (INAC), has responded to persistent and justified demands for self-governance by handing down to chiefs and band councils a rigorous framework for top-down governance.

Almost by historical accident, then, those governments now exercise extraordinary powers. They include functions that other Canadians regard as the business of municipal governments: services such as sewers, water and roads, and programs normally thought of as provincial responsibilities such as healthcare and schooling. In recent years, both the federal and Manitoba governments have experimented with varying levels of devolution to First Nation communities. Unfortunately, in Manitoba, devolution of child and family services to Aboriginal authorities has had some negative results. In British Columbia, the federal government devolved significant education authority to Aboriginal communities. How this affects areas of governance and delivery of services has yet to be determined. This is a significant area worthy of empirical exploration.

Many communities offer their own services, and many work with provincial authorities to obtain access. In a similar vein, some larger bands have their own police force, which works closely with federal RCMP detachments nearby, but the RCMP provides all police services to most

communities and the province provides court services. Far beyond these programs traditionally regarded as that of local or provincial jurisdiction, local chiefs and band councils also exercise jurisdiction over matters that in other Canadian communities are usually a function of private markets. All housing is owned collectively and assigned to families by means of a local decision-making process. All economic development and, in most cases, all enterprises operating on reserve lands are creatures of bands and band councils.

In 1999, the federal government introduced the *First Nations Land Management Act* at the request of 14 Indian Act bands that wanted to escape the land-management system of the *Indian Act*. Each band that utilized the *Land Management Act* was required to adopt a land code; it essentially allows bands to manage their land and resources, and it allows for more decision-making at the band level. Unfortunately, many First Nations have not effectively accessed this Act, as it is onerous to adopt.

Another characteristic unfamiliar to non-reserve people is the ability of band governments to revoke membership. Usually expressed through the mechanism of Band Council Resolutions (BCRs), these notorious edicts regularly remove individuals and families from communities by cancelling their membership in the band. This single, powerful feature of reserve life politicizes these communities even more than their governments' wider-than-normal powers to intrude in decision-making. In short, it makes one's very citizenship the creature of political support for existing band leaders.

Another complication, and one that politicizes reserve communities even further, remains the continuing role of the Department of Indian Affairs and Northern Canada. Through the *Indian Act*, this federal department has the ultimate fiduciary responsibility for reserve lands.

Bands must follow rules and regulations for justifying and accounting for program spending. Auditing requirements, when monitored and enforced, can, in the absence of demonstrated competence, trigger arrangements such as third-party management, where INAC assigns the oversight of band affairs to designated parties or gives direct oversight to federal civil servants.

This complicates the prospects for successful governance relative to those faced by non-Aboriginal entities. In addition, the system of checks and balances placed on democratic governments at all levels by the ballot box is much more precarious on reserves, because incumbents exert so much leverage over collective assets and by these means acquire inordinate power to influence the outcome of elections.

The Project and its Parameters

Concentrating all this activity into a few powerful hands presents an open invitation to injustice and a direct formula for discontent. As public policy expert Gordon Gibson said, the problem on too many reserves is that “small governments like large powers.” Unsurprisingly, the fieldwork of the Frontier Centre’s Aboriginal Policy director, Don Sandberg, once again confirms this disturbing phenomenon. Many members of Indian bands from Manitoba, Saskatchewan and Alberta are highly critical of the current system of governing. They decry the fact that once-cohesive communities are divided between the haves—those with political power and the economic benefits that directly flow from it—and the have-nots.

In response to this feedback, and partly out of analytic fascination with the problems of concentrated power and the public policy ramifications of such centralized governments, the Frontier Centre decided to go to First Nations and examine their governance more closely. We proposed to visit as many of Manitoba’s and Saskatchewan’s 63 and 74 reserves respectively as possible and to ask people what they think of their governing institutions. This year, we also visited as many First Nations in Alberta as we could. According to Indian Affairs data, there are 43 or 44 First Nations in Alberta (one reserve is one the administrators of one

First Nation), but many more actual pieces of reserve land.

The report presents data on many areas of reserve life, its people and its governing bodies. Our goal was to rate Prairie bands from best to worst in terms of the success of their systems of governance. Are they experiencing good governance? What is the Aboriginal viewpoint of the process and its results? To find out, we constructed a survey with questions derived from a well-developed body of theory related to best practices in public policy. The data enabled us to identify the Manitoba, Saskatchewan and Alberta First Nations that have demonstrated significant political and economic progress and that have achieved real independence and those that have not.

The purpose of the Index is to provide First Nations on the Prairies with a convenient benchmark that bands can use to measure their progress in achieving responsible self-government. The project is not intended to focus on the distance travelled toward self-government, but rather to rate Native bands by standards of good government as they travel down that path.

The movement toward full autonomy for First Nations and away from the bureaucratic paternalism of INAC has had successes as well as failures. We tried to identify the elements of governance that

have characterized successful transitions in order to provide all First Nations with information about best practices. We hope this information will be employed in a positive fashion to improve the lives and fortunes of all bands and their individual

residents. By expanding public knowledge of how First Nations operate, we intend to show Aboriginal communities how they might change for the better and thereby achieve a higher standing on the list.

The Meaning and Content of Good Governance

Good governance is a concept that has come into regular use in political science, public administration and, more particularly, the management of development. An important catalyst for other values, it appears alongside such terms such as “democracy,” “civil society,” “participation,” “human rights” and “sustainable development” as important elements of human organization. In the last decade, it has been closely associated with public sector reform.

According to the Organization for Economic Co-operation and Development (OECD), an international vehicle for best practices in developed countries, good governance contains these major characteristics:

- **Participatory** – Directly or through legitimate representatives, informed,

organized men and women engage in decision-making that considers the concerns of the entire community.

- **Transparent** – Decisions and their enforcement follow rules and regulations; information and access are freely available in understandable forms.
- **Effective and Efficient** – Processes and institutions make the best use of available resources to meet the needs of society in a sustainable, environmentally protective manner.
- **Responsive** – Processes and institutions try to serve all stakeholders within a reasonable time.
- **Accountable** – Government, the private sector and civil institutions are held to rules of responsibility for the effects of their actions on stakeholders.

Construction of the Governance Survey

The next step was the construction of a survey that would measure whether or not those principles are reflected in the day-to-day governance of individual communities. To do that, we drew on the resources of the Frontier Centre’s years of work through the Aboriginal Frontiers Project, all of which is available at www.fcpp.org.

As mentioned earlier, we made changes to the survey by developing both a short and a long survey.

Our analysts wrote several drafts of possible questions and divided them into five categories that reflected different real-life aspects of good governance: elections, administration, human rights, transparency, services and the economy.

Throughout the process, survey constructors relied on our Aboriginal Frontiers research and grassroots reporting to inform the weightings. We also had considerable on-the-ground input from our policy analysts and field workers about

our questions. This input will be taken into consideration as we develop and improve our questionnaires.

What problems had we already discovered? How important were they for deciding the content of the survey and for assuring objectivity? Would the data accurately reflect real-life conditions? Although the

content of that previous work had already led us to a critical understanding of the governance problems faced by many First Nations, we hoped the design of the survey would confine its findings to the confirmation of the existence or non-existence of principles of good governance in real life.

