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**Consultation in the Alberta Oil Sands: Clashing Indigenous and Settler
World Views**

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SCHOCAT

Indigenous calls for sovereignty, recognition of ancestral claims, and territorial rights are topics that are becoming increasingly relevant in Canada, particularly as industry continues to put pressure on provincial and federal governments to develop on Indigenous people's traditional territory. Through the aggressive push for development and extraction of natural resources, two very different ontological perspectives¹ of the land are coming into contact, often with the result that projects are delayed and/or brought to the courts, as well as arguably sabotaging efforts of collaboration and reconciliation in other areas of social and political life (Boyd and Lorefice 2018:573). Indeed, the settler-colonial ontological perspective of the land that believes that "any natural resource not used [is] wasted" (Davis 2018:145) conflicts with many First Nations' traditional systems of stewardship and sustainability (Turner and Jones 2000). As such, a critical space that is worthy of examination is the consultation process because the duty to consult is legally mandated and is one of the few spaces in which the two "ways of knowing" the land come into contact.

Accordingly, the research questions which guided my analysis include an examination of how the different ontological perspectives come into conflict when they make contact within the consultation process and what is required for meaningful consultations to take place that accommodate both ontological perspectives. Finding a way to identify and provide solutions to issues of land is of particular importance to contemporary society, as both Indigenous and settler-colonial people draw important connections between the land and their distinct identity and heritage, and neither are going to cede quietly to the other. Further, the need for cooperation is vital in a world where issues of land will become increasingly relevant

¹ The term 'ontological perspective' is explained in this paper on pg. 4

because of climate change and scarcity of natural resources. In this way anthropology is demonstrably contributing to social issues in society, as the discipline that cultivates the ability to accommodate for, and critically examine, numerous and conflicting worldviews.

This paper will draw upon literature that documents the consultation process in the oil sands in Alberta, as the region experiences a significant amount of development on Indigenous traditional territory. I will begin by providing an overview of the Indigenous and settler- colonial ontological perspectives of the land, and clarification of terminology that will be used in the paper. Following this, I will provide an overview of the consultation process in Canada and the important court cases which helped to legalize the duty to consult. I will then examine a case study with the purpose of understanding how the distinctive Indigenous and settler-colonial ontological perspectives of the land manifest during the consultation process, and how this may be leading to conflict and souring relations. Finally, I will conclude with a discussion that demonstrates the importance of an anthropological lens that acknowledges the existence of different worldviews, as the examination of the consultation process may act as a type of “microcosm” to understand how Indigenous and settler-colonial worldviews are interacting with each other on a larger scale.

Clarifying Terminology

While it is the aim of this paper to compare the Indigenous and settler-colonial ontological views of the land (as they are understood in Canada), it is also important to clarify that the terms themselves are the product of ongoing debates and are generalisations of different groups with unique cultural identities and perspectives of the land. However, it is necessary to utilize such terms to facilitate an effective way to compare deeply complicated, personal, and abstract ideas like the ontological perspective of the landscape

SCHOCAT

in a way that is meaningful and accessible. As such, the terminology is in constant flux and is often spatially or temporally relevant – one may consider the ongoing use of the term “Aboriginal” and the “Indian Act” in the legal language of Canada (ICTINC 2021), or the term “Indigenous”, “First Nation”, and “Native” which may be used according to the preference in a community. For the sake of this paper, the term “Indigenous” has been chosen because it appears to reflect the current “framing” of First Nations studies in Canada. I have chosen to use the explanation provided by Barker (2009) for how “Indigenous” will be understood in this paper:

Indigenous peoples in the context of Turtle Island (North America) are those peoples whose societies predated colonization, who exist in a complex relationship to the land, and who have been and continue to be primary targets of active colonialism (328).

