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SUCCESSFUL INTEGRATION EXPERIENCES FROM AROUND THE WORLD

BY JOSEPH QUESNEL



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INTRODUCTION

This policy study examines the poverty of Indigenous people and how three countries have attempted to help them improve their situation, by examining examples of the successful integration of Indigenous peoples into the economic and social structures of several states. The twin challenge for Indigenous people living in Indigenous communities is often to survive culturally as distinct peoples while prospering in a modern economy and social structure. This study examines Indigenous communities in Mexico, Japan with the Ainu, and in Israel, with the Samaritans. In the conclusion of this paper, implications for Canada garnered from these case studies will be outlined. We will examine these case studies in terms of their strengths and weaknesses for the Canadian context and we will draw out some policy recommendations that could be of use to Canada's First Nations.

Mexico

The coat of arms in the centre of the Mexican flag is a tribute to the Indigenous heritage and people of the country.¹ This emblem depicts the Aztec symbol for Tenochtitlan (now Mexico City), the centre of the Aztec empire. It speaks to the legend of an eagle sitting on a cactus while devouring a serpent that signaled to the Aztecs where to build the ancient city of Tenochtitlan.² Of course, it included other elements of national identity, such as a white stripe representing the Roman Catholic faith and a red stripe designating the Spaniards who helped Mexicans achieve their independence.³

It is common knowledge that modern inhabitants of Mexico are largely descended from a mixture of Indigenous and European ancestors, as is common throughout many countries in Latin America. In 2011, a large-scale mitochondrial DNA study of the Mexican people showed that most Mexicans have at least some Native lineage.⁴

Mexico's self-identified Indigenous population numbers about 12.7 million people representing 13 percent of the national population, speaking 62 languages between them.⁵ The present-day Indigenous population traces at least some ancestry back to one or more of these 78 peoples, with the greatest number related to ancient Aztec, Maya, Toltec, and Olmec people.

The Indigenous issue for Mexico is partly a geographic issue. Most of the Indigenous population is concentrated in the southern and south-central region of Mexico. Almost 80 percent of those who speak an Indigenous language live in eight of Mexico's 31 states; in rank order these are Oaxaca, Chiapas, Veracruz, Puebla, Yucatán, Guerrero, Hidalgo, and Mexico City.⁶ The five predominant languages spoken by Indigenous people are Náhuatl, followed by Maya, Zapotec, Mixtec and Otomí.⁷

The modern Mexican state, which was created after the Mexican Revolution (which occurred from 1910-1920), was based on the equality of all citizens without regard to ancestry.⁸ This led Mexico to reject some of the old distinctions and protections for

Indigenous peoples that existed under the Spanish Crown.⁹ This fact explains the historic reluctance of Mexicans to stress their Indigenous identities and to claim separate Indigenous rights as Indigenous people in Canada are doing. Most people are of mixed ancestry and every person has the same rights and responsibilities.

However, over the last few decades, conflicts over Indigenous claims have forced the Mexican state to deal with several specific claims of various Indigenous peoples, especially as Indigenous nationalism and sovereignty movements began to emerge. On the day that the North American Free Trade Agreement (NAFTA) took effect, a rebel group in the state of Chiapas declared war on the Mexican government. On January 1st, 1994, the National Liberation Zapatista Army (*Ejército Zapatista de Liberación Nacional*-EZLN) attacked the town of San Cristóbal de las Casas and nine other small towns in the state of Chiapas, putting the Indigenous peoples of Mexico in international news.¹⁰ This forced Mexico to deal with Indigenous differences and find ways to accommodate them while respecting national unity and reinforcing a common Mexican identity.

The EZLN movement gave way to a series of negotiations, which led to the signature of the "San Andres Peace Accords" in 1996.¹¹ It was the first time the Mexican government made a commitment to recognize the rights of its Indigenous peoples. The main commitments included in the accords were: a) the right to self-determination; b) the increase of political participation and representation of Indigenous peoples in government; c) the guarantee of access to justice; d) the promotion of cultural policies; e) the promise of multicultural education; f) the furthering of social policy focused on Indigenous children and women; and g) the promotion of participation of Indigenous peoples in development.¹²

Up to the present, many of these demands are still unfulfilled.¹³ However, the EZLN's uprising began the process that eventually led to the 2001 Constitutional reform. Article 2 of the new Mexican

Constitution includes the recognition of the Mexican state as a pluri-cultural nation (recognizing multiple cultural identities within the national identity), where Indigenous peoples and communities have a right to self-determination. This article mandated the creation of a series of institutions and public policies to guarantee the inclusion of Indigenous peoples. However, Article 2 is very clear that, "Indigenous people's right to self-determination shall be subjected to the Constitution in order to guarantee national unity." Thus, recognition of Indigenous rights cannot compromise the integrity of the Mexican state.

