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# Beyond the Blue and Green: The Need to Consider Aboriginal Peoples' Relationships to Resource Development in Labor- Environment Campaigns

Suzanne E. Mills<sup>1</sup>

## Abstract

In this article, I argue that labor researchers in North America need to engage more thoroughly with Indigenous studies if they hope to advance social and environmental justice. First, I suggest that researchers approach Aboriginal peoples' relationships to the environment by supporting Aboriginal rights to lands and resources. Second, and related to this point, I raise the issue of the need for Aboriginal-controlled development in northern Aboriginal communities. Finally, I draw on a case study on Inuit and union participation in the creation of the Vale Inco, Voisey's Bay nickel mine in Labrador to discuss how the increasing prevalence of corporate-Aboriginal alliances is creating important challenges to union engagement that need to be addressed.

## Keywords

Inuit, Indigenous, mining, development, Impact Benefit Agreement

## Introduction

Natural resource development in Canada's North continues to be a point of conflict between large corporations, non-Aboriginal workers, environmentalists, and Aboriginal peoples.<sup>1</sup> Over the past thirty years, Aboriginal peoples have gained increasing control over their lands and resources and have leveraged a greater role in employment, business

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development, and environmental protection in their territories. Yet researchers interested in labor-environmental alliances often do not incorporate Indigenous peoples' struggles for rights to resources within their frameworks of resource-based conflict. North American research on conflict and coalition formation between labor unionists and environmentalists has often ignored Aboriginal perspectives, focusing on a triad of actors that includes labor, environmentalists, and capital (Obach 2004a; Rose 2004). Meanwhile, research examining Aboriginal empowerment in resource development and Aboriginal alliances with environmental groups is often silent on the concerns of workers or the presence of labor unions<sup>2</sup> (Barron 2000; McAllister 2007). I suggest that the separation of research with otherwise similar goals of environmental and social sustainability mirrors an existing political division between Aboriginal peoples' struggles and the labor union movement that needs to be addressed for labor-environmental alliances to be effective.

Models of resource-based conflict and coalition in the labor studies literature have focused on relations between labor, capital, and environmental groups. Researchers have accounted for the contradictory relationships between each set of actors using interest-based and organizational explanations. Interest-based explanations focus on how the underlying economic and political interests of each group may lead to alliances or conflict. Alternatively, organizational explanations see attributes such as identity formation, leadership, and state and legal structures as important predictors of inter-groups relations (Obach 2004a; Mayer 2009). Interest explanations have tended to emphasize the role of divergent class positions in conflicts between workers and environmentalists (Foster 1993; White 1995; Rose 2004). From this perspective, workers—particularly those in natural resource industries—oppose environmental protection because of the perceived threat to their livelihoods, while middle-class environmentalists seek environmental protection, which they associate with leisure activities. Alternatively, writers emphasizing organizational attributes suggest a move away from focusing solely on interests since the economic and political interests of the labor movement and environmentalists are neither wholly conflictual nor perfectly aligned (Obach 2004a; Jakopovich 2009; Mayer 2009). Instead, they argue that underlying structural influences and the inclinations of key brokers and leaders have a significant influence over outcomes.

Notwithstanding the insights of the above three actor models of labor-environment coalitions and conflict, these explanations have not left room for considering Aboriginal rights<sup>3</sup> to lands and resources. Research on Aboriginal peoples and resource development has shown that many Aboriginal peoples have a contradictory history with resource development; at different times resisting and supporting the development of their lands and resources (Ali 2003; Martin and Hoffman 2008). This research has suggested that Aboriginal peoples' interests in environmental development or protection differ from those of environmental groups and from those of capital. While the Indigenous studies literature has often not considered the relationship between Aboriginal peoples and unions and workers directly, it provides insights that are critical to union-engagements with Aboriginal peoples and environmental protection in Canada's North.<sup>4</sup>

This article therefore aims to sketch some of the theoretical and practical considerations for union engagement with Aboriginal communities in northern Canada. I draw on the Indigenous studies literature to discuss Aboriginal peoples' relations to the environmental movement and to resource development and the implications that these relationships have for union engagement with Aboriginal peoples in Canada's North. I begin by reviewing research on Aboriginal peoples' relationships to environmental protection to argue that unions need to adopt an Aboriginal-rights perspective in their blue-green campaigns. I then raise the issue of Aboriginal peoples' need for economic development as an important consideration for labor-environment theorists. Last I draw on results from a case study on Inuit participation in the creation of the Vale Inco, Voisey's Bay nickel mine in Labrador to discuss the role of corporate-Aboriginal agreements in the regulation of northern employment, and the context that this creates for union engagement. It is clear from this literature review and from the example of the Labrador Inuit that a socially and environmentally conscious worker movement needs to account not only for the vexed relationship between environmental initiatives and workers but also for Aboriginal peoples' struggles for Aboriginal rights to self-determination and title to lands and resources.