In a similar vein, the term “settler-colonial” was chosen as it appears to embody the specific ontological perspective of the land that will be examined in this paper. In sum, the “settler” identity in Canada primarily refers to the non-Indigenous population that has “settled” on traditional Indigenous territory. There are many debates as to who may be defined as a “settler” (for example, one may consider groups who also experience discrimination and yet are not Indigenous, such as the descendants of enslaved People of Colour, or POC) which is why the term “colonial” is added to specify the settler-identity within the context of Canada as the perpetrator of *ongoing* colonial ideals (Barker 2009; Rotz 2017). Thus, the definitions primarily refer to the Indigenous peoples who have a long, continuous relationship to the land and the non-Indigenous population in Canada that are the settlers with the specific *colonial* ontological perspective and intentions towards the land. Finally, the idea of the “ontological

perspective” as it will be discussed in this paper is the “ontology” or the philosophical theory that refers to the nature of existence and relations of being. Kohn (2015) defines ontology as the “study of ‘reality’ – one that encompasses but is not limited to humanly constructed worlds...[or] the study of ‘Being’”. Thus, the “ontological perspective of the land” as discussed in this paper refers to how one relates to the land, via relationships and connections that ascend beyond the realm of the physical and into the realms of the spiritual.

An Indigenous Ontological Perspective of the Land

To begin, it is necessary to acknowledge that the Indigenous ontological perspectives of the land that are described in this paper are the amalgamation of many cultures but grouped together for the similar purpose that drove the “pan-Indian” movement of the 1970s – to unite disparate groups into a collective identity against a dominant settler-colonial culture that actively seeks to assimilate and erase them (Flattery 1997). As well, it is neither my purpose nor my place as an individual of white settler ancestry to try to define an Indigenous “worldview” of the land. Rather, I seek to draw upon literature that is respectful towards the Indigenous identity and to provide a basic outline of an Indigenous ontological perspective of the land in Canada for the purposes of analysis and comparison. Accordingly, a review of the literature about the Indigenous ontological perspective of the land may be summarized into a few foundational ideas.

One of the fundamental concepts of an Indigenous ontological perspective of the land is the existence of connections between the tangible and intangible, such as how physical interactions on the land serve as ways to reinforce socio-cultural traditions. For instance, the Tahltan people have traditional hunting camps that serve as ways to acquire food but also as

SCHOCAT

culturally important places where the Tahltan worldview is passed onto the next generation, including morality, proper behaviour, and social structure, in the form of stories and sharing of practical skills (McIlwraith 2012:101-112). The use of experiences on the land to pass on stories and reinforce worldviews is a common idea shared among many nations (Baker 2017; Baker and Westman 2018; Westman and Joly 2019). The importance of the physical presence of the land in the cultural continuation of worldview is made most apparent in the oil sand region due to the “fragmentation of access [to traditional territories]” (Westman and Joly 2019:236), which has had documented impacts on the ability for Indigenous peoples to share their knowledge and pass on their cultural traditions.

Another aspect of an Indigenous ontological perspective of the land is how the land is intrinsically tied within the world of the spirits, the ancestors, and the “myth-times” (Baker 2017; McIlwraith 2012; Thom 2005). In contrast to a settler-colonial worldview that typically views the sacred as being embodied within the space of a cathedral or church, an Indigenous perspective does not see the land and the sacred as inhabiting separate places. Rather, the sacred and spiritual may be experienced by the people as they live and interact with the land. For instance, the Tahltan people’s hunting camps are considered places where the living and the dead, who lived and worked in the camps, may both dwell (McIlwraith 2012:115). Thus, the land may act as a “bridge” to the land of the ancestors (McIlwraith 2012:169).

Mythological stories which tell of the “myth-times”, when the people and natural world could speak the same language, are also deeply rooted within the landscape, and are brought to life within the telling and serve to further illuminate the relationship between the people and the land (Baker 2017; Thom 2005).

Another key aspect of an Indigenous ontological perspective of the land is tied into how

they make use of the resources on the land within ideas of sustainability. In fact, this aspect is particularly relevant as a point of contention with the settler-colonial worldview, as many traditional Indigenous ecological management practices do not leave a distinguishable “mark” on the landscape (Turner and Jones 2000). Harvesting is conducted in a way that promotes regeneration and the enhancement of “productivity, stability, and diversity of harvested resources” (Turner and Jones 2000:21). However, it is important to note that the traditional land use systems experienced by Indigenous people are not absent from concepts of ownership; indeed, there were/are many systems of ownership and land tenure that existed in Canada pre- contact that are maintained today within specific clans or lineages. Indigenous management and ownership of resources are often directly correlated within the “requirements of the people”. In other words, the most culturally important resources experience the strictest control over access and imposition of boundaries (Turner and Jones 2000:17). The management and cultivation of resources primarily revolves around taking only what is required, with the express purposes of leaving more behind to allow for future gathering and harvesting opportunities.