Moreover, in addition to recognizing Indigenous rights, many Mexican states have enacted legislation for their Indigenous populations at the local level. The Mexican Constitution recognizes the right to prior consultation. Article 2, section B specifies that the government should consult with Indigenous peoples when implementing development plans at the national, state, and local level.¹⁴ At the time of printing, 25 of 32 Mexican states recognize the right to prior consultation in their own constitutions and laws.¹⁵ Two of these states – San Luis Potosí and Durango – have passed specific laws on prior consultation.¹⁶

The conservative administration of Former President Felipe Calderon did not adopt Indigenous policies because they were obviously occupied with the armed uprising in the Indigenous regions and later in his administration, the war against drug trafficking by organized crime. Dealing with the legacy of the San Andres Peace Accords and Indigenous claims would fall on his successor President Andres Manuel Lopez Obrador has made Mexico's Indigenous peoples a priority of his administration.¹⁷ Although regularly referred to in the media and in reports as on the "left," Obrador has shown a commitment to economic liberalism in a pragmatic way, not a socialist one. Early in his presidency, he said: "There will be profound changes, but they'll come in accordance with the established legal order. There will be freedom for businesses. In terms of economics, we'll respect the Banco de Mexico's autonomy. The new government will maintain fiscal and financial responsibility. It will recognize the

contracts with national and foreign companies and banks."¹⁸

President Manuel Lopez Obrador's commitment to orthodox economic thinking shows that he is predisposed to encouraging Indigenous people and communities to become engaged in a modern economy. In the past, the government's emphasis was on state-sponsored affirmative action policies that did not fundamentally deal with reducing poverty. Throughout the last few decades, the emphasis was on building Indigenous political parties and ensuring that public servants at various levels of government were Indigenous.¹⁹ These are not unimportant goals, but they distract from more fundamental goals of building a modern economy and ensuring economic self-determination for Indigenous peoples. This is borne out by polls showing that Indigenous peoples themselves, when asked their priorities, rank combating poverty and access to services as highest, over more symbolic goals like political representation.²⁰

Mexico has a federal system of government which is particularly relevant for the issue of a regionally concentrated Indigenous population. It also may be of added relevance given Canada's own federal system in terms of policy insights. But Canada has legally identified Indigenous people. It seems Mexico does not.

As outlined in its constitution, Mexico's 31 states are entities that are free and sovereign and autonomous over their internal affairs, such as cultural protection. They can govern themselves according to their own state laws. The states have their own constitutions that don't contradict the principles of the federal constitution. For the purposes of local economic development, the states can direct and regulate their own economic policies and utilize the taxes and income that come from the resources on their territories. State governments are modelled on the federal system with three branches of government. All the constituent states must have a republican form of government based on the congressional system. The executive power resides in the governor and the legislative in a unicameral Congress. At the local level municipalities are also relatively

autonomous, enjoying status in the constitution. There are also so-called “free municipalities” (*municipios libres*) that are freer to adopt policies to suit local circumstances.

However, the Indigenous peoples of Mexico are a unique case study in that they are the only Indigenous group studied that have participated in armed insurrection to achieve their goals. Although not exclusively Indigenous, the Zapatista Rebellion took place predominantly in the Indigenous-majority state of Chiapas.²¹ Long excluded from the national dialogue, the Zapatista Rebellion placed Indigenous Mexicans front and centre on the national agenda.²² While accommodating its Indigenous peoples was a positive historic step, the policies adopted have focused on political autonomy and representation in political institutions at the expense of economic empowerment. However, while the government has focused on political representation, it has resisted treating its Indigenous peoples as distinct from everyone else and has never ceased from treating all Mexican citizens equally before the law. The Mexican state has also resisted the idea of “reserves” and a division of communal Indigenous lands, such as in existence in other countries such as Canada.

