

## CHAPTER 6 – DISCOURSES & THEMES

Geographers have long been exploring the imbeddedness of ideas and the contestation between groups with varying levels of power in the social construction of society (Natter and Jones 1997; Pile 1997; Cresswell 1996; Jacobs 1996; Osborne 1996, 1995; Sibley 1995; Massey 1994; Jackson and Penrose 1993). However, a growing number have begun to research the realm of discourse and its relationship with power and space (Peters 1998; Berg and Kearns 1996; Wetherell and Potter, 1992). This chapter brings these works together with the work of researchers in the fields of Aboriginal, and resource policy, and Aboriginal land-use and management studies (Brock 2000, DCI 1995; Altmeyer 1995; Artibise and Stelter 1995; Freeman 1995; Notske 1994; Tyler 1993; Usher *et al.*, 1992; Baker 1991; Wolfe *et al.*, 1991; Boisvert and Turnbull 1985; O'Reilly 1988), to explore the relationship between ideas and resource conflicts. The intersection of this research with a particular locality-based resource conflict produces a regional-scale geopolitics of ideas that sheds light on the nature of resource policy, and its impact on Aboriginal and local access to, and authority over, historically significant natural resources.

Discourses are the conscious and unconscious ideas that we hold, imbedded and communicated in the things we say, and the arguments we make, to justify our positions relative to specific situations. They are value-laden conceptions of the world that are drawn on to legitimize, influence, and construct our vision of society. Those who manage to justify their vision over other visions acquire the power to direct the shaping of space and society. These visions are not homogenous however, and competing ideas are often expressed to challenge the dominant vision. Thus, the articulation of dominant and competing visions represents a struggle for the power to shape space and society according to different perspectives, values, and beliefs. In

this way, discourses become as Peters states “sites of struggle through which people compete to establish their claims and positions against one another” (1998:669).

Like any locality, the Ardoch region is a complex social environment. The various discourses in this conflict arise from the layered landscape of the Ardoch region – layered by the history of Aboriginal-State relations, layered by the evolution of settlement and development in the Ardoch region, and layered by the juxtaposition of provincial, local, and traditional structures of authority represented in the various context chapters. It is out of this layered landscape that the *community* - including non-status Algonquin and non-Aboriginal residents, and Status Mississauga relatives and friends from the Alderville region - steps to assert its authority.

In this case study, the Ministry of Natural Resources (MNR), supported by a number of other parties, attempts to maintain and apply the dominant paradigm over the people and resources of the Ardoch region. They justify this imposition through discourses which consistently express a vision of society where their own power to manage natural resources is implicit. This vision interacts with a focus on economic development as the means through which society benefits. While they entertain some flexibility in allocating *access* to resources to specific parties, they remain emphatic regarding their *authority*, and hold fast to a belief of their superior judgement in resource management for the benefit of all citizens based on their access to scientific and management expertise.

In turn, the local *community* draw together their ideas, and find common ground from which to challenge the Provincial approach. They articulate the importance of identity and community in resource use and development. They challenge the very notion of development as something that must logically mean exploitation. They assert their ideas and values in challenge to Provincial discourses, and through

engagement in this struggle seek to redraw the lines of authority, and to affect the nature of development in their local environment.

The expression of these ideas reflects a struggle for power – the power to control the use and development of a particular resource, and also the power to define the values upon which local development and use will be based. Through their discourses, the various parties seek to validate their own ideas of authority, Aboriginal rights, resource use and development, and the relationship between these various categories. They also challenge the validity of other perspectives that are based on other value systems. Exploring these discourses allows a glimpse into the underlying meanings and values present in the Mud Lake conflict, and presents a clearer understanding of the motives and power relations which are constitutive of resource and Aboriginal policy. In this way we see the existing system not as a given, logical way to structure resource policy, but as a value and power laden structure, challenged by alternative visions, and capable of modification, and reinterpretation.