The Survey Work

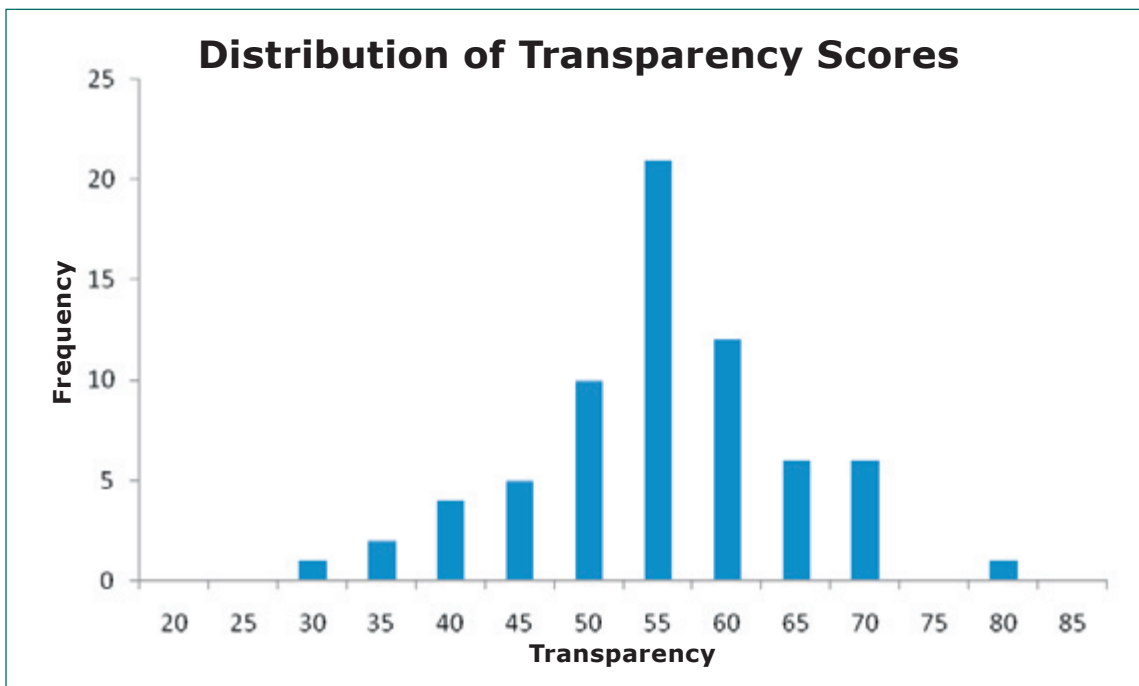
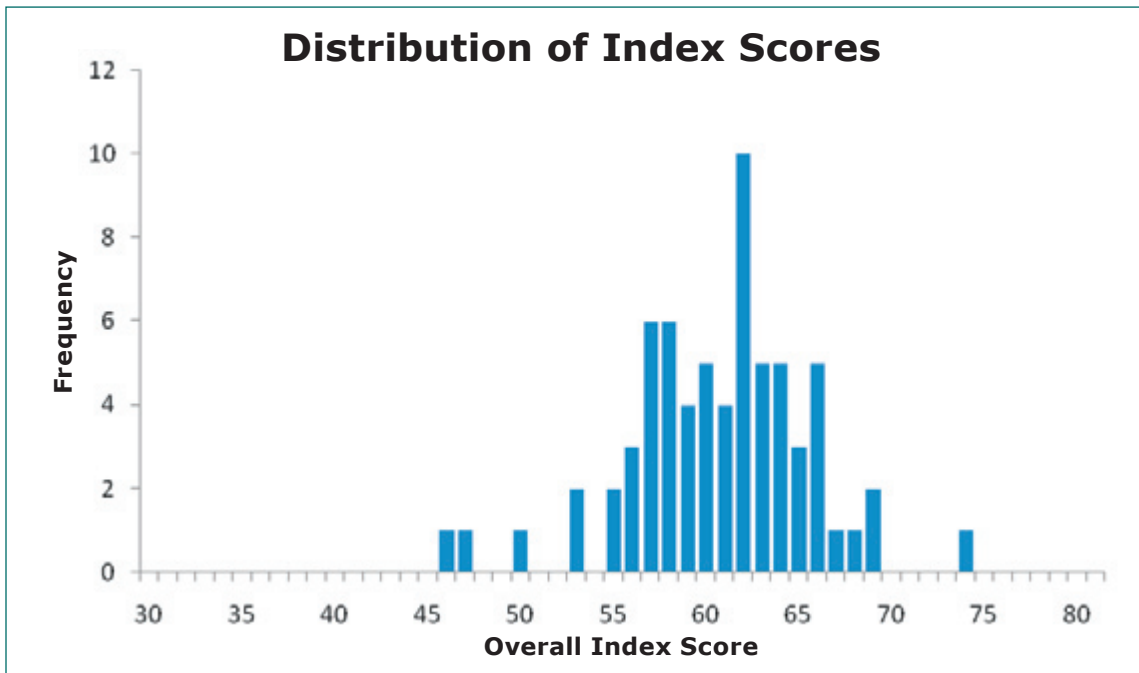
The Aboriginal Governance Index questionnaires for Manitoba were distributed first and then in Saskatchewan. In late 2008, we began distributing the surveys on First Nations in Alberta. Band members were recruited on many First Nations to assist with the survey work. Through the good work of some of our field workers, we were able to secure access to many reserves and receive our samples. Some band councils even assisted with the recruiting. All the questions were assigned points according