Although criticized by activists, the constitution explicitly provides for the decentralization of the provisions related to Indigenous rights and autonomy. It reads: “The constitutions and laws of the States and the Federal District shall establish those elements of self-determination and autonomy that may best express the conditions and aspirations of Indigenous peoples in each State...”

While opponents may view this sort of local option cynically, it led most states with Indigenous populations to reform their state constitutions allowing for recognition of Indigenous rights. This means that there is no centralized and federal legislation affecting all Indigenous peoples, as there is Canada with the *Indian Act*. This is positive in the sense that policies and structures are not imposed from on top on all Indigenous communities in Mexico.

There is autonomy for Indigenous peoples though their states and especially at their local municipality. This “municipalization” of Indigenous affairs has been met with criticism by some ardent Indigenous rights activists, but it has not really been studied for its empirical benefits. Indigenous peoples at the local level in Indigenous-majority Mexican states have proceeded full ahead on setting down policies that reflect Indigenous autonomy. For example, in Chiapas, 38 self-declared autonomous municipalities and pluri-ethnic regions have established their own sets of governing structures since 1994.²³ In 1995, the Oaxaca state legislature approved a change in the state constitution to allow the election of municipal authorities through Indigenous traditions and customs. In 1997 the Oaxaca Congress approved a legislative plan that gave Indigenous communities the right to name their municipal authorities without the intervention of political parties in accordance with local traditions, thus implementing the changes made to the state constitution in 1995.²⁴ The example of Oaxaca and the fact that the state government of Oaxaca has legitimized local forms of government have advanced Indigenous rights at the local level.

The numerical Indigenous majorities in these states have allowed these regions to exercise a form of autonomy that is meaningful, while resisting the urge to establish “reserve-style” communal land holdings that hamper economic engagement.

To his credit, Mexican president Ernesto Zedillo in 1996 spoke out against certain aspects of the San Andrés accords that could have resulted in a system of “reservations” or the balkanization of the country. He also rejected the idea of “special rights” for Indigenous Mexicans that could prevent the creation of a common Mexican identity.²⁵ This is all the more significant because Zedillo was the last president of the Institutional Revolutionary Party, Mexico’s long-serving centre-left party that lasted almost 80 years. As an economist, Zedillo was committed to returning economic growth to Mexico and ending the country’s economic malaise, which he succeeded in doing.

Part of the problem is the Indigenous population largely lives and works in rural areas as opposed to living and working in the growing urban regions of Mexico. But this is not an issue of targeted discrimination, but of location and opportunity. This is not just specific to Mexico's Indigenous peoples, of course, but is central to the reality of Indigenous peoples around the world.

This is part of the central issue among Latin American Indigenous peoples where those groups that inhabit urban settings typically have better access to jobs and markets, as well as educational opportunities, than those in the traditional rural areas.²⁶ In 2017, it was reported that 54 percent of Mexico's Indigenous population lives in urban areas whereas 46 percent live in rural areas.²⁷ Table 1 below shows the degree to which poverty persists among Indigenous peoples in Mexico as compared to other communities in Mexico.

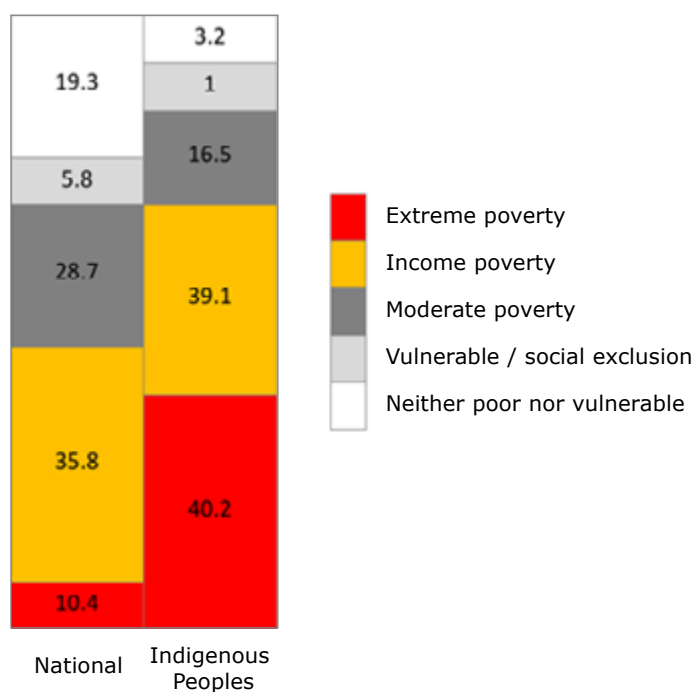
According to the Organization for Economic Co-Operation and Development (OECD), these gaps are larger in rural and remote areas. For example, gaps in the employment rate between Indigenous and non-Indigenous peoples living in urban regions is on average **8.4** percentage points across a sample of OECD member countries (Australia, Canada, Mexico, New Zealand, Sweden, and the United States) whereas it is **20.2** percentage points in rural regions.²⁸