### **Discourses on authority, ownership, and the nature of Aboriginal rights**

Provincial resource policy rests on the legislative authority of the Province as the owners of the resources within Provincial boundaries. As Usher states, the state system rests on a common property concept in which the state assumes exclusive responsibility and capability for managing a resource equally accessible to all citizens (Usher in DCI 1995). In the various documents created by the Ministry of Natural Resources during the Mud Lake conflict there is a consistent perspective expressed regarding authority over natural resources, ownership of natural resources, and the nature of Aboriginal rights. Almost every document produced for external consumption, and many internal documents, have the implicit and explicit position

that the Province, and MNR as the Provincial designate for resource management, has authority over all natural resources within the Province of Ontario, including the wild rice at Mud Lake.

These statements issued in the name of Alan Pope (Minister, MNR) make explicit reference to the Ministry's legislative authority over natural resources:

According to the Ontario statutes, it is my responsibility to allocate resources (Document 3, Alan Pope, Sept 3, 1981).

My Ministry retains the right to manage the wild rice on Mud Lake. It is a resource that is growing on Crown land, for which my Ministry is responsible (Document 59, Alan Pope, Aug 20, 1982).

Consistent with developments expressed in chapter 2, the Province expresses its belief in Provincial authority over the wild rice at Mud Lake based on legislation, and on the fact that the rice is growing in a navigable waterway – on land designated as Crown Land. Furthermore, in the following quote, the MNR expresses authority for allocating wild rice because of the *Wild Rice Harvesting Act* which granted the MNR the authority to manage the resource, and because the Province owns the natural resources within the Province of Ontario:

The Wild Rice Harvesting Act does not say that the minister has no authority. In fact, the Legislature specifically gave me authority... Why was the act passed if I have no responsibility to the Legislature for allocating wild rice in the Province and if it does not belong to the Province? (Document 61, Alan Pope, Nov 19, 1981)

This perspective bases Provincial authority of natural resources on Provincial 'ownership' of natural resources, which itself is based upon the *Constitution Act 1867* (legislative authority).

This perspective is the subtext of this next statement where local and Aboriginal interests are delegitimized in favor of Provincial authority and responsibility. MNR's authority over wild rice is implicit to this perspective. Furthermore, the MNR is

presented, along with the Province, as a benefactor of Aboriginal Peoples for providing special consideration of their resource needs. Accommodations to Aboriginal interests are portrayed as the ‘*good will of the state*’, not as a ‘*right*’ of Aboriginal peoples to have authority or input into resource development:

There are no provisions in the Act (WRHA) or regulations made pursuant to the Act for granting traditional harvesters, native or other, exclusive rights to harvest certain areas. It has been MNR practice, however, to give preference to native communities, through the licensing process, to the areas which they have traditionally harvested. In the Ministry’s Northwestern Region there are 10 large blocks and 13 specific areas which have been registered and it has been Ministry practice to grant licenses for wild rice harvesting in these to specific Treaty Indian Bands. *These areas are not registered to the Indian Bands... Sharbot Lake, Mud Lake and Rice Lake areas are not registered. Harvesting licenses may be issued for these to Indians or to non-Indians providing in the latter instance the intent of the moratorium is not violated* (Document 47, Mr. Coghill, July 3, 1980 – my emphasis).

There is no recognition in this statement that there exists any ‘*right*’ of the Aboriginal people to harvest wild rice much less to own, or have authority, over it. Rather, this statement asserts the MNR’s authority to manage wild rice use throughout the Province, based on legislation. It expresses that the Mud Lake region falls within this mandate, and has not been recognized as an area commonly harvested by Aboriginal People. Therefore, the Mud Lake wild rice crop has been considered as outside the bounds of ‘*special consideration*’. It also expresses a perspective on Aboriginal rights that are expressly restricted to ‘*access*’. There is no consideration within this sentiment that any other party, Aboriginal or otherwise, could have ownership over wild rice. Wild rice is described unequivocally as a state owned resource and responsibility.

