Conversations from the FRONTIER CENTRE FOR PUBLIC POLICY

Number 93

WITH Calvin Helin, Lawyer, Businessman and Author of *Dances with Dependency*

Calvin Helin is a member of the Tsimshian Nation from the northern B.C. community of Lax Kwalaams (Port Simpson). He is son of hereditary Chief, Smoogyit Nees Nuugan Noos (Barry Helin), of the Royal House of Gitlan and Sigyidmhanaa Su Dalx (Verna Helin), matron of the Royal House of Gitachngeek. Also a practicing lawyer and businessman, Helin is currently President of the Native Investment and Trade Association, formerly Vice-President of the National Aboriginal Business Association and Founding Director of the newly formed B.C. Oil & Gas Association. He was chosen as one of the top 40 under-40 entrepreneurs in British Columbia by the news publication, Business in Vancouver and selected for one of the top 40 under-40 national awards sponsored by the Financial Post Magazine and other major Canadian corporations. A leader of international trade missions to China and New Zealand, Helin is the author of Dances with Dependency: Indigenous Success through Self-Reliance and several other publications concerning law, aboriginal business and related issues. He was interviewed following a Frontier luncheon speech on May, 15, 2007.

Frontier Centre: In your book, you attribute the impoverishment of First Nations to the fact that they are caught in a vise between two forces, "government as the sole source of wealth creation" and "enforced economic isolation." What did you mean?

Calvin Helin: The federal government has created a situation where all of the wealth in the community comes from the government, in the form of transfer payments or to individual people in the form of welfare. So, on the one hand, they made government money the sole source of revenue for aboriginal communities. On the other hand they have created an environment where it is very difficult to run a business on a reserve for a whole variety of reasons, including a lack of property rights.

FC: Before Europeans arrived, individual property rights were a stronger tradition in your home province than on the Plains. But even among nomadic tribes, hunters marked their arrows so they would know who killed a buffalo, and it belonged to him. Where did we get the romantic notion that aboriginal property was all held communally?

CH: I don't really know where that came from. There are some things held in common, but in our region even songs are private property. People have rights to those songs, and if you want to use them you have to ask permission. It's actually a form of copyright, but the songs have come down from thousands and thousands of years and have been used for that long. There was also a very well-defined area that people worked in their hunting and gathering activities. If you went into another tribe's area, you had to pay a tax. Otherwise, there would be war.

FC: Even in indigenous farming societies, people use coloured stones to mark their plots from others.

CH: Yes, that's what they did. There is communally owned property in our tradition, but not everything was owned communally. I think you have to have a balance between the modern world and whatever the traditions were. We have to play in the modern world. We have to generate wealth whether we like it or not, and we have to work in an economic system that uses individual ownership as an opportunity to create wealth. We have to be involved in this.

They developed quite sophisticated economies on the West coast and they were really good at business. The people that I'm from, the Tsimshian, were referred to as the Phoenicians of the Canadian coast because they were really good traders. I tell the story of a trapper coming into the Hudson's Bay Company store and bargaining by the book. He didn't give away his furs. He worked hard for those damn furs and he was going to get a good price for them. It was really tough on the Hudson's Bay Company factor at the store, because he had to deal with this intense bargaining.

FC: You describe thriving resource-based, trading economies in Indian bands, even after the conquest. What happened to reverse that?

CH: What's basically happened is that the federal government instituted policies for 100 to 150 years that basically put aboriginal people on welfare. They did it for a variety of reasons. One, they wanted to get them off the land so that colonists at that time to could take it. They didn't want competition. It's clear from some of the documented writings that that was the case. What they've effectively done is socialize several generations of people in this dependency mindset, where they think it's normal that everything you have in life is provided by someone else. Your house, your income – everything.

FC: Another of the anthropological descriptions in your book that rings true is that various tribes had "varying degrees of political organization," and various styles. Yet our *Indian Act* forces all the different pegs into the same hole. Why should we be surprised when that doesn't work?

CH: You shouldn't be surprised at all. What they were trying to do is assimilate aboriginal people with the *Indian Act.* They wanted us to have a "rural municipality" type of government, which might have been appropriate 150 years ago. But it's not very appropriate now, particularly when we have very, very serious governance problems.

Look at the traditional way the Iroquois governed themselves. The Iroquois confederacy is cited as a model for the U.S. constitution. At the time, Benjamin Franklin asked how these supposed savages could have subsisted and worked together as a federation for hundreds and hundreds of years, while the supposedly sophisticated colonists couldn't agree to work together. The Iroquois example of a decentralized federation is partially attributed as a model for the American constitution.

FC: How do you think we could adapt that concept to native governance here?

CH: I don't know. That's a very big question. I think what we have to do is encompass our traditional interests but do it in a way that sets standards for everybody, standards that lead to accountability, transparency and empowerment of ordinary people. Under the current system, that's not happening.

FC: Under that the election appeal processes in place on First Nations, appeal boards are appointed by the same people against whom the grievances are leveled.