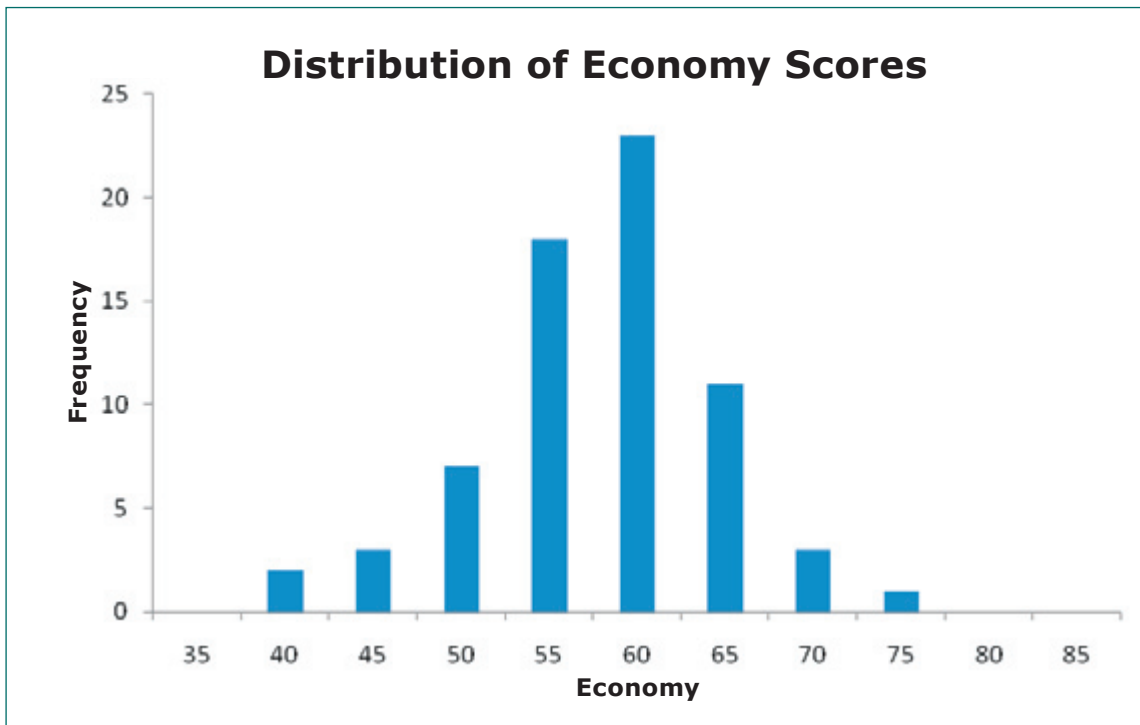
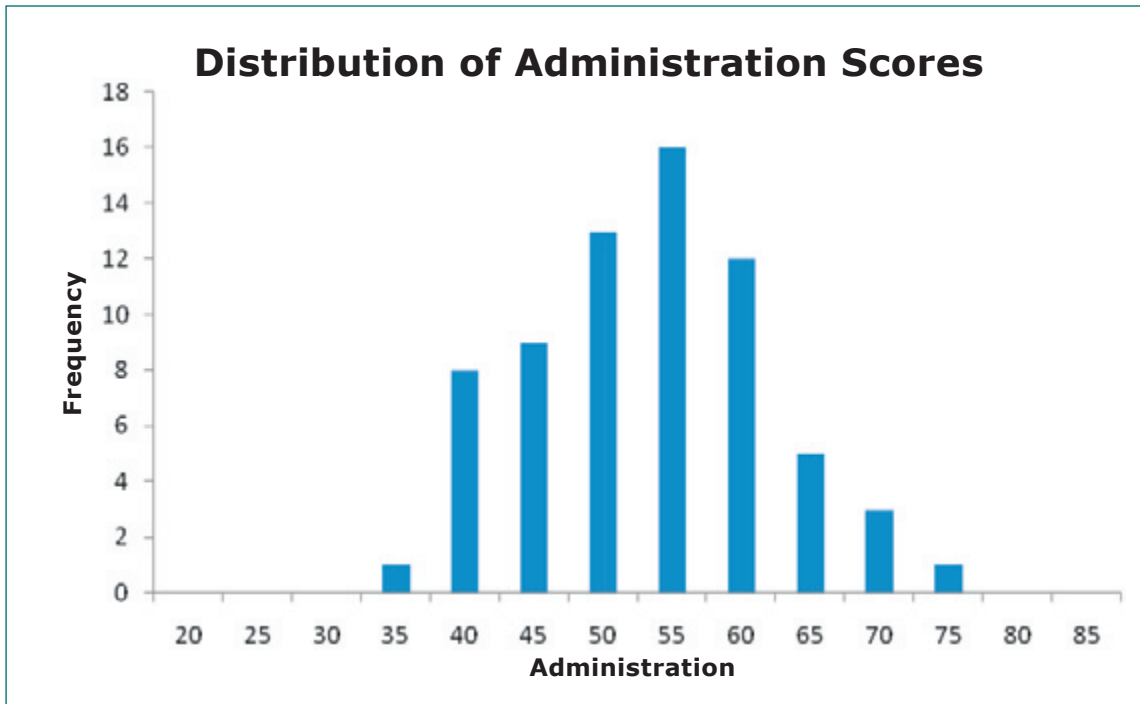
to the weightings decided in conference, and the quantitative values derived from all surveys were distributed to arrive at the final rankings. All completed surveys were included in the calculations. If a survey section contained no answers, that section was excluded from the calculations, but the other sections were included. The six sections were weighted, and they yielded an overall score that allowed us to compare bands.

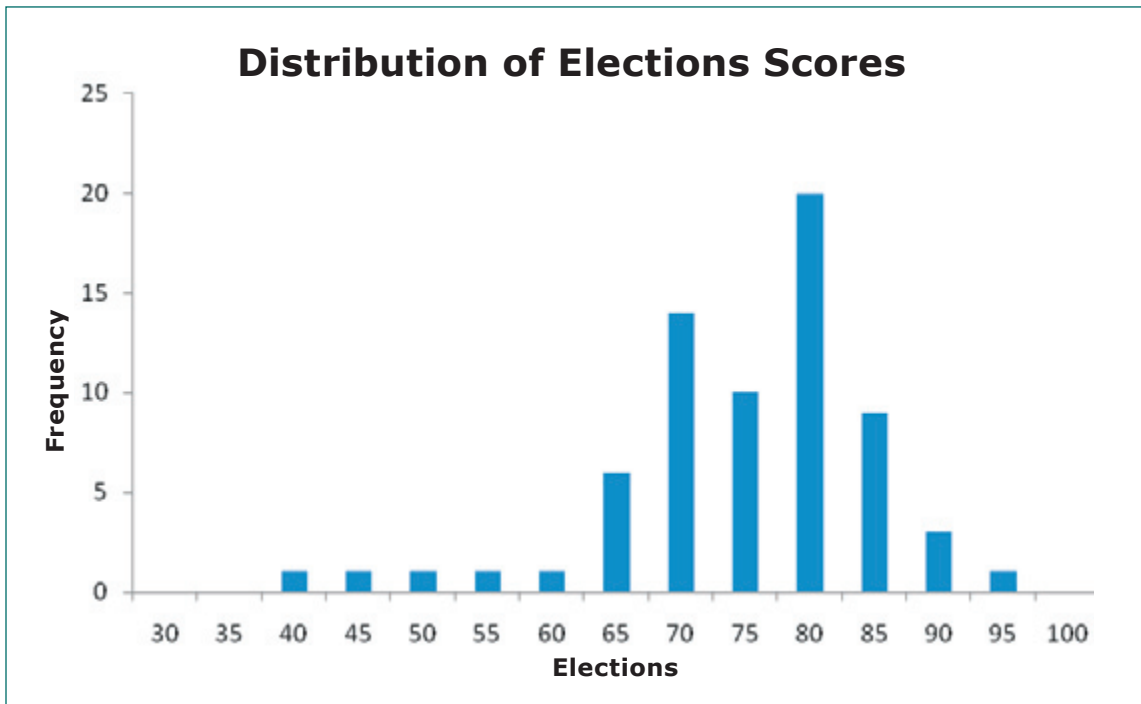
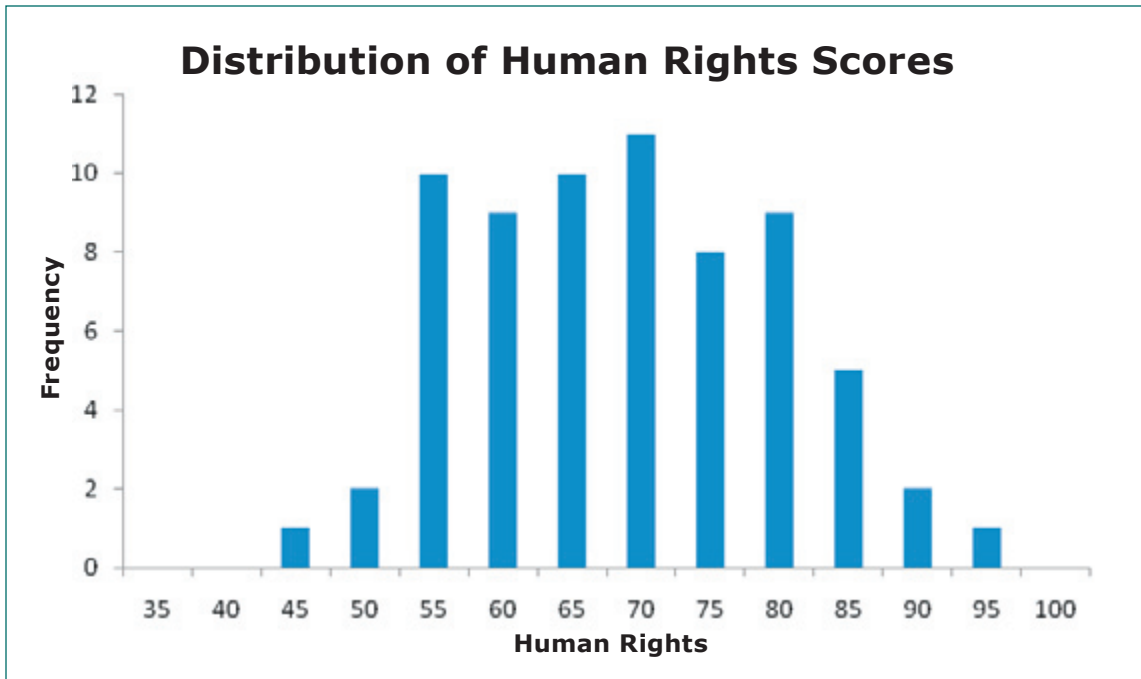
Rankings