Finally, the culmination of the above Indigenous ideas of the land resides in the fact that the people view themselves as inseparable from the land itself. Within an Indigenous ontological perspective of the land, the people are part of a symbiotic system with the natural world (Baker 2017; McIlwraith 2012; Thom 2005; Turner and Jones 2000; Turner et al. 2000).

The key terms to keep in mind in this view include the idea of “reciprocity” and the idea of “minding one’s relations”, with “relations” including the “extended family, community, strangers...and connections with the world (including plants, animals, and

SCHOCAT

spirits)” (Baker 2017:113). The land is not merely “used” or taken from, but is embedded with meaning and relationships, and acts to share and reinforce the Indigenous culture and worldview.

A Settler-Colonial Ontological Perspective

Ironically, despite the dominance of the settler-colonial worldview in Canada, the settler-colonial ontological perspective of the land is arguably harder to define than the Indigenous worldview, particularly because the settler-colonial identity has become less “rooted” in place as found in many Indigenous cultures (Windsor and McVey 2005:149). This may be due to a large portion of the settler-colonial society maintaining a degree of separation from the land, with many dwelling in cities and acquiring their resources through the industrial complex. As well, while some settlers maintain a sense of connection with the land through individual homesteads (Rotz 2017), it is arguable that the settler-colonial identity is influenced by the lack of an *ancestral* connection to the land. Rather, the contemporary settler-colonial ontological perspective of the land has developed within the framework of colonialism; with this came the cultures of agriculture and industrialization as well (Barker 2009). There are a few other key characteristics of the settler-colonial identity in Canada that serve to further an understanding of the settler-colonial experience with the land.

One of the characteristics that defines the settler-colonial perspective of the land, and which is clearly visible and manifested onto the land, is the tendency to organize the land into strictly defined systems of ownership, boundaries, and use. In the settler-colonial view, the systems of ownership and delineation of land are so strictly defined that any deviance from it is dismissed, as was the case when the first colonizers came upon the Indigenous peoples utilizing the landscape according to their (the Indigenous peoples’) traditional ways.

Clashing Indigenous and Settler World Views

The early colonizers saw the land as not even occupied, as the Indigenous peoples were not using the land for the “purposes of cultivation and pasturage”, which was considered the “proper” way to use the land in the eyes of the colonizers (Turner and Jones 2000:1-5). In contemporary times, making “proper” use of the land, within the boundaries of the settler-colonial worldview, is maintained within the industrial complex, such as the massive agricultural and resource industries in Canada (Rotz 2017:163).

Another important characteristic of the settler-colonial ontological perspective of the land in Canada is how the proper “use” of the land is embedded within the concept of *terra nullius*, or the idea that no one “owned” the land prior to the arrival of Europeans in Canada (Rotz 2017). The term is particularly relevant to the settler-colonial worldview, as it is both a historical and contemporary concept used to justify seizure of Indigenous territory. Indeed, the idea of *terra nullius* is tied into the views of modern white settler-colonial farmers, who believe that since the land was not “cultivated properly” by the Indigenous peoples, dispossession was, and continues to be, justified (Rotz 2017:163). This way of thinking also implicitly correlates ownership of land as only achievable through use that is within the boundaries of the settler-colonial worldview. These ideas also align with general conceptions in settler-colonial society that the land is “empty” and “wild” unless properly utilized within the settler-colonial framework.