## **Aboriginal Peoples and Environmentalism**

Research on relations between unions and environmentalists suggests that political and economic interests are important to explaining the formation of alliances (White 1995; Rose 2004). The Indigenous studies literature provides many examples of how Aboriginal peoples' as nations, communities, and governments, have diverse, and sometimes contradictory, collective interests in the environment that differ from those of non-Aboriginal workers or mainstream environmentalists. Aboriginal peoples' distinct interests stem from: the central role of the environment within Indigenous Knowledges; the economic importance of subsistence activities to many communities; Aboriginal peoples' political rights originating in prior occupancy over territory; and a desire to promote community self-determination through collectively controlled resource development (Clark 2002; Ali 2003; McGregor 2004). While Indigenous Knowledge frameworks are crucial to Aboriginal peoples' relationships to the environment, I concentrate on Aboriginal peoples' economic and political interests in environmental protection and in resource development to suggest that blue-green alliances need to engage with Aboriginal peoples' struggles for self-determination and title to lands regardless of whether or not they follow Indigenous Knowledge/environmental or modernist/development frameworks.<sup>5</sup>

Similar to mainstream environmentalists, Indigenous peoples have often had interests in environmental protection. At several points in history, Aboriginal groups in Canada have forged strong alliances with environmentalists to fight against the degradation of their resources. Yet Indigenous peoples' reasons for taking pro-environment positions are often more similar to those of environmental justice coalitions or the worker health-and-safety movement than those of mainstream environmentalists.

Indigenous opposition to resource development fits within a broad definition of environmental justice as a “. . . social movement dedicated to justice in the distribution of environmental good and decision making” (Sandler and Puzzullo 2007, 1). Because of their greater reliance on subsistence production and their historical exclusion from the wealth generated through resource development, Indigenous peoples have suffered disproportionately from the negative effects of development and not shared equally in its benefits (Keeling and Sandlos 2009). In addition, the remote location and unique jurisdictional environment of many recognized Indigenous lands has made these lands prone to the disposal of environmental wastes, the siting of waste-treatment facilities, and military testing—activities that would not be tolerated in areas with a high non-Indigenous population density. The Indigenous Environmental Network (IEN), a U.S.-based environmental organization that links grassroots Indigenous environmental groups around the globe, has its origins in the targeting of Indian lands in the United States by waste-disposal and treatment companies that were looking to circumvent environmental regulations. The IEN was initiated when members of a Navajo community in Arizona organized to oppose the building of a toxic-waste incinerator on their land (Cole and Foster 2001). After their success, they began to network with other Native Americans who were fighting similar struggles across the United States. Although the IEN have broadened their environmental campaigns to include fighting climate change and the Tar Sands development in northern Alberta, among other struggles, they continue to describe their goals in terms of environmental justice, extending traditional environmental justice definitions to also include decolonization, cultural revitalization, sustainable economic development, rights to resources, and self-determination (IEN 2010).

Aboriginal struggles against resource development in Canada's North fit within the IEN's broad environmental justice framework. In the North, maintaining subsistence production has taken on a heightened importance. The extraction of natural resources has been the dominant market-based economic activity throughout Canada's North. The gradual commodification and commercialization of natural resources has had deleterious outcomes for Aboriginal peoples, however. Tough's (1996) work on the history of Aboriginal peoples in Northern Manitoba presents a well-documented example of how the commercial development of provincial mines, forests, and fisheries largely excluded Aboriginal peoples from participation and resulted in the gradual dispossession of Aboriginal peoples from their natural resources. Aboriginal peoples incurred most of the costs of development and received few of the benefits. The location of environmentalism in a desire to protect livelihoods dependent on non-commercial environmental production has been described by Guha and Martinez-Alier's (2006) as “environmentalism of the poor.” Environmentalism of the poor distinguishes the environmentalism of peoples living in the South from mainstream environmentalism in the North. Unlike mainstream environmentalism, environmentalism of the poor links human rights and environmental protection, however unlike urban environmental justice movements that emerged as a result of the uneven distribution of pollution resulting from industrialization, the environmentalism of peoples in the South emerges at