This author is sympathetic to the goals of self-determination and recognition for Indigenous peoples but argues – alongside reputable international bodies such as the OECD – that a vibrant economy is essential to realizing self-determination. The OECD has stated that Indigenous communities must be linked with regional economic development in order to reduce poverty. The OECD lists four interconnected elements as essential to activating opportunity and prosperity for Indigenous communities and these are: 1) good data; 2) enabling policies for entrepreneurship and small business; 3) instruments to mobilize land for development (e.g., some form of secure property rights; and 4) effective and inclusive governance.²⁹

Central to these reforms is connection to the dynamic urban-based economy. Being tied to rural areas in lands that are often farmed collectively is not the recipe for economic success. This does not mean that Indigenous people have to leave their rural communities, but they must remain connected to the urban economy, or as the OECD report puts it, "Accessibility to cities, natural resources and amenities shapes the potential resources and markets available to Indigenous entrepreneurs."³⁰

Since its founding, the modern Mexican state has been engaging in land reform and attempting to commercialize lands that were formerly held in semi-feudal status or earlier Indigenous-based collective status.

Table 1: The Structure of Poverty in Mexico, 2010



Source: Gobierno de la República. "Plan Nacional de Desarrollo 2013-2018." Estados Unidos Mexicanos. P. 48. <http://pnd.gob.mx/wp-content/uploads/2013/05/PND.pdf> (accessed January 2020); <https://theglobal-americans.org/2017/10/indigenous-political-representation-mexico/>.

The Ainu in Japan

By contrast, however, the Ainu of northern Japan have had a very different experience than the Indigenous peoples of Mexico. Their experience has been one of aggressive assimilation without much opportunity for an assertive nationalism. Their history is like that of Canada's First Nations.

It was only in 2019 that the Japanese government recognized the Ainu as an Indigenous people of Japan.³¹ The Bill also includes measures to make Japan a more inclusive society for the Ainu, strengthen their local economies, and bring visibility to their culture. Very little is known about their origins, but the Ainu have inhabited northern Japan for many centuries, in what is now the Hokkaido prefecture. They held to animist beliefs and revered bears and wolves as sacred animals.³² The bear of Hokkaido became identified with the Ainu and eventually – even now – is a symbol of their resilience in the face of ethnic Japanese domination.

When the Japanese state attempted to modernize and consolidate its hold over the country in the 19th-century, they inevitably came northward and encountered the distinct Ainu people of Hokkaido. Until the middle of the 19th-century, the Ainu largely spoke their own language and practiced their own spirituality, although a growing number were persuaded or coerced into working for Japanese-run fishing enterprises. However, in their push towards emphasizing a unified Japanese identity, especially in northern Japan, the Japanese parliament adopted the *Hokkaido Former Aborigines Protection Act*, a law designed to achieve the assimilation of the Ainu of northern Japan. Or as Tessa Morris-Suzuki, a historian of modern Japan, wrote:

The paradoxes of this piece of legislation are evident even from its title. The phrase “former Aborigines” was supposed to emphasize the fact that the Ainu were now citizens of a rapidly modernizing Japan, destined to merge their identity with that of the majority population. Yet, by singling the Ainu out as former Aborigines, and subjecting them to patronizing and oppressive assimilation

measures, the *Protection Act* in fact helped to ensure the survival of prejudice and discrimination against the Ainu within the modern Japanese state.³³

Morris-Suzuki wrote that the *Protection Act* survived for almost a century. Some of its worst elements were repealed in the 1930s but it remained in the law books up until 1997.³⁴ The year 1997 also represented a watershed in Ainu rights when a district court in the northern island of Hokkaido ruled that the government had failed to respect Ainu cultural heritage and sacred sites when it expropriated land belonging to two Ainu residents for the construction of a dam in the village of Nibutani.³⁵

The 19th-century was a time when the Japanese state turned its attention to exploiting the natural resources of Hokkaido. Also, settlers from other parts of Japan began to colonize various parts of the island. Ainu communities were also often moved to remote areas to make room for new Japanese towns and villages. By the early 1880s, the Ainu population of Hokkaido, officially estimated at around 17,000, was already vastly outnumbered by a Japanese settler population of approximately 250,000. These numbers stayed relatively constant up until modern times, with fluctuations with inter-marriage and many Ainu declining to self-identify as Ainu.