Widely differing results were reported within and between bands. Accordingly, more important than the score for each band is the overall distribution of grades. Those bands in the bottom quartile represent those reserves whose inhabitants fare very poorly by absolute and relative standards.

The distribution of the grades shows a strong central tendency. This indicates that those bands at either end of the curve are worthy of examination in order to identify the factors that contribute to their success or failure.







Weightings

Scores are based on the overall weightings assigned to the five sections of the survey. As stated above, we changed the weightings system used for the final ranking. We did not have a question on the short form that corresponded with the Services category in the long form. Thus, we cut out that category, leaving us with five broad areas of governance.

We placed Elections, Human Rights and Transparency on an equal footing, as we assigned 22 per cent of the weighting to each. Economy and Administration were assigned 17 per cent each.

Within each section, each question was assigned either a positive or a negative rating.

The survey team held extensive discussions about scoring methods, and after much back and forth, agreed that the weightings and individual question scores necessarily carried some degree of subjectivity. Since the same scoring rates were used for all the First Nations surveyed, we wanted to ensure that subjectivity would not affect the final governance rankings. By being consistent, we believe we have achieved some degree of objectivity.

Correlations in the Data Analysis

1. Summary

- A correlation is apparent between Administration and Transparency.
- Open government is one of the most accurate predictors of good governance, as one of the strongest correlations exists among those bands that scored highest on Transparency and those with the highest overall scores. Having open government is one of the first steps toward respecting human rights, having a good administration and being able to provide efficient public services. Moreover, a link exists between Administration and the overall score.
- The strongest positive correlation is between Elections and the overall score.

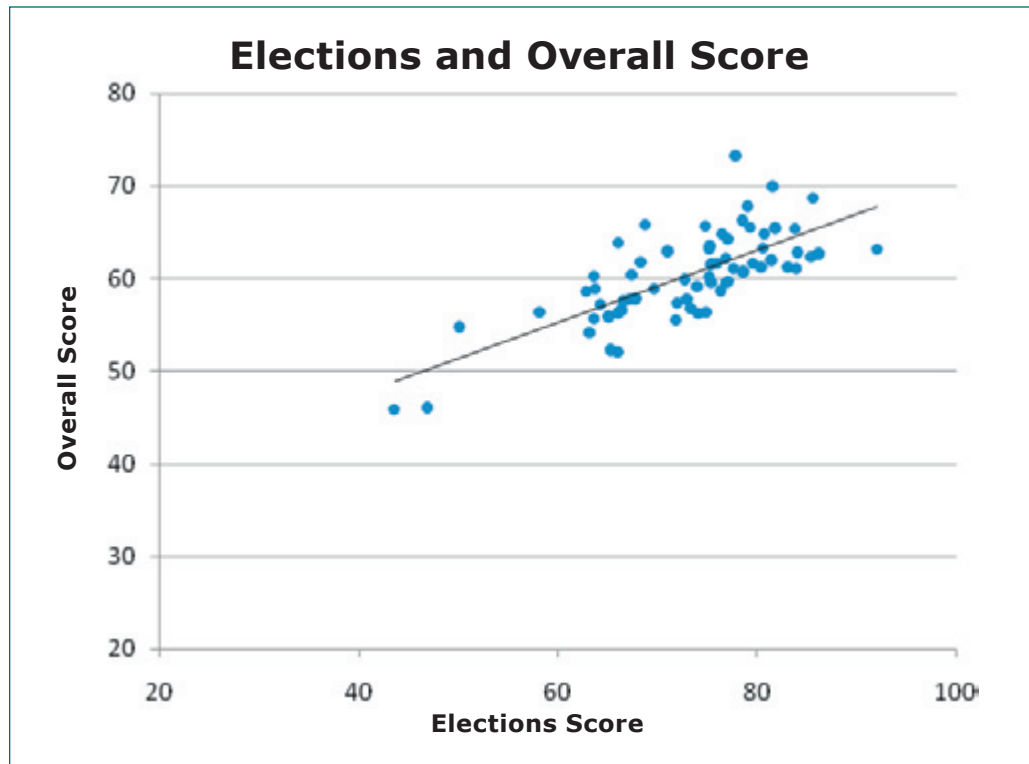
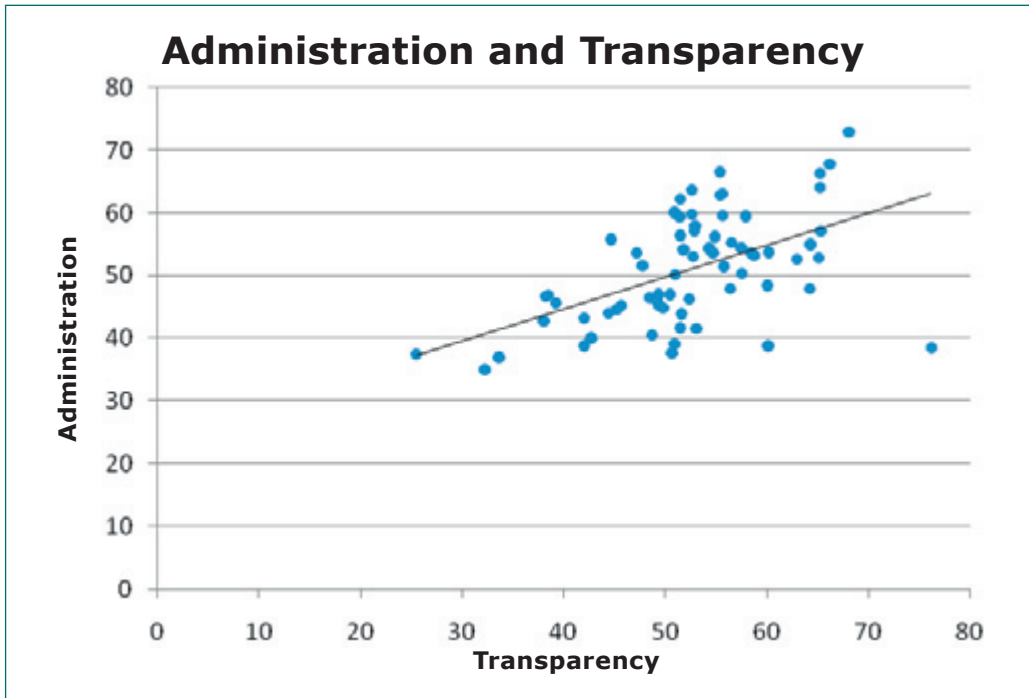
2. Analysis