the onset of commercial ownership of resources and industrial development. Since industrial development often conflicts with peoples' reliance on noncommodified forms of nature, the environmental interests of many Third World peoples also stem from economic need. Several historical examples of Aboriginal struggles against resource development in Canada's North resemble "environmentalism of the poor" since they were also rooted in a clash over productive resources and a struggle to maintain livelihoods. For example, the Cree and Inuit opposition to The Great Whale Project, the second phase of Hydro-electric development in Northern Quebec, was motivated by the negative social and environmental impacts of pre-development phases of the project that disrupted subsistence harvests and social relations (Martin 2008). Similarly, the Vuntut Gwitchin First Nation's resistance to oil development in the Arctic National Wildlife Refuge is anchored in the effects that the First Nation predicts development would have on the Porcupine caribou herd, a resource that is crucial to community subsistence. In each case, the Aboriginal group drew links between environmental health and the health and well-being of their communities in their appeals for public support.

Highlighting the threat that development poses for Aboriginal subsistence activities is a powerful tactic that has been harnessed to fuel opposition to resource development. Alliances between Aboriginal groups and mainstream environmental groups have historically appealed to the public for support against development using essentialized portrayals of traditional Aboriginal culture (Barron 2000). Both the coalition between the Labrador Innu and non-Aboriginal supporters to oppose low-level NATO military flying and the infamous Odeyak (canoe) tour by Quebec Cree and Inuit to New York state (in resistance to the Great Whale project) depicted the affected Aboriginal communities as culturally distant from non-Aboriginal people. Representations in the media emphasized traditional dress, subsistence harvest, and traditional modes of transportation (using a canoe in the Odeyak tour). Although the economic importance of subsistence activities and Indigenous Knowledge are important aspects of Aboriginal peoples' relationships to the environment, media portrayals of Aboriginal perspectives can help to perpetuate common cultural myths about Aboriginal cultures and peoples. Aboriginal cultural difference is often portrayed in mainstream culture as located in subsistence activities and in traditional ways of life. These representations locate Aboriginal culture in the past and positions Aboriginal peoples as victims of development (Barron 2000; Slowey 2009). Caricaturing Aboriginal cultures as irreconcilable with industrial development contributes to racist understandings of Aboriginal people who live in cities and work in industrial production as out of place and/or assimilated (Peters 1996). As such, these presentations limit the choices of Aboriginal individuals and groups by foreclosing the opportunity of development.

Aboriginal peoples may choose to participate in resource development activities in the hopes of improving the health and well-being of their communities. Since the 1970s, Aboriginal peoples have attained greater recognition of their rights to resources and self-government and titles to lands. This has occurred both through the resolution of comprehensive land claims in areas without historical treaties and through judicial

activism and political action in treaty territory. With the promise of greater involvement in resource management decisions and new legal and political leverage to negotiate compensation from corporations, several Aboriginal governments and communities that initially opposed development when they were nonparticipants entered into development partnerships and arrangements with governments and corporations. Aboriginal peoples' interests in resisting development were both political and economic. Since initial waves of northern development did not acknowledge Aboriginal claims to territory and returned few benefits to Aboriginal communities, opposing development and asserting rights to territory were intertwined. For example, in the early 1970s, the Inuvialuit, Gwich'in, and Sahtu Dene spoke out against the building of the McKenzie pipeline on their lands. In 2004, after having resolved land claims, and with a new climate of partnership building between business and Aboriginal groups, the groups signed a Memorandum of Understanding with several oil companies for the pipeline.

Recognizing Aboriginal peoples' struggles for lands and their rights to determine and negotiate the extent of development on their territories is crucial to union engagement in environmental campaigns. In addition, ensuring that Aboriginal peoples have full participation in environmental governance and rights to resources and lands is a precondition to the acceptance and use of Indigenous Knowledge (Burrows 1997; McGregor 2009). As stated by Peter Kulchysky, concerning his opposition to an agreement between the Nisichawayasihk Cree Nation and Manitoba Hydro for a hydro development,

It remains up to the Nisichawayasihk Cree Nation citizens to determine whether they support or do not support this agreement. I absolutely agree that it is their right and responsibility to decide. One hopes they are adequately informed before ratification and that viable, credible, independently monitored voting procedures are used. (Kulchysky 2009, 140)

Supporting Aboriginal peoples' rights to lands and resources provides real power and leverage to Aboriginal communities who may choose to engage in either environmental protection or resource development to improve their community's well-being. Recognizing Aboriginal peoples' rights to lands and resources as a basis for their relationship to natural resources creates a frame of engagement for unions and environmentalists that prioritizes Aboriginal control over resources as necessary to social justice and environmental aspirations. Supporting Aboriginal peoples' rights to control lands and resources, however, will also involve understanding the complex ways that development is intertwined with self-determination and Aboriginal rights.