Finally, one of the most critical factors of the settler-colonial ontological perspective of the land is how natural resource use is tied with ideas of “development” and “progress”. Primarily, this means that a substantial component of the settler-colonial relationship to the land is enfolded within industrial development of natural resources for the “good of society” and pursuit of economic growth. As such, one of the most prevalent views of the natural world

SCHOCAT

within the settler-colonial perspective is that “any natural resource not used [is] wasted”, leading ultimately to the mega-projects and industrial development that drives settler-colonial society (Davis 2018:145). Arguably, this only serves to illuminate the lack of personal connection to the land as mentioned previously, as the extraction of resources such as oil, regardless of ecological impact, is seen as making “use” of the resources in a way acceptable to the settler-colonial worldview. In the settler-colonial worldview, the natural world exists to be exploited.

WHAT IS THE DUTY TO CONSULT AND WHY IS IT IMPORTANT?

The History and Development of the Duty to Consult

The duty to consult stems from the fact that the “Aboriginal peoples were already here [in Canada], living in communities on the land, and participating in distinctive cultures, as they had done for centuries” (R. v. Van der Peet, as cited in ICTINC 2021:7). In response to their presence, the colonial powers sought to impose strict measures to “deal” with the problem with the overall goal of assimilation and colonization, forming various colonial structures of authority within which the First Nations would be controlled (Milloy 2008). Indeed, there were (and continue to be) many ways in which the colonial authorities seek to control the First Nations people, and by extent, their lands and the natural resources found within them. Examples of this were the Royal Proclamation of 1763 which laid down the foundation for assimilation and dispossession of Indigenous territory, and the Indian Act of 1869, which was left relatively intact until 1969 (Milloy 2008). Colonization of the land is a part of a long, complicated history of the world, to be sure, with factors such as Manifest Destiny, the Age of Discovery and the Doctrine of Discovery, missionaries, and racism

playing a part in the development and implementation of structures of colonial authority and control. However, the primary source of such goals of assimilation and dispossession arguably fall upon issues of control over land, and thus continues to be one of the key ways in which the Indigenous and settler-colonial people clash in what is the contemporary reality of Canada.

The above-mention of assimilation and colonial policies to control the First Nations people culminated in the historic *Calder* case of 1979² and the Canadian Constitution Act of 1982, which included section 35, an important addition that recognized “Aboriginal rights” (ICTINC 2021:8). This was an incredibly significant move in the legal system of Canada that, while it did not explicitly recognize Indigenous ancestral claims to land, provided the avenue with which the First Nations would be able to fight for recognition within the colonial legal framework that they are unwillingly subject too (ICTINC 2021). Following this, numerous landmark court cases went through the courts, such as *Sparrow* (1990), *Delgamuukw* (1997), and *Powley* (2003), with each unique case affirming various rights for Aboriginal people (ICTINC 2021:13). Perhaps more pertinent to the duty to consult, the *Haida Nation v. British Columbia* (Minister of Forests) case in 2004 ruled the following:

[There is] an inescapable Constitutional duty to consult and accommodate Aboriginal communities, in a manner that is meaningful, timely and reflective of the "honour of the Crown", regarding potential infringement on an Aboriginal right or title. Second, that duty rests with the Crown; it cannot be delegated to and does not otherwise extend to third parties (i.e., to industry). (ICTINC 2021:20)

² This was the first court case where the Government of Canada addressed issues of Aboriginal title, when the Nisga’a approached the courts about their unceded title to land in the Nass Valley (ICTINC 2021:11)

SCHOCAT

The duty to consult has become part of the structure that the government and industry must contend with if they are to develop on Indigenous traditional territory or in ways that may impact their way of life (Boyd and Lorefice 2018). The consultation process itself, however, comes in many forms, and continues to encounter problems arising from the inherent troubled history of Canada's colonial powers and the fundamentally different ways in which the Indigenous and settler-colonial peoples think that the land should be used (Baker and Westman 2018; Davis 2018; Rotz 2017).

The Reality of Consultation

Undeniably, there are cases where the consultation process has worked out well for both sides; after all, development on traditional Indigenous territory continues to happen in ways that benefit both the First Nation community and the respective industry or government initiative. However, the purpose of this paper is to examine the ways in which problems arise, with the goal of bringing to light the differences stemming from conflicting worldviews that make the process more difficult than it need be. It is important to make note that many of the court cases about consultation derive from the important emphasis on the “meaningful” process of consultation, with the legal issues stemming from the *failure* of the respective consultants to deliver upon the idea of a “meaningful” consultation (Boyd and Lorefice 2018). The following case study examines the consultation process within the framework of recognizing how the different worldviews manifest within the process, and the subsequent issues that may arise.