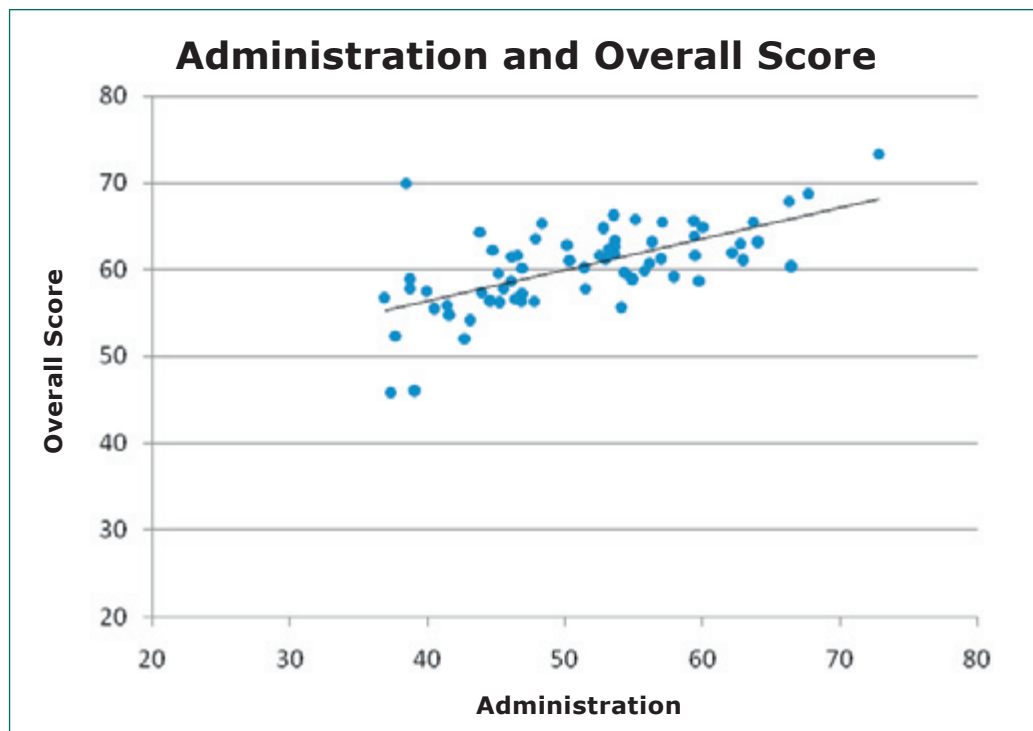
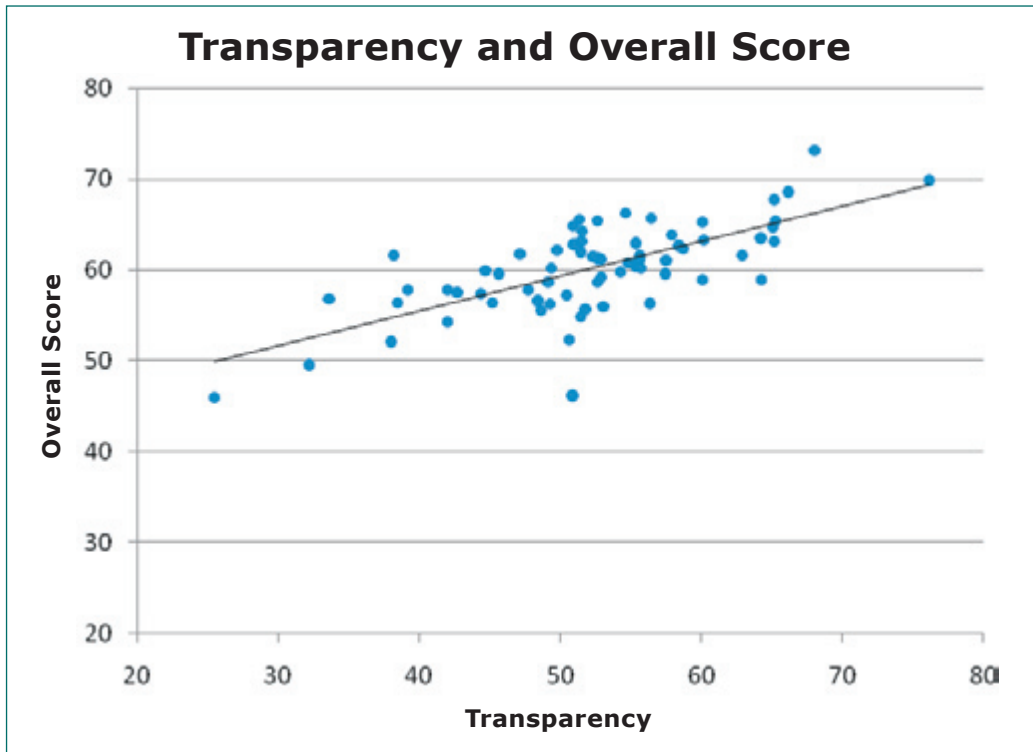
An analysis of relationships amongst the five subcategories reveals some important instances of correlation within the categories: Elections and Transparency have a correlation of .54. The correlation coefficient between Administration and Transparency is almost identical, at .53. Administrations and Elections are also positively correlated, with a correlation coefficient of .49.