## Reassessing Resource Development

In much of the Indigenous studies literature, the question of whether Aboriginal communities should participate in resource development is framed as a choice between

traditionalism and culture versus capitalism and assimilation. The dilemma of development in Aboriginal communities, however, is not unrelated to discussions of development in the labor/environment literature where capitalist development is often seen to be antithetical to environmental protection or ecological sustainability. Several scholars have adopted versions of Schnaiberg's treadmill of production framework to argue that economic development needs to be slowed or halted since it speeds the transformation of nature into less desirable forms that speed environmental degradation (Obach 2004b; Foster 2005). The dilemma faced by scholars concerned with ecological and social justice is that arguing against development in communities or regions that have been historically under developed is often antithetical to social justice (Sunderlin 2003). Given that northern Aboriginal communities are located far from urban areas and employment opportunities and that a continued reliance on subsistence activities has increasingly required cash income, resource development has been seen as an important means to alleviate poverty by Aboriginal governments.

The choice many Aboriginal groups face about whether to participate in resource development needs to be situated within an understanding of northern economies. Aboriginal peoples are more likely than non-Aboriginal people to live in remote areas and are over-represented in resource-based employment (Lautard 1982; Peters 2000; Satzewich and Wotherspoon 2000; Mills 2006). In some ways, Aboriginal peoples' who live in northern communities have a similar relationship to resource development to non-Aboriginal workers in these communities. Because of the constraints that small populations and large distances place on economic development, residents of resource communities often support resource development since it is often one of the only viable options for wage employment in northern communities. Aboriginal communities have attributes that pose challenges to participation in nonextractive resource development including: limited road access (many communities rely on costly air travel to transport goods); the small size and the geographic spread of communities; and the limited access to existing well-paid jobs because of employer and systemic racism. As a result, many communities have wage incomes far below those of non-Aboriginal peoples. In 2006, the median total income for Inuit, the Indigenous people of Canada's North, was around 16,796 Can\$/year—64 percent of the median for Canada's non-Aboriginal population (\$25,955) (Statistics Canada 2006a). Moreover, the unemployment rate for Inuit living in Nunatsiavut was 34.5 percent compared to the non-Aboriginal employment rate of 16 percent in the same region (Statistics Canada 2006b). Since subsistence harvesting has increasingly relied on cash income, limited participation in wage economies also creates barriers to participation in subsistence harvest (Poppel and Kruse 2009; Elias 1997). In this context, Aboriginal governments often support resource development projects for reasons that are similar to those of non-Aboriginal resource workers, on the basis that they will help to sustain their community/ies.

In many cases, the impetus for initial opposition to resource development has not only been a concern for subsistence production, but also for the political goal of furthering claims of title to lands and rights to resources which must be resolved prior to



development. In this way, opposing resource development *until* there is first recognition of Aboriginal title has been a key way for Aboriginal peoples to force the resolution of comprehensive land claims (Blomely 1996). Within this scenario, however, the comprehensive land-claims process is often brought into motion by the promise that Aboriginal groups will allow development if their claims are resolved. The close connection between the resolution of claims and potential development is suggested by the fact that “the state seems more inclined to conclude negotiations where there are economic interests involved, but seems less interested in negotiating with groups whose ancestral lands are less valuable for industrial development” (Martin 2008, 29). Often Aboriginal governments believe that development will take place with or without their involvement. In this context, choosing to be involved in development may help to mitigate negative environmental effects on subsistence activities and help to ensure that some of the benefits from development return to Aboriginal communities (Slowey 2009). Moreover, Aboriginal models of economic development link capitalist development closely to political goals, namely rights to lands and resources, self-determination, and the maintenance of traditional beliefs and livelihoods (RCAP and Canada 1996; Anderson 1997; Wuttunee 2004). Similarly, Larson (2006), has argued that the creation of joint-venture business partnerships between First Nations in northern British Columbia and timber companies have created space for greater First Nation participation in resource management and for the assertion of new forest values.