CH: For the most part, it's a total sham, a closed circle. The system concentrates power into the hands of the Chiefs and there is no accountability. That is built into the mainstream society, with leaders held accountable by the public and the press. If people on reservations want answers, there's no way to get them in the current system. So they've have voted with their feet. They've just left these communities.

FC: You make an analogy between the failed Communist experiment in Europe and the economic fate of your people. Basically you're saying "when everybody owns everything, nobody owns anything."

CH: That's the problem they discovered when colonists first settled in what's now the United States. They found that, when everybody owned the land together, in common, the colonists who were supposed to be working the land almost starved. So they decided to create private-property interests. It shouldn't be surprising that, if you have an incentive to work towards something that you can improve, you are going to take better care of it. We've got to introduce those kinds of incentives into our communities because we need those kinds of results. We need more productivity. Aboriginal governments are need aboriginal entrepreneurs who are risk-takers, generating wealth that might provide some kind of sustenance for their governments.

FC: Can we go back to the issue of government as the sole economic driver in aboriginal economies? It's clear that was a gigantic mistake but why did we do it? Was it benevolence gone wild, or malice, in the sense of some kind of racism?

CH: At that time, racism was just inherent. It was a time when people had a very ethnocentric view. But I think the main motivator, as I said, was that it was a practical way of dealing with a population that might be resource competitors with colonists.

FC: On some reservations, political elites have acted in a sensible manner to allow their people some security of possession for their business and homes. Yet on far too many others, they don't. Isn't that just another demonstration that absolute power corrupts absolutely?

CH: I think you have to have some form of accountability. If aboriginal leaders are committing crimes in mainstream society, they would be convicted and thrown into jail. We should do the same thing.

FC: Do you support the suggestion by Indian Affairs Minister Jim Prentice and the Canadian Human Rights Commission that the section of the *Human Rights Act* that exempts First Nations be repealed? The Chiefs say they want to wait four years before they consider it.

CH: That's just going to go on and on. We need the democracy that everyone else takes for granted.

FC: Please define the term, the "Indian Industry." What percentage of the resources intended to help First Nations would you guess ends up in their pockets?

CH: I don't have a specific number. I could tell you some of the numbers that came out of one of the reports on the land treaty negotiations and how much it was costing. I think it's close to a billion dollars now that has been burned up negotiating treaties. Some of the First Nations out in B.C. have used up or borrowed against more than half of the value of their treaty settlements. If you are trading away your ancestral rights, would anybody in their right mind do that? Give away half of what you are expecting as a settlement before you even get it? That's just crazy. I think that's an indication of the level to which the Indian Industry and some aboriginal elites are basically milking the government cow and taking money that really belongs to the people together.

FC: Manitoba's Jean Allard has formed a Treaty Annuity Group. His proposal is that we take half of the federal government spending now sent to the Chiefs and send it directly to aboriginal people as an expansion of treaty rights. That still pays $5 a year and he wants to expand it to about $5,000 a year, per individual. Would you support a reform like that?

CH: On the one hand it's attractive, because most people who know what leaders are doing with the money are of the opinion that they are throwing it out the window. Most people think that they can take care of money that's given to them better if it's directly given to them. On the other hand . . .

FC: Are you worried about the Stoney Creek problem? Where individuals waste the money, too?

CH: Could be. But mainly what you don't want to do is entrench a permanent form of welfare. In the U.S., some tribes pay out per capita payments to their members from these massive casinos. Some of the people who are well educated are doing well, but it's really created a massive form of corporate welfare.

FC: The despair on many First Nations is understandable in context. You talk about an Indian tradition where individuals were "completely self-reliant" people who "never depended on anybody." Isn't alienation in the psychological sense an inevitable consequence of a culture of hand-outs?

CH: I think it is. What I have learned about the psychology of welfare is that happens when people get out of putting out some effort to get their daily bread. There's a real satisfaction from getting it on your own that you can't get any other way. You have to do something to earn it – this is advice our grandmothers would give us. The more effort you put out, no matter what happens, the more successful and the better you feel. You cannot replace that. If you are just given something, if you are not putting out the effort to get something, it causes all kinds of social pathologies. You have all the time on your hands and you're not getting the satisfaction of putting out effort and achieving something. I don't think people have been wired up to have things fall in their laps that way.

FC: You quote a Québécois singer, Felix Leclerc: "The best way to kill a man is to pay him to do nothing."

CH: That is born out of what is happening in the aboriginal community. You have an entire population, or at least a large part of it, that is dependent on welfare. The sense of pride, accomplishment and achievement that would come from doing something isn't there, because they aren't doing anything. You have to be able to be in a situation where you can go out and do something. In studying this, I investigated, of all things, lottery winners. When blue- collar workers in the U.S. won the lottery, they found that they were in a worse position than they were previously. What gave meaning and structure to their lives is what they had to do for a living.

FC: When people retire, they often become depressed.

CH: Exactly. Sociologists call it a social anomie, where people drift around and don't know what to do with themselves, and have no direction in their lives. When they described all of that it sounded, to me, like aboriginal people on welfare. That's why I titled that section of my book, "*Lottery Winners Without the Windfall*."