It would not be until the 1960s that Ainu activists would begin to adopt a much more politically conscious stance and would agitate for increased recognition of Ainu rights and claims. For decades the Ainu would engage with the Japanese government on recognizing their rights until in 1997 they passed a law providing the cultural protection of the Ainu. However, this law dealt strictly with culture and ignored Ainu issues over self-determination. The debates surrounding the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) greatly involved the Ainu and served as a catalyst for their further activism. At present, the three issues that are of concern to Ainu activists are: 1) the “need” for an apology from the government over its historic treatment of

the Ainu people; 2) the recognition of Hokkaido as traditional Ainu territory; and 3) the re-writing of school curriculum to reflect an accurate portrayal of Japanese colonization.³⁶

The Japanese government is very reluctant to recognize the Ainu as having special land rights, so the second area of concern looks very difficult for them to achieve. However, as stated above, Japanese courts have recognized Ainu claims to land in the past and may do so in the future. There was much fanfare over the building of a museum in Hokkaido devoted to Ainu culture and heritage. However, it is clear the Ainu will demand more recognition and rights to self-determination into the future.

Given their long discrimination at the hands of the government and settlers, many Ainu have been reluctant to self-identify. However, with increased recognition that is changing. In 2017, the latest year on record, there were only about 13,000 Ainu.

In terms of social and economic conditions, the Ainu continue to have a higher level of poverty and unemployment than other Japanese people.³⁷ Ainu people tend to dominate in primary and tertiary industries, so they tend to stay in the wage economy. Agriculture is also a large part of the Hokkaido economy, and a sizable timber industry resides in this part of Japan. Tourism is a large growth industry in this picturesque part of Japan. Coal mining is also being explored as a means of industrializing this region.

Among the Ainu, educational attainment is lower than other groups in Hokkaido, especially at the postsecondary level.³⁸

If the Ainu are to achieve greater autonomy over Hokkaido and its natural resources, there is much potential for economic development for this group. Like the New Zealand Maori, the Ainu could leverage their economic assets to invest and develop their communities. The Ainu, in a sense, are at the start of their relationship with the state, given that state recognition is very late coming. With continued cultural protections and perhaps some geographic autonomy, they could work on the twin challenges of Indigenous peoples in the modern era, preserving the culture, and ensuring prosperity for their people through engagement in the modern economy.

However, there are examples of ancient Indigenous peoples that have existed without much state recognition or assistance. The Samaritans of the Middle East are such a group that offer much in terms of insight.

The Samaritans in Israel and the West Bank

The Samaritans of Israel and the West Bank are not normally thought of as Indigenous peoples, but they fit the general definition. Minority Rights Groups International – a respected international NGO that works with the United Nations – includes them in their World Directory of Minorities and Indigenous Peoples.³⁹ They are also a good example of an Indigenous minority that has endured to the present day without much governmental assistance or intervention, although as will be shown their tiny number makes them an endangered community.

Long before the famous parable of the Good Samaritan appeared in the Christian Gospels,⁴⁰ the Samaritans lived distinctly as an ethno-religious group in the Near East region.⁴¹ They have faced historical persecution and the outlawing of their faith throughout the centuries and yet have survived. Although they are primarily a religion, the Samaritans have a distinct genetic identity and modern genetic studies confirm that they likely originated from early Israelites. Samaritans claim an ancestral connection to the tribe of Ephraim and Manasseh (the sons of the Biblical Joseph), as well as the Levites.⁴² The region known as ancient Samaria constitutes most of the territory now known as the West Bank. In the Talmud – a central religious text of Judaism – the Samaritans are called Cutheans.⁴³

The Samaritans believe their worship – based on the Samaritan Pentateuch – is the true religion of the Israelites originating from before the Babylonian Captivity.⁴⁴ The Samaritans believe that they worship at the original holy places in Israel on Mount Gerizim.⁴⁵ In the 4th-century BCE, the Samaritans built a temple in Nablus at the base of Mount Gerizim, some 40 kilometers north of Jerusalem.⁴⁶

The major theological issue of contention between what is normally identified as the Jews and the Samaritans is the location of the chosen place to worship God – the Temple Mount of Moriah in Jerusalem for most Jews, or at Mount Gerizim for the Samaritans.