Contradictions have arisen, however, when constraints necessary for successful capitalist development have conflicted with traditional activities or values, or have created or perpetuated economic inequality within a community.<sup>6</sup> As previously elucidated and argued by those on the traditionalist side of the Indigenous studies development debate, resource development in some Aboriginal communities has contributed to the decline of subsistence activities and amplified social inequality (Kulchyski 2008). Despite evidence from research on staples economies showing how large-scale resource exploitation is often not socially or environmentally sustainable, a firm stance against resource development by labor and environmental groups can creep into the e-colonialism that has plagued developing nations.<sup>7</sup> Green-job campaigns, the solution proposed by many labor organizations to resolve the difficult problem of how to promote ecological sustainability while addressing economic inequality, have been limited to areas in southern Canada and the United States. For the most part, these job campaigns have been centered in urban areas and have been reliant on large public investments in retrofitting buildings, a strategy that would not provide long-term employment in Canada’s North (Sunderlin 2003). Unfortunately, attempts such as ecotourism to create environmentally sustainable development in northern communities have been limited in their ability to provide sustained employment and can also result in negative impacts for communities (Notzke 2006). Environmentalist opposition to resource-development activities in the North that disregards the economic needs of Aboriginal communities is neither ethically viable, nor practically feasible, as it would not be formed through a coalition of Aboriginal and non-Aboriginal groups.

## **Practical Challenges to Union-Environmental Alliance Building in the North**

Relationships among Aboriginal peoples, corporations, labor unions, and environmental organizations are not only the result of Aboriginal peoples' economic and political interests, but also of the way that these institutions coevolved in specific spaces. Institutions shape relationships between different actors or groups because they provide conduits for or barriers to communication and coalition. Ali suggests that Aboriginal peoples' approaches to lands and resources ". . . do not conform to an inexorable logic of either the market or tradition but are actively created through transforming techniques and organizational forms . . ." (2003, 36). In many cases, the institutional manifestation of Aboriginal peoples' interests in resource development has created organizational challenges for the formation of union-Aboriginal alliances. I use Inuit participation in the development of the Voisey's Bay nickel mine to illustrate how the integration of self-government with economic development has resulted in an institutional environment that impedes the formation of union-Aboriginal alliances. The case draws on fifty-nine semi-structured interviews with key informants and workers conducted in Labrador in the Spring and Summer of 2009 and 2010. Key informants (twenty-five) included union business managers and agents (in the case of the building trades), elected officials and staff within the USW, employees and elected officials of the Nunatsiavut Government, and representatives of provincial government departments concerned with employment and training. Workers interviewed included twenty members of Nunatsiavut, seven members of the Innu Nation and seven non-Aboriginal residents of Newfoundland and Labrador. Information from these interviews was supplemented with a review of secondary and primary documents that included journal articles, land claim documents, collective agreements, and news articles.

The Labrador Inuit Land Claim Agreement (LILCA) was signed in 2004, twenty-seven years after the Labrador Inuit Association (LIA) had filed a statement of claim with the Government of Canada. The long time span between the filing and the signing of the land claim is a common experience for many Aboriginal peoples in Canada; the state only prioritizes settling land claims when resolution is necessary for large scale economic development. After the discovery of nickel deposits in Voisey's Bay in 1993, the province began to speed up land-claim negotiations. However, the province removed the land required for the mine from land-claim negotiations and allowed the mining company, Inco Limited (later Vale Inco) to build initial infrastructure that included roads, an airport, a dock, and campsite before the environmental assessment had been completed (Alcantara 2007). Frustrated by the slow pace of land-claim negotiations and the beginning of construction without an Environmental Assessment, the LIA filed a court injunction and staged a protest in cooperation with the Innu at the site. After a court injunction ordered a halt to the development until an Environmental Assessment was completed, the federal and provincial governments began to fast-track land-claim negotiations. The province was intent on moving forward with the mine development and the LIA felt that if they wanted to obtain any benefit from the

development they needed to negotiate with the company. In the words of an LIA official, “. . . the province had already given the mining rights to the company . . . you want something, you’d better go and deal with them so that became the job . . . , the Impact Benefit Agreement (IBA) negotiations.” The LIA therefore began to negotiate an IBA with Inco Limited. In an environment where it was felt that development would occur regardless of Inuit participation, the LIA concentrated their efforts on securing compensation from Inco Limited, obtaining a land-claim agreement, and ensuring that potential negative environmental effects of development would be properly mitigated.