FC: You speak of a very recent past when, if your Granny needed a new house, the community would build her one, and contrast that with today, when they sit and wait for the government to do it. That says a lot about the condition of First Nations' housing, doesn't it?

CH: It does, and it also says a lot about how well people take care of their things. For the same reasons we just talked about with regards to the importance of work. If you work to build your own house or you work to acquire a place to live, you take care of it. Now the expectation has been created that people are just going to get a new house if they wreck it. So the attitude is to use up the resource.

FC: You mention the possibility that Canadian tribes may soon come into as much as $20 billion in land-claims settlements, but bemoan the possibility that the wealth will be "trapped" so that people will not fully benefit from the capital. Hernando do Soto describes that phenomenon at work in other countries. How would you change that?

CH: I think you have to be careful about losing it in the first place. But tribes also have to develop the capacity to do something productive with it. I think a good model to emulate is the Maori in New Zealand or tribes in Alaska, where they now have the capacity to go out and risk some of their capital to develop opportunities for their people. You have to have a settlement that's structured in a way that allows that. But the way most of these settlements seem to be structured is that a few people at the top shape the direction in which things are going.

FC: Tom Flanagan argues in *First Nations, Second Thoughts* that we are asking too much of small reservation communities in terms of governance. How can they be expected to contain the skill sets needed to deliver the whole range of public services in other places divided up by municipal, provincial and federal governments? Are we setting them up to fail?

CH: In some ways, we are. But we also have to have a period where they can grow into these roles and understand them. In New Zealand, they've got a new crop of managers as a result of settlements there. They're doing a very good job now. The scale of economics in these little communities is a difficult issue, but there are other little communities in Canada without those problems. Look at the Mennonites and the Hutterites. I really think it's a matter of attitude. If you want to go out there and accomplish something, you are going to go out and accomplish it.

FC: The Frontier Centre recently hosted two Maori intellectuals who stress three elements, the importance of literacy for aboriginals, the need, especially among the young, for cultural heroes and the primacy of individual responsibility. Are these values also on the move in Canada?

CH: I think those are very important issues that have to be considered and stressed in Canada. The most important of those is the notion of responsibility. We have to take responsibility for ourselves. We have to live and die by our decisions just like everyone else and not to blame the federal government or whomever. At the end of the day, I would rather have control of my life than trade it off to some faceless, monolithic bureaucracy.

FC: You seem to agree with the general public's distaste for the excesses of the residential school system. Yet aren't many of the most successful aboriginals in Canada a product of them?

CH: What I think that fact basically speaks to is that not everybody was impacted the same way. Some people actually got a really good education and weren't abused. I've talked to people that say that they don't know what all the fuss is about. But some people really were abused. I think it's just the way things go. You get some people that had the great fortune not to be targeted and tarred by some bad experiences, but some people really were treated horrendously and badly.

FC: In his home reservation in South Dakota, Russell Means stresses the importance of local school control. How are we doing in Canada? Don't we need a more fulsome commitment to school excellence?

CH: I think overall they're doing very badly. What we have to do is to stress standards. What tends to happen is that people tend to put culture before everything else. Culture is important, but it has to be culture with standards. We don't exist in a bubble. We have to compete against everyone else in the world. We have to get well-educated people if we want the best outcomes for our tribes and our society. The situation right now is like a checker board, and I think we need national standards of education for aboriginal people. We need a blueprint for how to move forward. Right now, there isn't any of that. I don't mean to say that you should take control out of the local people's hands. They have to feel like they're part of the solution. In Vancouver's Grandview Elementary school, where half of the children are aboriginal, the principal consciously involves parents in every aspect of education. So they essentially took ownership of the educational system.

FC: What do you recommend we do to break the back of the political power held by the Chiefs?

CH: What we should do in talking about reforms is have a referendum, so that every aboriginal person in Canada can vote.

FC: And that would be a referendum mandated by the federal government?

CH: It would have to be, under the current system. But it would have to be a referendum where not just the Chiefs have input but there is a way of incorporating particularly off-reserve people, because that's 70 percent of the population. You've got some of the Chiefs deciding where our entire policy is going and nobody else has a say. We need to empower people and listen to them so that they can tell us what they think might work. As all our grandmothers tell us, "You were born with one mouth and two sets of ears." We should listen.

FC: Where do you think aboriginal policy will be at the end of your life?

CH: I think we're going to reform all of this, because there is total dissatisfaction from the aboriginal population as to what's being delivered now. I think we're going to reform all of this because the non-aboriginal community sees the demographic tsunami coming and they realize that we've got to do something different. That's going to translate into votes for people running in federal elections and it should translate into policy reform.

The Frontier Centre for Public Policy is an independent public policy think tank whose mission is to explore options for the future by undertaking research and education that supports economic growth and opportunity. You can contact the Centre at: Suite 25 – Lombard Concourse, One Lombard Place • Winnipeg, Manitoba CANADA R3B 0X3 •Tel: (204) 957-1567 Fax: (204) 957-1570 • E-mail: newideas@fcpp.org • www.fcpp.org