In a nutshell, during the time of the Christian Byzantine Empire (eastern Roman empire), Samaritans staged a long and protracted uprising that reduced them from their height of population (some estimate at one million people at the highest) to their lowest.⁴⁷ The quelling of these rebellions led to mass slaughter of Samaritan people and to the outlawing of their faith at various points to its eventual permanent outlawing by the Byzantine emperor.⁴⁸ During the era of Islamic rule, the Samaritans were persecuted by the authorities and under various fanatical caliphs were also killed.⁴⁹

During the Islamic period, many Samaritans converted to Islam and many modern Palestinians who are Muslim can trace Samaritan lineage.⁵⁰ During the modern period, it appeared the Samaritans were set for extinction. During the 19th-century under the Ottoman Empire, their numbers dropped to 100, given Islamic pressure to convert.⁵¹ It was only under the British Mandatory period that the Samaritan population began to grow again, and many worked in the public sector, given that official persecution had ended.⁵² The establishment of the State of Israel was a positive development for the group.

In 2019, there were only 820 Samaritans identified in the Israel census, and they are evenly divided between Israel proper and the West Bank.⁵³ The primary prayer language for Samaritans is Hebrew, although many speak both Hebrew and Arabic, with the majority speaking Arabic as their native language. Their liturgical texts, however, use the Samaritan alphabet, which is a paleo-Hebrew script.⁵⁴ About 415 Samaritans live in Israel in the city of Holon, which is located close to Tel Aviv.⁵⁵ About 381 Samaritans live in Kiryat Luza (located near Nablus) near Mount Gerizim in the West Bank.⁵⁶

Samaritans have a “stand alone” religious status in Israel, although occasional conversions occur between Samaritanism and Judaism due to marriage. While the Israeli Rabbinic Authority

considers Samaritanism a branch of Judaism, they must officially convert to be recognized as Jewish under Israeli law.⁵⁷ Samaritans who hold exclusively Israeli citizenship must serve mandatory military service, while those holding joint Israeli-Palestinian citizenship are exempt.

The Samaritans lived in isolation from other communities and they do not generally allow inter-marriage. This has allowed their community to endure all these centuries. Their small size has always been a problem in the modern era. However, the resurgence of the Samaritan community owes something to the establishment of the modern State of Israel, whose second president, Yitzchak Ben-Zvi, encouraged Samaritan priests to allow the community's men to marry Jewish women who committed to Samaritan observances (Samaritans, unlike Jews, rely on patrilineal descent).⁵⁸ President Yitzchak Ben-Zvi had a special interest in protecting various Jewish sects and in 1954 (not long after the establishment of the State of Israel) went out of his way to foster a Samaritan enclave in Holon, Israel. Beyond that, the State of Israel does not intervene in the affairs of the Samaritans.

However, the leaders of the community over the last few decades recognized the problems of genetic disorders that arise within small gene pools so have taken to allowing Samaritan males to marry outside the community, either by inviting Israeli Jewish women in or bringing in women from Eastern European countries, such as Ukraine. These women understand that they are joining the community and converting to Samaritanism.

In the context of First Nations in Canada, the issue of inter-marriage and leaving the community is a significant one given the membership requirements of the *Indian Act* and the endangered parts of Indigenous culture.

Israel – amongst all the other countries surrounding it – is a highly developed country. According to the United Nations, Israel's Human Development Index (HDI) value in 2019 was 0.906, putting the country in the very high human development category, positioning it at 22 out of 189 countries and territories.⁵⁹ This places Israel at the same ranking as a country such as South Korea. From 1990-2017, Israel's HDI value went from 0.792 to 0.902, an increase of 14 percent, to 0.906 now.⁶⁰ Clearly, the country's standard of living and level of investment in its population has been only increasing over the years. As full citizens of Israel, they are largely integrated into the life of the country, including its economic ones, and enjoy the same standard of living. For the Samaritans living on the West Bank side, they are integrated into that part of the economy.