Although Aboriginal peoples have engaged in a variety of economic development models, in the North, their participation in capital intensive resource extraction projects more commonly has been through the negotiation of binding contractual IBAs rather than through direct ownership or management. Aboriginal nations typically do not have the large-scale funding necessary to implement capital intensive resource extraction activities, which are often considered to be one of the only viable forms of resource development in the North. Firms and governments now see IBAs as requirements for large-scale development projects in the North. IBAs have become commonplace as a result of: outstanding land claims, political action, recognized Aboriginal territories resulting in comprehensive land claims, and political policies implemented by territorial or provincial governments (Sosa and Keenan 2001). Provisions in IBAs typically include environmental mitigation measures as well as agreements that the company will hire members of the participating Aboriginal nation. In the case of Voisey’s Bay, the IBA negotiations included provisions for best practices in environmental mitigation, business opportunities for Inuit, royalties, and the training and employment of LILCA beneficiaries. Employment provisions were influenced by the Environmental Assessment process that called for hiring to follow a principle of adjacency, in addition to the preferential hiring of land-claim beneficiaries. Provisions included an order of preference for hiring and layoff and recall on the principle that LIA members and Labrador Innu would be first hired and the last to be let go. The IBA also provided for the creation of Inuit worker committees to address the concerns of Inuit workers; and an IBA coordinator who would represent the Nunatsiavut Government and ensure that the commitments of the IBA, particularly those related to employment, were followed.

IBA negotiations between the LIA and the company began very soon after the discovery of Nickel deposits at Voisey’s Bay in 1993 and the agreement was signed in 2002. Three sets of negotiations involving the LIA were therefore taking place at the same time: the Environmental Assessment process, land-claim negotiations, and Impact Benefit Agreement negotiations. The Environmental Impact Statement and Undertaking order, the documents that culminated the Environmental Assessment process, made specific reference to the IBA negotiations that were ongoing and recommended the creation of an IBA coordinator. Voisey’s Bay and employment and economic development provisions similar to those in the IBA constituted an entire chapter in the land-claim agreement. The Labrador Inuit Association was therefore

engaged in negotiations with the company and with the provincial and federal governments long before unions became part of the process. Collective agreements were only signed after the completion of the IBA, in 2002—in the case of the Resource Development Trades Council of Newfoundland and Labrador—and after the beginning of the operation phase of the mine in 2006—in the case of the United Steel, Paper and Forestry, Rubber Manufacturing, Energy, Allied Industrial, and Service International Union (USW).

Inco Limited kept the process of negotiating collective agreements completely separate from Impact Benefit Agreement negotiations with the Nunatsiavut Government. The company told the LIA/Nunatsiavut Government that it would “take care” of the unions and ensure that any collective agreement followed the IBA. Inuit representing the LIA/Nunatsiavut Government were not involved in the negotiation of either the Special Project Agreement (building trades collective agreement), or the USW agreements. The bargaining team for the USW included representation from Inuit, Innu and Labrador Métis nations. Since the IBA was a private document, a prolonged standstill occurred when the company refused to let the USW see the IBA during collective bargaining before eventually conceding to allow the lawyer to view some sections of the document. Inco Limited used the IBA to restrict the scope of bargaining. For example, the union was not able to negotiate clauses that prohibited contracting out since Inco argued that privileged Aboriginal contracting rights were enshrined in the IBA.

Although the USW was interested in trying to replicate and/or strengthen IBA provisions by including them in their collective agreement, these efforts were resisted by the Vale. Because the USW represents many workers in the mining sector, the union had a history of working with Aboriginal workers and with IBA agreements across the North. Using collective agreements to strengthen IBA clauses is a strategy that had been used by other USW locals in northern mines to strengthen and provide enforcement for IBA clauses affecting workers. One USW member recalled trying to negotiate IBA provisions into the collective agreement stating

. . . with the IBAs we tried in a lot of cases to bargain for a greater worker benefit and the company used their confidentiality agreement and their IBAs . . . as a stumbling block . . . you can't go there, the IBA supersedes. (P41 Informant—union, 2009)

The Special Project Agreement for the construction phase and the USW agreements contained clauses that reiterated the order of preference. The USW collective agreements also contained clauses stating that the IBA superseded the collective agreements. The Nunatsiavut Government supported this position and declined the USW permission to look at the IBA. The IBA coordinator felt that were the IBA opened up, benefits might be accorded to all workers and Inuit may lose their preferential position though there was no evidence that this was the goal of the USW. One Inuit man expressed his dissatisfaction with the weakness of provisions in the IBA stating:

