



Growing deep roots: Increasing Aboriginal authority in contemporary forest governance arrangements



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ARTICLE INFO

Article history:

Received 3 September 2014

Received in revised form 20 July 2015

Accepted 5 August 2015

Keywords:

Aboriginal peoples
Forest governance
Community development
Quebec
Canada

ABSTRACT

The governance literature highlights a shift away from “government” to new and more complex governing arrangements that involve a greater set of institutions and actors in decision-making processes. According to a number of studies, this shift is ongoing in forestry. This article seeks a better understanding of contemporary forest governance by exploring the emerging role of Aboriginal peoples in the Canadian forest sector. It is well known that Aboriginal participation in forest management is crucial for achieving sustainable forestry. Yet we know little about how Aboriginal communities can induce a change in governing conditions. We examined the various governance arrangements through which the Essipit Innu First Nation in Quebec (Canada) was able to exercise authority over forest management. Using multiple qualitative data gathering techniques, our analysis shows that Essipit innovated in forest governance by creating a partnership with the forest company Boisaco and, thus, gained authority over forest management decisions at the operational level. Our analysis explains that this new governance arrangement is built on growing collaboration and interdependencies between these two parties. Common values, orientations, mechanisms and tools are also necessary conditions. Finally, this research highlights the need for greater cultural understanding.

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1. Introduction

Aboriginal participation in forest management is not a new phenomenon. Miller et al. (2010) identify historical examples of using fire to manage vegetation. Jacqmain (2012) developed moose habitat management guidelines based on local knowledge held by Cree land users. However, the model of industrial forestry has greatly marginalized the roles of Aboriginal peoples in decision-making related to forest management (Wyatt, 2008; Booth and Skelton, 2011; McGregor, 2011), also called forest governance. Yet forest governance is a broader concept than forest management as it aims to design appropriate institutional settings that will support and enhance the quality of peoples' lives (Chiasson and Leclerc, 2013). In recent decades, there have been many factors that have allowed the emergence of Aboriginal approaches to forest governance (Wilson and Graham, 2005). Aboriginal rights, market requirements (i.e.,

certification) and national and provincial policies have all evolved and changed the system. In this context, there is a unique opportunity to improve our knowledge on this topic by using a local lens.

In this article, we begin by providing some background information on Aboriginal forest governance. We then outline the methodological approach. We conducted a qualitative investigation in collaboration with Essipit Innu First Nation (Essipit) between May 2012 and July 2013. Our intention was to understand the forest governance system on Essipit traditional territory, the process of decision-making, and the actors involved. We found that the partnership between Essipit and the forest company Boisaco can be understood as a “new mode of forest governance” that can provide Aboriginal communities with greater authority over decision-making processes on their traditional territory.

2. Background

2.1. Moving into new governance

Government is the formal organization of the state and its institutions that have the ability to make decisions and to enforce them in order to maintain public order and facilitate collective action

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(Stoker, 1998). In comparison, Rhodes (1996, p.652) explains that governance “signifies a change in the meaning of government, referring to a new process of governing; or a changed condition or ordered rule; or the new method by which society is governed.” Stoker (1998) specifies that governance extends beyond government by involving a greater set of institutions and actors. In the literature, there is a general consensus that governance is characterized by a wide spectrum of arrangements (or modes) that can vary from a formal, structured, hierarchical and state-controlled arrangement to a more informal and society-driven one. There is, however, “much less agreement on the other dimensions which also comprise a new governance arrangement qualitatively different from hierarchical coordination” (Howlett et al., 2009, p.385). Bob Jessop (1998) explains that the word governance has two meanings: (1) a generic sense where governance can designate different arrangements from more hierarchical to more decentralized; and (2) a more specific sense where governance refers to forms of “heterarchic governance” that is to say forms that are halfway between the “anarchic” market and the “hierarchical” state. Regardless of these different readings, the question of authority (Uphoff, 1989), i.e., which actors have the ability to make decisions, remains central to governance analysis.