Due to their Israeli and Arab links, the Samaritans generally remain neutral in the Arab-Israeli conflict. They seek good relations with the Arabs in Nablus and send their children to the city's An-Najah University. The late Palestinian President Yasser Arafat recognized the loyalty of the Samaritans by reserving a spot for a Samaritan to the 88-seat Palestinian Legislative during the 1996 elections.⁶¹ However, this is no longer the case. Thus, as a marginalized Indigenous group, the Samaritans have survived without much political representation or active assistance from the state. Their situation is analogous to ethno-religious groups such as Mennonites, the Amish, or other separatist ultra-orthodox Jewish sects.

Implications for Canada

This section will present several insights that can be gleaned from the three case studies to Canada's situation with its Indigenous population.

Since the late 1960s, the Canadian government has followed a policy trajectory in relation to its Indigenous population that has stressed parallelism, group autonomy, and preserving community culture. Also, Indigenous peoples lived and were governed through land-based governments. The government failed to recognize that some degree of integration into the modern society and economy was probably necessary and ultimately desirable by most Indigenous people. Thus, Canada's path has been one that has become increasingly accommodating, but to the point where Indigenous communities are still economically-isolated and members of these communities often fail to see themselves as part of the body politic and stress their differences over what brings Canadians together. Of course, the *Indian Act* also hampers First Nation economic development and its restrictive policies limits the ability of these communities to be dynamic and exploit opportunities when they do come around.

However, attempts to forge a middle path were explored but not obtained. The chief problem with this parallel path stressing the politics of difference was that this path isolated Canada's Indigenous peoples from the mainstream Canadian and global market and stressed government programs over economic empowerment.

In this sense, Canada's First Nations are most like Mexican Indigenous people living in small, often isolated, communities in their relationship to the nation. However, the Mexican government is more focused on promoting national unity and limiting group-based autonomy than in promoting. While the amended Mexican Constitution recognizes Indigenous rights to autonomy and includes commitments to provide health and education services, it largely leaves the definition of these rights to the 31 states. It gives these state governments flexibility to adopt the rights regime

that it deems most appropriate for its region. As mentioned above, the policy regime also allows for municipalities to adopt Indigenous policies that suit them. So, the policy approach is decentralization and "municipalization" of Indigenous Affairs.

There is a risk in this approach that some states will recognize as few rights as possible and some have indeed limited rights, but there is an equally risky approach in federalizing or centralizing rights from the top down. It is argued here that this latter approach bears more risk because it imposes a single vision on all constituent parts and does not allow for flexibility and regional experimentation. There is an inflexibility to this that reduces the areas for experimentation. Court rulings recognizing Aboriginal and treaty rights also have a centralizing effect where all regions of the country must fall into line.

There are two ways that Indigenous policies and programs in Canada can possess a regional dimension – the first is terms of regional and provincial agreements with First Nations communities, although these remain subject to federal purview and some involvement. Also, there are regional and provincial offices of the Indigenous Affairs and Indigenous Services Canada bureaucracy. However, these largely just administer federal programs and aim to bring the various regions under the auspices of federal Indigenous policies.

In Canada, there is a different relationship between levels of government. Sections 35 and 25 in the *Constitution Act, 1982*, are applicable to all provinces and territories. Under Section 91 (24) of the Constitution, responsibility for and jurisdiction over Indigenous peoples and their land are reserved for the federal government. This was a transfer of power from the old British colonial government to the new domestic federal government at Confederation. The main positive in this historically has been the protection of Indigenous peoples and from encroachment from settlers for most of its early colonial period.

However, with the finalization of provincial borders and the creation of the modern provinces and territories, First Nation communities do not need to worry or be afraid of “colonial” encroachment on their lands. Also, modern attitudes are more egalitarianism and respectful of Indigenous rights and claims, including a broad sympathy for Indigenous peoples as the victims of historic injustice. There has been an ongoing debate within Indigenous communities and within scholars about decentralizing Indigenous Affairs or allowing provinces and territories more of a prominent role in Indigenous policy. However, support for large-scale decentralization has not worked and lacks substantial support from amongst First Nations themselves. The so-called White Paper of 1969⁶² proposed decentralizing Indigenous Affairs to the provincial and territorial level, allowing these regions to administer programs and services. However, many First Nations at the time interpreted this as a federal abandonment of their role towards these communities. Perhaps the overall assimilationist thrust of the document – as well as its lack of Indigenous input – prevented First Nations at the time to fully consider the potential of the policy re-orientation.