When I first heard about the IBA I thought it was a great document but it's not . . . It plays on words. For example, we're going to grant your weeks cultural leave, doesn't say with or without pay. They're going to train twelve Aboriginal people for supervisor's jobs and they did except they don't hire them. Right? . . . You know you guarantee a job to an Aboriginal person. No. You are guaranteed to be looked at, to be considered. So it's a play on words. (P2 Inuit Man, 2010)

During operations and construction, two separate documents effectively governed employment: the IBA agreement representing the interests of the Labrador Inuit as a whole enforced by the Nunatsiavut Government, and the collective agreement(s) representing the interests of the workers enforced by the unions. For LILCA beneficiaries, the impracticality of separating their interests as workers from their interests as Inuit became particularly evident during strikes. Inuit workers frequently asked the Nunatsiavut Government to intervene and represent their interests and would be told in reply that the union is their representative. One Inuit man recounted going to the president of LIA for assistance during a strike stating "When I spoke to (the president), at that time he said 'the least of my concerns is sixty members, my main concern is 5000 members.' I felt pretty bad" (P41 Informant—union, 2009).

Other provisions in the IBA linked the interests of Nunatsiavut Government to those of the company. The IBA established ownership ties between the LIA/Nunatsiavut Government and Vale Inco since it contained a provision that suppliers and contractors for Inco/Vale Inco be partially Aboriginal owned, or in terms of the agreement be "qualified business enterprises." To qualify, businesses need to be 51 percent Aboriginal-owned, therefore they need to be a joint venture or a limited partnership with a beneficiary. While most of the joint ventures were, at least nominally, co-owned by the Innu Nation, the Nunatsiavut Government owned 51 percent of one subcontracting company: Torngait Services. In a strike against Torngait Services in 2007, the protests of predominantly Inuit workers illustrated the contradictions inherent in the Impact Benefit Agreement (Tarrant 2007). The Impact Benefit Agreement sought to represent both the interests of Inuit workers and the business interests of the Nunatsiavut Government. The Nunatsiavut Government's ties to the company also included royalties that were written into both the land claim agreement and the IBA. The Nunatsiavut Government therefore incurred financial benefits from the operation of the mine. From the Nunatsiavut Government perspective, worker actions halting production meant lost income in communities with very high unemployment and a reduction in financial assets for the Nunatsiavut Government.

While IBA provisions helped to increase the Inuit component of the workforce at Voisey's Bay and provided business to Inuit enterprises, they also reduced the space for participation by trade unions. Mechanisms to resolve difficulties during operations faced by Inuit members were also divided into two: Aboriginal employment coordinators who were established through the IBA to resolve the workplace issues of Innu and Inuit and the standard grievance procedures of collective agreements. Although most

workers interviewed stated that they would first approach the union if they had a problem at work, some Inuit workers who had approached the Inuit employment coordinator for help faced difficulty. One worker stated "The person that enforces the IBA on site is employed by Vale. I've filled numerous complaints verbally about stuff that is going on in our shop, with nepotism and hiring buddies from outside, in violation of the IBA. It has fallen on deaf ears" (P3 Inuit Man, 2010).

Since IBA agreements are confidential, they are not readily available for scrutiny by unions or environmental groups. Aboriginal governments' increasing use of corporate-Aboriginal agreements, which sometimes supersede collective agreements, to attain environmental and social goals limits the potential for unions and environmental groups to ally with Aboriginal groups to attain shared goals. This difficulty is compounded by Aboriginal workers' frequent lack of familiarity with unions, and by characterizations (that hold some truth) of unions as white colonial institutions. In short, the growing prevalence of corporate-Aboriginal partnerships is creating an increasingly complex landscape from which to forge labor-environmental initiatives.