CASE STUDY: THE ALBERTA OIL SANDS AND THE CONSULTATION PROCESS

Background

The oil sand regions in Alberta are primarily found in the Athabasca, Cold Lake, and Peace River regions, which intersect with the Treaty No. 6 and Treaty No. 8 First Nations and Métis (Ko and Donahue 2011; Wickstrom 2014)³ (See Figure 1). A significant number of Alberta's oil sands are recovered by *in situ* methods, which involves the “drilling [of] wells through layers of gravel, sand, glacial till, silt (collectively referred to as overburden) and the underlying rock to inject steam into deep oil sands deposits to recover bitumen” (Ko and Donahue 2011:6). A critical component of the drilling is that it draws upon a significant amount of water that comes from the rivers, lakes, streams, and groundwater deposits (Ko and Donahue 2011:6). This has significant impact on the water quality and pollution in the region as oil sands release carcinogenic and toxic pollutants into the air. This in turn has negative environmental impacts on plants, animals, and the local communities (Westman and Joly 2019: 235).

An Examination of The Consultation Process

For my research, I compiled literature that discussed the consultation process in Alberta, with a focus on articles written within the last two decades. The timespan was selected to provide a baseline for understanding how the consultation process had evolved over time as industry became more familiar with the duty to consult. Unfortunately, it quickly

³ Treaty No. 6 and Treaty No. 8 include the Mikisew Cree First Nation, Athabasca Chipewyan First Nation, Fort McMurray First Nation, Fort McKay Cree Nation, Beaver Lake Cree First Nation, Chipewyan Prairie First Nation, and Métis communities (Wickstrom 2014:16)

SCHOCAT

became apparent that despite a timeframe of over two decades, the consultation industry in Alberta continues to encounter problems. For example, Passelac-Ross and Potes offer insight into the consultation process with Indigenous peoples in the Athabasca region in 2007, with the aim of assessing if the consultants were meeting the legal obligations as outlined by the Supreme Court in 2004, which clearly stated that the consultation must be conducted in a “meaningful” manner (ICTINC 2021:20). Passelac-Ross and Potes’ findings were not favourable: land use plans were developed with little to no involvement of the affected Indigenous communities; the government of Alberta had not engaged with the First Nations appropriately; the Albertan government did not take the consultation process seriously; and if/when there was engagement, it was late and did not effectively accommodate the community (2007:4-6).

Now, it may be arguable that the consultation process during that time was adhering to relatively recent court rulings with most of the significant court cases mentioned previously taking place within the context of the government of British Columbia and British Columbia First Nations. Indeed, it is important to note that the Albertan First Nations negotiations stem from a very different set of historical treaties and contexts. However, despite this, a general overview of the consultation process in the region within the last few years indicates that the issues affecting the process during the earlier negotiations continue to manifest years afterwards. The question becomes, then, why do these issues keep occurring, and what can be done to address them? The analysis of the consultation process conducted by Baker and Westman (2018) and Westman and Joly (2019) offer insight into the challenges that arise during consultation in the oil sands regions which echo the problems documented by Passelac-Ross and Potes in 2007. An appreciation of different ontological perspectives of the land

becomes useful as a framework to understand these issues, and to address why the consultation interactions are not being conducted in a “meaningful” manner despite years of interactions between the different groups. As well, one may begin to wonder what exactly “meaningful” implies within the context of consultation as it is clear consultants have a very loose definition.

One of the key issues that is common across the literature of consultation in Alberta is that there is a lack of appropriate and meaningful engagement with the community regarding the project. There are “major problems in communicating factual information” with information regarding impact twisted and downplayed via “technical wizardry” (Baker and Westman 2018:148). There is also inadequate information provided about the potential benefits of the project, such as job opportunities or the reclamation of the environment (Westman and Joly 2019). When taken at face value, one may view the lack of appropriate communication as stemming from laziness, unprofessionalism, or even coming from a place of racism and bias.