The concept of governance seems fairly relevant for the Canadian forest sector. While research on forest governance is still at an early stage, Howlett et al. (2009) shows that “government arrangements” are still common in British Columbia. Yet a number of studies have shown that governing conditions are changing while new and more complex arrangements are being put in place in provincial forest regimes (Cashore et al., 2011; Chiasson and Leclerc, 2013). Indeed, for most of the 19th century, Canadian forests were exploited and controlled by a small number of large forest companies (Bouthillier, 2001; Blais and Chiasson, 2005). In this form of centralized private governance, the role of the government was modest, if not absent; mainly, its role was limited to attributing forest licenses and determining stumpage fees. In the 20th century, provincial governments played a greater role in decision-making (Beckley, 1998; Blais and Chiasson, 2005). For example, the Quebec government is requesting since 1922 that forest companies prepare forest management plans with some specific elements of information. Public forests are under provincial jurisdiction, and each province was able to define its own legislative and regulatory framework since. These requirements, ranging from the identification of high value conservation forests, of deadwood volumes for wildlife habitat and of visual mitigation measures, have increased over time. This form of centralized state governance is characterized by a strong and active role for the government.

Recent research in Canada revealed that the emergence of new actors in forest governance introduced new arrangements wherein the state shares authority and responsibilities with other forest stakeholders (Howlett et al., 2009; Chiasson and Leclerc, 2013). Co-management is a formal arrangement where the government and local communities share rights and responsibilities over forest management (Armitage et al., 2007). It can involve various management levels, as well as a wide spectrum of arrangements (Notzke, 1995). However, research points toward a common issue of co-management: the tendency of the state to retain its authority despite the aspiration of local actors for decentralization (Forsyth, 2006; Teitelbaum et al., 2006; Grammond, 2009; Mabee et al., 2013).

This issue might explain why forest users sometimes seek to engage in self-governance, where forest users can devise their own rules for sustainable forest resources management. In a well known contribution, Elinor Ostrom (1999) proposes that forest users will engage in self-organised arrangements if they expect that new institutions will provide more benefits than costs (e.g., avoid social, economic or environmental losses). For example, self-organization

arrangements are more likely to occur when forest resources are scarce, the state of forests is well-known, and local users are dependent on the resources so they understand how their actions impact each other and the resources. Some community forests in Canada can be described as self-governance arrangements when these organizations own land rights and are not bound by provincial forest management frameworks (Teitelbaum et al., 2006).

Because provincial governments often delegate some authority and responsibilities to forest companies, it is important to recognize that corporate governance also plays a role in local forest governance. For example, Chiasson and Leclerc (2013) illustrate how forestry cooperatives have played a significant role in regional development in Quebec, notably through their work in traditional forestry (cutting, landscaping, primary processing). In Quebec, forestry cooperatives businesses have become an alternative to the industrial model of forestry, dominated by private corporations and thus, a means through which local users can give greater importance to social and community values. However, there is a need for more information on how corporate governance contributes to the bigger picture of forest governance.

The work of Cashore and Lawson (2003, p.2) highlights the emergence of “non-state, market-driven governance systems that gain their authority not from traditional state sovereignty, but from the manipulation of markets and attention to customer preferences.” Their results reveal that forest certification alters the rules of the game and the influence of forest stakeholders, including the state, industrial forest companies and environmental groups. Cohen et al. (2012) also suggest that forest businesses are facing growing social and environmental demands from public, market and financial institutions and, thus, they are adopting corporate social responsibility projects to meet these expectations; they cite forest certification as an example.

The commonalities between these four modes of local forest governance is that greater collaboration and interdependencies among a complex set of actors and institutions, that operate at multiple governance scales or through various arrangements, have changed the rules of forest governance (Chiasson and Leclerc, 2013). Yet the scientific literature provides little information on changes in local forest governance due to the emergence of the Aboriginal actor in the Canadian forest sector. More specifically, we know little about the ability of Aboriginal communities to increase their authority within these new arrangements of forest governance.

2.2. Introducing Aboriginal forest governance

Building on the work of Chiasson et al. (2006a,b), Aboriginal forest governance can be defined as the *modus operandi* by which Aboriginal officials and their institutions (formal or informal) acquire and exercise authority in forest resources management to support and improve the well-being and quality of life of their community members. Therefore, one aim of this research is to understand how Aboriginal communities can enhance their authority through a wide spectrum of new governance arrangements.

Scientific literature indicates that Aboriginal peoples participate in decision-making in various ways. The evolution of Aboriginal rights has urged Canadian governments to amend their definition of sustainable forest management (BCMF, 2004; CCFM, 2006; BFC, 2010), adding Aboriginal criteria and indicators (C&I) in their assessment system. In addition, the Taku River,¹ Haida² and decisions of the Supreme Court of Canada confirmed that governments

¹ Taku River Tlingit First Nation v. British Columbia (Project Assessment Director), [2004] 3 S.C.R. 550.

² Haida Nation v. British Columbia (Minister of Forests), [2004] 3 R.C.S. 511.

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