The other similarity between Mexico and Canada in terms of its Indigenous affairs is the preoccupation with issues of political representation and political autonomy. The pursuit of political goals is not negative or unimportant at all, but as mentioned above, economic self-determination and engagement in the modern poverty is absolutely critical to Indigenous well-being and should be pursued as aggressively as political goals, if not more so given the importance of economic well-being in terms of pursuing other goals.

The Ainu of Japan and the Samaritans of Israel/West Bank reveal the resilience of Indigenous peoples given historic persecution and discrimination. Collective will to survive and pass on traditions and identity is critical to any Indigenous group, especially if the state has policies that work to diminish Indigenous identity. These two examples are important to point out because this survival was achieved in absence of state support or official protection. Indigenous survival in Canada, in large

part, will depend on Indigenous will at the local and individual level. The state must provide Indigenous communities with the tools to survive and prosper, but cultural survival depends on individual and community choice, not government fiat.

The examples of the Ainu and the Samaritans also demonstrate that economic well-being and Indigenous political goals can often be treated differently. The Samaritans have done well insofar as they have adapted to the conditions and economic opportunities available to the more affluent Israeli economy, and even the West Bank one. Living in both worlds of Israel and the Palestinian Territories also allows them to take advantage of opportunities in both environments. As a religion, the Samaritans are a different situation because they must convince outside people to join their community and adopt their faith and norms due to their small numbers. But their economic situation remains solid insofar as they choose to adjust to the surrounding economy. The Ainu’s social and economic situation is less affluent partly due to their traditional economic state and problems connecting with the larger regional Hokkaido economy. Their low educational achievement makes their situation worse. Perhaps some form of regional autonomy or access to natural resources may help their community succeed economically. This is the situation of many First Nations in Canada as well, who lack access to resources on their traditional territories.

In Canada, the experience has been of state paternalism since its inception and later isolation and a strong emphasis on the politics of difference. This has allowed Canada’s Indigenous peoples to survive but it has come at the expense of economic empowerment and engagement with the rest of society. The *Indian Act* and Canada’s centralized Indigenous policy has hampered the economic dynamism of Indigenous communities who complain of being “forced to operate at the speed of government instead of business.” Case studies from Indigenous communities around the world introduce new ideas such as decentralization, municipalization, geographic autonomy, and of course remind Indigenous peoples of the centrality

of connection to the urban environment to economic well-being. As Canada's Indigenous communities seek to survive culturally and prosper economically, they should learn from these ideas to advance themselves into the future.

Indigenous communities in Canada should work with governments at all levels in Canada to move in a different policy direction. Below are some re-orientation ideas that would have them headed in the right direction:

- 1) As much as is consistent with the Canadian constitution, all governments and First Nations should work on decentralizing responsibility for First Nations to the provincial level. First Nations should think much more about adopting a regional autonomy perspective. This would represent a major paradigm shift among First Nations who in the past have rejected this policy idea. This would be based on the principle of subsidiarity, being the notion that political decisions should be taken at a local level if possible, rather than by a central authority. If there is no appetite or political will to alter the constitutional framework, the federal government, the provinces, and Indigenous communities should work together on de facto agreements that decentralize responsibilities and services delivery without changing the law or the constitution.
- 2) Rather than rely on the federal government or the provinces, Indigenous communities and governments should place the responsibility for cultural protection and revitalization at the community and individual level. If there are any government measures, they should remain at the band or regional level. First Nation communities should consider language legislation at the local level that would control the language of commerce and outdoor signage. Protecting endangered Indigenous languages starts at the band level where the language is taken seriously.
- 3) The federal government and Indigenous communities should prioritize entrepreneurship and commercialization of reserve lands over political representation issues. Although representation is important, economic self-determination must remain the focus as Indigenous communities will lose their culture and identities much quicker in dire poverty than in anything else.
- 4) Ottawa and Indigenous communities/organizations should work together in encouraging urbanization of Indigenous populations and building Indigenous institutions in the larger centres. Also, Indigenous economic activity should be directed at working in cities or in connection with them. All evidence points to urban centres as where progress for Indigenous peoples occur.
- 5) The federal government should work to ensure that Indigenous communities have access to natural resources that are located on their traditional territories. This is a main way that Indigenous communities can develop themselves economically and work towards self-sufficiency. 

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