The usual caveat still applies that “correlation does not equal causation,” and especially in the social sciences, a correlation is a good starting place for further research rather than a proof in itself. An analysis that presents both a correlation and a plausible explanation of the relationship between the variables is much more persuasive. A further investigation into the variables would prove very useful.

The relationship between Administration and Transparency is not too difficult to explain. To effectively provide good public services and administer the band, a certain degree of openness and transparency is required. Those bands that opened their books and made governance as transparent as possible tended to produce the best-administered communities. The second correlation, between Elections and Transparency, goes to the root of band governance, as the communities that enjoy free and fair elections also tend to be the ones that are the most open in all aspects of governance, including financial information and community decisions.

The next set of analyses looked at the relationship between the overall score and the subcategory scores. Put simply, this shows what subcategories were most indicative of performance overall. In this set, the strongest positive correlation is between Elections and the overall score at a coefficient of .75. Bands that establish fair and open electoral practices tend to have the highest scores overall. Doing well in this category is a good predictor of doing well overall. This is also an encouraging discovery, as it seems to vindicate our long-standing decision to grant Elections a very high weighting within our weighting scheme. The second-highest correlation exists between Transparency and the overall score at .70. Open and transparent band governments are better situated to achieve other objectives such as ensuring fair elections, improving their economic prospects and providing efficient administration. The third largest correlation is between Administration and the overall score. This correlation is rated at .66. Below are the graphs and trend-lines for these relationships.





Strengths and Weaknesses of Aboriginal Governance in the Prairies

As stated above, we divided our surveys into a long and a short form. The positive aspect of the long form in particular was that it allowed us to analyze many dimensions of Aboriginal governance. As this study has made clear, the quality of governance structures on First Nations reserves ranges significantly from one community to the next. Despite this diversity, the responses to our survey questions from band residents across the

three provinces allowed us to identify, generally speaking, areas of strength and weakness in Aboriginal governance as it is practiced in the Prairie provinces. The following notes identify some of the most significant findings of our survey, which shed light on the important question of where are Aboriginal governance structures currently succeeding, and where are they most in need of improvement?

Elections

Our questions concerning elections elicited more positive responses than any other set of questions in our survey.

When asked to describe their level of confidence that votes in the most recent band election were counted fairly, just four per cent of respondents gave the most negative response possible, and only 14 per cent expressed the opinion that votes were either “probably” or “certainly” not counted fairly in the last election. A solid majority of respondents gave a positive response to this question. In total, 67 per cent stated that votes were “probably” or “definitely” counted properly in the last election. To be sure, many respondents did express concerns about the legitimacy

of their electoral processes. Nearly half (48 per cent) thought that at some point “favours and payments have been exchanged for votes,” and just below half reported a general feeling of dissatisfaction with the quality of candidates who stand for office.

Despite these concerns, the residents with whom we spoke expressed more confidence about their electoral processes than they did about other aspects of on-reserve governance. While there is clearly room for improvement in some communities, band residents in the Prairies seem to think that, generally speaking, their local elections are free and fair.

Administration

Unfortunately, the responses to our questions surrounding the quality of government administration suggest that nepotism exists within many reserve communities. Furthermore, many respondents suggested that political power is exercised arbitrarily in their communities and that there is inadequate consultation of local residents by the chief and council.

Our surveys suggest that the chief and band council in many communities do not adequately include residents in the decision-making process. When asked whether the chief and band council consult residents before making decisions, 57 per cent said that they did not. Furthermore, 77 per cent of those surveyed told us that the chief and band council “make all decisions” on the reserve.

Human Rights

A prerequisite for a successful community is that individuals feel physically safe and secure in the possession of their property. Our survey suggests that on many reserves these conditions are not being met. For example, a disturbingly large minority of respondents told us that band councils may remove individuals “whom it doesn’t like” from the community by using Band Council Resolutions.

Ten per cent of those surveyed said the band council “definitely” removes such individuals from the community. An additional 20 per cent stated that their band council “perhaps sometimes” engages in this conduct. Nobody should be forcibly removed from their community because the band council “does not like” them. Although

Because of the absolute monopoly over political power that some chiefs and councils seem to hold, many respondents told us that decisions are often made that benefit the chief and council personally, but do not necessarily benefit most residents. For example, 63 per cent of those asked told us that band officials “benefit personally” from their decisions. Equally troubling, 74 per cent of respondents told us that the band council tends to hire family members. In fact, roughly one-third of those surveyed told us that being a member of the chief’s family would “guarantee” an individual a job. Our respondents gave the clear impression that nepotism and preferential hiring distort the job market in many Aboriginal communities.

most of our respondents suggested that this does not occur in their communities, it is nonetheless a source of concern that a sizeable minority suggests that band councils would remove individuals on this basis.

Over half of our respondents told us that band residents do not “feel secure in the possession of their homes and enterprises.” Furthermore, when asked if the personal security of band residents was best described as “good” or “not good,” 59 per cent responded “not good.” In order to enjoy sustained growth and to begin to address major social challenges, many communities need to act aggressively to improve this situation and ensure that the basic human rights of their residents are protected.

Transparency

In order for residents to be informed and engaged in the decision-making process, it is crucially important for band councils to be transparent. Information concerning council meetings, major decisions and financial records should be easily available to all who are interested. The responses to our survey, however, suggest that many band councils are not sufficiently forthcoming with residents about the decisions they make and the processes by which they reach those decisions. Just 21 per cent told us that council minutes and decisions are “always” or “mostly” made easily available. Over half of respondents said that information about meetings and decisions is “never” or “rarely” made easily accessible to band residents.

Our survey also suggests that there is often insufficient transparency surrounding