## **Conclusion**

The jurisdictional landscape of northern Canada and the regulation of resource development and employment in Canada's North is being transformed by the increasing political, legal, and economic recognition of Aboriginal peoples' rights to lands and resources. Yet the devolution of authority to Aboriginal peoples has not universally fostered the use of Indigenous Knowledge or resulted in clear social and economic benefits for Aboriginal communities (Natcher and Davis 2007). Since opportunities for economic development through self determination have occurred primarily through the industrial exploitation of natural resources on Aboriginal territories, business partnerships and contractual agreements between Aboriginal peoples and non-Aboriginal corporations have become normalized throughout Canada's provincial and territorial North. Although some have lauded the increasing prevalence of corporate-Aboriginal partnerships, arguing that they have provided a means for Aboriginal peoples to attain economic, social, and cultural goals, others have highlighted the pitfalls of private agreements between Aboriginal peoples and corporations (Anderson et al. 2004; Lacasse 2005; Larson 2006). Several studies have suggested that IBA agreements offer limited tangible benefits while helping to thwart state regulatory processes and anti-development sentiment in Aboriginal communities (O'Faircheallaigh 2006; Galbraith, Bradshaw, and Rutherford 2007; Caine and Krogman 2010). Given the magnitude of environmental impacts resulting from resource development on Aboriginal lands in Canada's North, and the longstanding presence of unionized non-Aboriginal workers in resource extractive industries, it is crucial that labor initiatives engage with both environmental problems and with Aboriginal peoples and their complex relationships to resource development.

In sketching some of the practical considerations for union engagement with Aboriginal communities in northern Canada, this article suggests that Aboriginal peoples' relationship to the environment and work needs to be understood in the context of their prior

occupancy of territory. This perspective provides a space for economic development strategies that support and promote Aboriginal-controlled sustainable economic development. While the green-jobs movement may be one solution to this dilemma, it is important to consider the challenges to green development in remote locations that have faced perpetual underdevelopment, which has resulted in severe economic deprivation. Here, the promotion of alternative economic development models that support both subsistence and cash economies, as well as respect of Aboriginal rights, will need to be an important component of how union-environmental coalitions consider environmental challenges in the North.

Last, given the context of increasing corporate control over the regulation of environmental and employment provisions, unions have an important role to play in helping to ensure the sustainability of Aboriginal communities and the protection of Aboriginal workers. Many activists within unions are challenging the colonialism within their strategies and structures and making changes that will foster better union representation Aboriginal workers and improved relations between unions and Aboriginal communities (Mills and Clarke 2009). There is scope for building union and environmental alliances with Aboriginal groups over development issues in the North. IBAs often have not adequately protected the interests of workers or Aboriginal beneficiaries and resource development activities have often not provided the desired outcomes. For this reason, some Aboriginal communities have been dissatisfied with the outcomes from IBA agreements. There has also been concern with the voluntaristic nature of IBAs and their basis in contract law which makes them difficult to enforce—although the Voisey's Bay agreement had more enforcement mechanisms than many other agreements. Union activities in support of Aboriginal hiring initiatives and Aboriginal participation in environmental management may help to forge stronger links with Aboriginal governments. For example, unions have been able to help enforce IBA provisions by replicating provisions in collective agreements. In addition, many Aboriginal people in the North are taking on leadership roles within unions and helping to bring together goals of community wellbeing and worker empowerment by including clauses that allow for Aboriginal culture.

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## Notes

1. The term “Aboriginal people” is inclusive of individuals of First Nations, Métis, and Inuit ancestry. Each group has a distinct history with the Canadian state. I use the plural “Aboriginal peoples” to denote Aboriginal nations. By using Aboriginal I do not wish to imply cultural homogeneity but to recognize the similarity that Aboriginal peoples share as descendants of the original occupants of the territory known as Canada.
2. One exception is Barnes and Hayter’s (1997) book on the changing context of British Columbia’s forest industry. This text offers a detailed account of environmental/labor conflicts and First Nation struggles over forest resources in British Columbia but it does not attempt to theorize the differences among these groups within a labor or decolonization framework.
3. Aboriginal rights are inherent collective rights held by Aboriginal peoples resulting from their ancestors’ prior occupancy of the territory of Canada. Examples of Aboriginal rights include rights to self-determination, rights to resource use in ways that are consistent with the cultural practices of the Aboriginal group, and Aboriginal title. Aboriginal title is a right to the land itself—and therefore a collective form of land ownership. Aboriginal rights are enshrined in Canadian law in Section 35 of the Canadian constitution.
4. Exceptions include Kamper (2006), Mills and Clarke (2009) and Tourand (2004).
5. For further information on the use of Indigenous Knowledge frameworks to understand human-environment relations, see McGregor (2004; 2009) and Simpson (1998).
6. For further discussion of whether traditional values are compatible with capitalism see Newhouse (1993).
7. E-colonialism has been used to describe the disproportional targeting of developing countries for the mitigation of environmental problems and associated social costs while the source of environmental problems is located primarily in the developed world (Wittman and Caron 2009; Guha and Martinez-Alier 2006)

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## Bio

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