However, when considered from the perspective that the consultants are intermediaries with a settler-colonial perspective which values extraction of resources as the priority and ultimate end- goal of the process, one may better be able to understand why the consultants fail to deliver adequate information. Within the settler-colonial view, the land is not a part of a complex set of reciprocal relationships, but rather is a place to be cultivated by the right entrepreneur that comes along. Immediately, it becomes apparent that the lack of personal connection to the land, and by extension the community, translates to a lack of effort in communicating important details. It is made clear by the fact that the settler-colonial worldview sees land as resource and profit, and as such, the communication is merely a

SCHOCAT

roadblock to be swept aside as quickly as possible.

Another critical area of concern is the consultants “not taking the process seriously” (Passelac-Ross and Potes 2007:6). This is exemplified by consultants often flying into town for one day, conducting their interviews, and then departing (Baker and Westman 2018:143). Another indication of the consultants “not taking it seriously” is found in an incident described by Baker and Westman, who note that “company consultants keep spreadsheets to record every time that they make any attempt at contacting First Nations...that they use as proof they have tried to consult” (2018:149). These incidences clearly demonstrate that an inadequate amount of time and effort is put in to conduct appropriate engagement with the community about the land. Again, one may draw upon the idea of a settler-colonial worldview that does not value engagement with the land in the way that the Indigenous perspective does. While the Indigenous people experience life and have many important memories connected with the land, the settler-colonial detachment and view of the land as simply a resource, arguably impedes the ability to engage with the Indigenous worldview effectively. As such, the consultants who hold a settler-colonial perspective are unable and unwilling to understand that more time is required to have an effective consultation with a people who view the land as part of their “relations”, with rights equal to that of personhood (Baker 2017). The consultants think they are merely engaging with the people, when in fact they are needing to engage with the people and the land as equals.

Time itself is another critical factor that impacts the consultation process, especially when one considers how time is often culturally relevant. This problem manifests during the consultation process in the form of the government not giving the people enough time to engage with the content of the project or allowing room for accommodations to be made

(Passelac-Ross and Potes 2007:5). The settler-colonial drive for “development” and progress of natural resource has put undue strain on the Nations, who describe trying to keep up with the demand of development as a “nightmare” (Baker and Westman 2018:149). This is an issue that is made up of a myriad of factors. For one, it is simply that many Nations do not have the capacity to keep up with the number of developmental projects that are put upon their offices, which may only have one or two employees available (Baker and Westman 2018). As well, the Indigenous ontological perspective as described, does not naturally account for this high-paced need for “progress” and development as found in the settler-colonial worldview. As such, there is an inherent cultural difference made apparent, as one side requires more effort than the Indigenous people are willing to give, particularly towards projects that are actively trying to impinge on their traditional territory and land use rights. In sum, however, this issue is one of cultural difference and expectations that need to be addressed, as well the practical reality that many First Nations simply do not have the resources to keep up with demand.

Finally, one of the most crucial conflicts that arises during the consultation process is the different perceptions of the importance of place and space. As mentioned, many Indigenous cultures are inherently more “rooted” in a spatial awareness than the contemporary settler- colonial culture (Windsor and McVey 2005). As such, it appears that the settler-colonial consultants are either unaware or simply do not care about the impact when the consultants force Indigenous communities into a room, which is “not the place to give information” that may be culturally sensitive and place-specific (Baker and Westman 2018:150). The use of a room, disconnected from the Indigenous connection to the land, reflects both the dominant imposition of the settler-colonial worldview and makes apparent the colonial structure that forces Indigenous people to conform, or else they are not heard.

SCHOCAT

Indeed, this has led to the fact that the people are, frankly, “psychologically and spirituality fatigued”, having to engage in this process time and again within the colonial structure and worldview, with apparently little to no change even after two decades of it being a requirement (Baker and Westman 2018:145). A key source of conflict within the consultation process then is that the consults, with their settler-colonial worldview, misunderstand the significant importance that place has for Indigenous people.