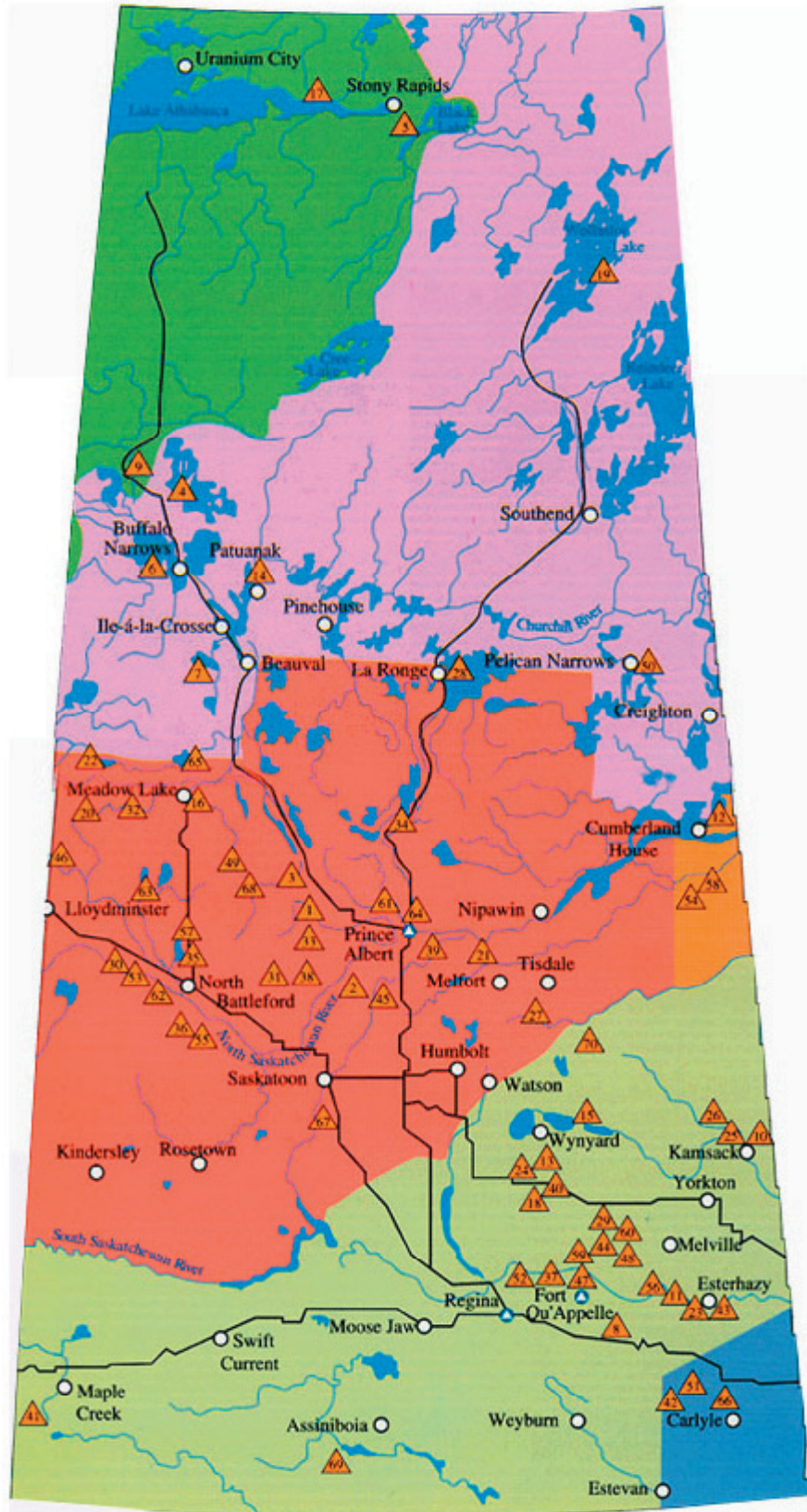
council activities that involve money. Transparency in this area is particularly important, as it helps to ensure funds are used for legitimate purposes that serve the public good. It is therefore disturbing that a majority of respondents (62 per cent) suggested that band members “never” or “do not really” have access to the band’s business plan or financial statements. Residents need access to this sort of information to ensure that resources are being allocated in a rational way and to be able to participate in the community decision-making. Band councils should not be secretive about their business plans or financial records, so we very much hope that in the future more than just 12 per cent of our respondents will say that band members “definitely” have access to this sort of information.

Economy


The separation of business and politics is an important prerequisite for economic growth in First Nations communities. If the band council and its families dominate economic activity on a reserve, this creates a major barrier to beneficial competition and economic development. Unfortunately, our survey results suggest that members of band councils and their families may occupy inappropriately powerful

positions in the economies of some bands. Approximately 57 per cent of those surveyed said that band members or their families “definitely” or “sometimes” run the reserve’s independent service outlets. In order for sustained economic development to occur in Aboriginal communities, it is important to ensure that those who control local politics do not also dominate economic activity.

LOCATIONS OF FIRST NATIONS IN SASKATCHEWAN



LOCATIONS OF FIRST NATIONS IN MANITOBA

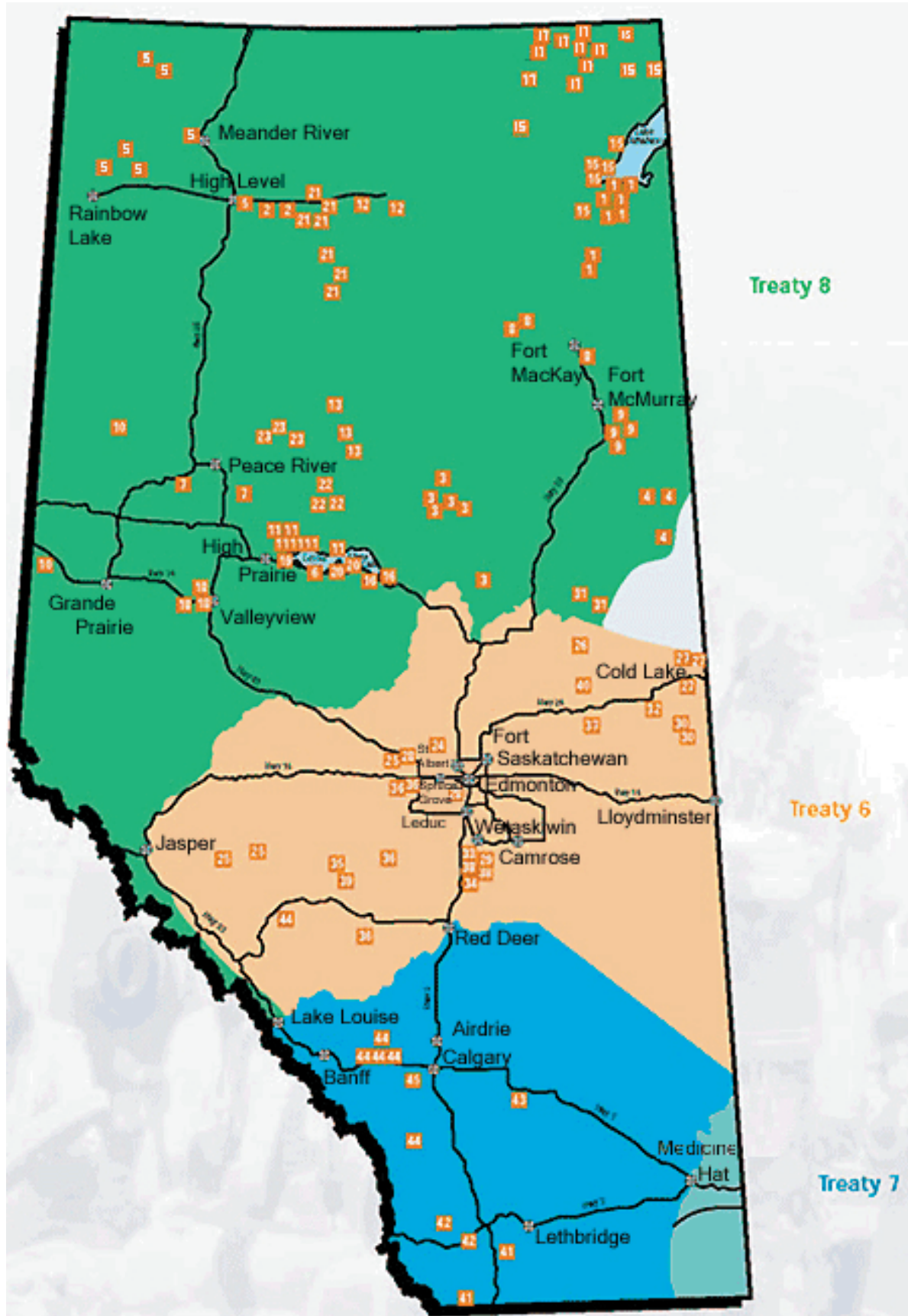
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Canada

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QS-N051-C00-BB-A1

LOCATIONS OF FIRST NATIONS IN ALBERTA



ABORIGINAL GOVERNANCE INDEX SURVEY

GENDER OF RESPONDENT: Male Female

AGE OF RESPONDENT: 16-21 22-29 30-39 40-49 50+

1. In the last Band Council election, were rightful voters able to trust that their votes, and only their votes, would be counted?

- Yes, definitely Probably not
 Probably Definitely not
 Don't know/not sure

2. If you were a member of the Chief's family, would this

- Guarantee a job Not help
 Help get a job Make it more difficult
 Be a small help getting a job Don't know/not sure

3. Are Council minutes and decisions easily available to anyone on the reserve?

- Always Rarely
 Mostly Never
 Sometimes Don't know/not sure

4. Does the Council force people off the Reserve whom it doesn't like (with a Band Council Resolution - BCR)?

- Definitely Never
 Perhaps sometimes Don't know/not sure
 Not really

5. Does the band allow access for its members to its business plan and financial statements?

- Definitely Never
 Perhaps sometimes Don't know/not sure
 Not really

6. Do members of your band council or their family members run the Reserve's independent service outlets (for example retail outlets or restaurants)?

- Definitely Never
 Perhaps sometimes Don't know/not sure
 Not really

For Office Use Only:

NAME OF FIRST NATION: _____

BAND NUMBER: _____ SURVEY CONTROL NUMBER: _____



Dear Sir or Madam:

The Frontier Centre for Public Policy is engaged in research on a project we call the "Aboriginal Governance Index." The purpose of the project is to provide First Nations in the Prairies with a convenient benchmark with which individual bands can measure their progress in achieving responsible self-government.

As you are no doubt well aware, the movement towards full autonomy for First Nations and away from the bureaucratic paternalism of Canada's Department of Indian and Northern Affairs has had successes and failures. We are trying to identify the elements of governance that have characterized successful transitions in order to provide all First Nations with information about best practices. We hope that this information may then be employed in a positive fashion to improve the lives and fortunes of all bands and their individual residents.

We request your co-operation in filling out the attached discussion guide, and thank you for taking the time to do that. If you have any questions about the contents, or are unsure about the nature of the information we need, please contact me. I can be reached at the office at 204-957-1567, by cellular phone at 204-620-2126 or by e-mail at donsandberg@shaw.ca.

Yours sincerely,

Don Sandberg
Aboriginal Policy Fellow

THE NAME OF YOUR FIRST NATION: _____

BAND NUMBER: _____

GENDER OF RESPONDENT: Male Female

AGE OF RESPONDENT: 16-21 22-29 30-39 40-49 50+

I. ELECTIONS

1. Are elections held every two years or is the frequency established by custom?
Every 2 years Other
2. Are you satisfied with the quality of the candidates? Yes No
3. Have favours or payments ever been exchanged for votes? Yes No
4. Have election results ever been disputed? Yes No
5. Is the person who resolves such disputes independent from band officials?
Yes No
6. Does your band decide leadership by hereditary custom? Yes No

II. ADMINISTRATION

1. Do the Chief and band council make all decisions? Yes No
2. Are other band members consulted? Yes No
3. Do band officials ever benefit personally from their own decisions? Yes No
4. Does the council tend to hire family? Yes No
5. Does band employment depend on family or political relations with existing leaders?
Yes No
6. Are open positions of employment with the band posted on bulletin boards?
Yes No
7. Has your band ever had a third-party administrator appointed under the Indian Act?
Yes No
8. Do you think the band is overstaffed? Yes No
9. Does the band use too many outsiders to do its work? Yes No
10. Have you ever seen a copy of the band's financial statements? Yes No
11. Overall, how would you rate your band's administration? Good Bad

III. HUMAN RIGHTS

1. Does the Chief or council use band council resolutions (BCRs) to force residents to leave the reservation? Yes No
2. Have residents been removed with BCRs within the last five years? Yes No
3. Do band members removed from the reservation have the right to an appeal?
Yes No
4. Does an independent agency hear such appeals? Yes No
5. Who appoints that agency? Chief/Council Other

CONTINUED

6. Do band members have security in the possession of their homes and enterprises?
Yes No
7. Have band members ever been evicted from their homes?
Yes No
8. Does the band provide its own police services? Yes No
9. Is the band policed by an outside force, such as the R.C.M.P.? Yes No
10. How would you rate the personal security of band residents?
Good Bad
11. How would you describe the percentage of band members incarcerated in jails or prisons over the last five years?
High Low

IV. TRANSPARENCY

1. Do you think the band council meets often enough?
Yes No
2. Are band council meetings open to band members on a regular basis?
Yes No
3. Are band council minutes and decisions made available to band members?
Yes No
4. Is there in place a formal process for consulting residents? Yes No
5. Does the band publish a newsletter, information bulletins or other communications to inform members of band activities?
Yes No
6. Does the band allow access for its members to its business plan and financial statements?
Yes No
7. How would you rate the financial information given band members?
Adequate Inadequate
8. Are band members provided with information on the performance of band enterprises?
Yes No
9. To your knowledge, has the band council ever defaulted on its financial responsibilities?
Yes No
10. Do you think your band carries too much debt?
Yes No
11. Do you think your band's management of records is adequate?
Yes No
12. Is there a formal process in place for handling complaints from band members?
Yes No

CONTINUED

V. SERVICES

1. Do you think your band's schools are performing well? Yes No
2. Is your school drop-out rate good or bad? Good Bad
3. Do you think your band provides enough support for those who want to go on to college or university?
Yes No
4. Overall, how would you rate your band's performance with regard to education?
Yes No
5. Do people in your community wait too long for medical attention? Yes No
6. Overall, how would you rate your band's performance with regard to health services?
Yes No
7. How would you rate the access of your band members to welfare?
Adequate Inadequate
8. Does your band suffer from a shortage of housing? Yes No
9. Do you think housing is assigned fairly? Yes No
10. How would you rate the quality of water provided to your community?
Good Bad
11. Overall, are you happy with the services your band's leaders are providing?
Yes No

VI. THE ECONOMY

1. Do the members of your band council also run the band's businesses?
Yes No
2. Do you think the hiring of people to work for band businesses is fair?
Yes No
3. Does the band provide equal and fair access to credit or loan capital?
Yes No
4. How would you rate the availability of jobs in your community?
Adequate Inadequate
5. How would you rate the number of band members who have left the reservation?
High Low
6. Is or has the band ever been under third party management? Yes No
7. Do you think your community's economy is growing? Yes No
8. Do you think that your children would do better for themselves if they stayed in your community or left?
Stay Leave

END - THANK YOU FOR YOUR PARTICIPATION

FURTHER READING

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