DISCUSSION

From the Alberta case study, it is apparent that there are many problems that need to be addressed during consultation. These problems are found in other regions as well that have significant natural resource development on Indigenous traditional territory, such as British Columbia (Davis 2018). One of the key factors that is an indirect yet a common theme that is found across the literature of consultation is that it appears that the consultants are often highly ignorant to how their own worldviews and ontological perceptions are impacting the process and contributing to further bad relations. For example, McIlwraith noted during a meeting with the Tahltan of BC that one consultant asked a simple question as to “why can’t they [the Tahltan] move the camps?” (2012:98). This comment sparked indignation on behalf of the Tahltan group, who view their hunting camps as part of a complex system of relationships in the land and cannot just be “moved”. This statement is also a startlingly succinct summary of the inherent problems of two different worldviews meeting in the boardroom. The consultant, having been accustomed to a settler-colonial view that perceives places on the land as just spaces to inhabit (Windsor and McVey 2005), had a failure to understand how specific places are embedded with meaning and cannot just be “moved” or replaced. This is echoed in

consultations in Alberta, where the consultants are eager to mark down an important place that is to be avoided such as a berry patch, with the belief that because one such place was marked the other areas were free to be moved (Baker 2017). These actions are further indicators of a worldview that does not recognize important relationships with “all relations”, including the land and beings found upon it, as found in the Indigenous perspective. Indeed, it is arguable that such consultations are hardly being conducted, as the two perspectives of the land make for some incompatible differences that are difficult to reconcile. As for the aspect of the consultations as “meaningful”, one of the difficulties may lie in the fact that the consultants are left to define that term on their own, with little clear legal indication by the courts as to what exactly qualifies as “meaningful”, leading to the many issues outlined in the case study. From just these few examples one can easily see the importance of understanding how ontological perspectives of the land are impacting interactions between Indigenous and settler-colonial people.

CONCLUSION

In sum, one can see that there are many problems inherent within the consultation process in Alberta and elsewhere. As well, the issues are current and ongoing, despite nearly two decades of interactions between consultants and First Nation communities. While there have been many studies and reviews conducted on the state of the process which point out the above-mentioned problems, it is useful to examine the process with the understanding that the different ontological perspectives of the land have contributed significantly to perpetuating such problems. While there is no doubt that many factors contribute to these issues, it is worthwhile to acknowledge how the settler-colonial perspective of the land is influencing the actions of the consultants, and

SCHOCAT

in this way the two cultures make be “clashing” when they interact during consultation. In fact, they are hardly speaking the “same language” as both perspectives harbour fundamentally different ontological understandings of the natural world which actively conflict with each other, such as viewing plants and animals as worthy of personhood versus being merely there to be exploited.

Further analysis on the consultation process in Canada in general would benefit from actively seeking to understand how different worldviews and perspectives of the land are manifested during the process, as recognition of the differences is often the first step towards finding ways to cooperate. However, it is also crucial in moving forwards to recognize such differences exist. For example, where the settler-colonial people see empty, wild land ready to be harvest, the Indigenous people may see “winter villages, fishing stations, summer camping areas, mountains, berry-gathering areas, resting places along trails” (Thom 2005:250). The ontological difference that influences this example is important and needs to be addressed with further research on consultation between Indigenous and settler-colonial people.

As such, an anthropological perspective that recognizes a holistic world with many ontological perspectives, as outlined in this paper, is necessary to address and understand that these differences exist. As well, while relationship to the land manifests in distinct ways within both ontological perspectives, both the Indigenous and settler-colonial identities and heritage are heavily tied into and impacted by the landscape. This is expressively outlined in the Indigenous ontological perspective section, while the settler-colonial impact is felt within how the land drives important social and economic systems in settler-colonial society, such as ownership, boundaries, and industry. Acknowledging that these are tied to worldviews, it is arguable that other issues where the groups clash in society on a grander scale can be

Clashing Indigenous and Settler World Views

identified and better addressed. In this way anthropology can be used to contribute to contemporary issues in society.

SCHOCAT



Figure 1. Map of the oil sands in Alberta (Einstein 2006).

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SCHOCAT

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