Why then, despite the long local tradition of harvesting noted in Chapter 4, was Mud Lake not recognized as a site commonly harvested by Aboriginal peoples? Was it because MNR was unaware of the long-term relationship the Perry family, and their

allies had with the wild rice? Or did they not recognize the local ‘non-status Indian’ peoples as “Indian people”?

As previously noted, local people considered it highly unlikely that the local MNR office was unaware of their harvesting practice. Furthermore, we know that ‘non-status Indian’ peoples were not recognized as ‘Indian’ peoples by the Province of Ontario at this time. This question of whether ‘Indian identification’ had a bearing on the dynamics of this conflict is raised in the following statement. This internal MNR document clearly asserts the MNR’s authority to make decisions regarding wild rice use at Mud Lake, as well as their authority to issue licenses to harvest to specific users:

I feel that at this time we should be able to license Lanark Wild Rice to harvest, with mechanical harvesters, wild rice from Mud Lake in Frontenac County in 1981, after the local people have had an opportunity to harvest wild rice for their personal use and *after the Indian people who are recognized as appropriate to do so have had an opportunity to harvest wild rice* for their own personal consumption and for sale (Document 42: Mr. Clarke, June 2, 1981 – my emphasis).

This statement also raises several questions. How is ‘local’ being defined in this statement? Where do the ‘non-status Indian’ people fit in? Are they local people who can harvest for personal use, or are they ‘Indian people’ who can harvest for personal consumption and sale? How does ‘*Indian people who are recognized as appropriate*’ get defined?

MNR statements do not explicitly engage in a discussion of Indianness, or ‘Indian’ identification, nor do they challenge outright Harold Perry’s validity as an Aboriginal person in any of the documentation located for this case study. However, since we know that Provincial policy did not consider non-status and *Metis* peoples to have Aboriginal rights that were binding on the Province, we should expect that the illegitimacy of Mr. Perry’s right to the wild rice would be present as a subtext to

statements made by MNR. As previously noted, Provincial attitudes regarding their responsibility to ‘Indians’ was restricted to those defined through the *Indian Act* as ‘Status Indians’. However, within this framework the Province was, at this time, nominally recognizing the need to engage with ‘Status Indian’ communities on the issue of resource use. This sheds light on MNR actions throughout the case study period.

For example, one case study document, referring specifically to ‘Indian’ people, is an internal MNR letter between Mr. Reynolds (Deputy Minister, MNR), and Mr. Wilson (Director of Indian Resource Policy). This letter suggests that there was some question regarding whether the Mud Lake issue was an ‘Indian’ issue:

I think Eastern Region now realizes that there is Indian involvement. I also have had a call from Grand Council Treaty #3 re this hearing (Document 63, Mr. Wilson, July 22 1980).

This is a tenuous link as the wording is not explicit, and any conclusions can be considered no more than perfunctory. However, my reading suggests that MNR recognized ‘Indian involvement’ after communication from Alderville ‘Status Indian’ representatives regarding their involvement in the Mud Lake dispute, followed by further communication from Grand Council Treaty 3.

The extension of this assumption is that the local *non-status* Algonquin people were not recognized as deserving special consideration. While there is no direct mention of this connection in the communications between the local ‘non-status Indian’ people and government officials there is some indirect supporting evidence. For example, an *Ottawa Citizen* newspaper article from early in the conflict states:

When Perry tried to get a permit... he was told he was ineligible because he wasn’t a full-blooded Indian (July 23, 1980:65).

Thus, it appears that the Perry family did not represent a viable ‘Indian’ claim to special consideration. However, due to the practice of considering ‘Indian’ interests in resource allocation noted in earlier chapters, and following a conclusion that ‘Status Indian’ people from Alderville had an interest at this site, MNR then proceeded with that as a consideration.

Further indirect support for the idea that Mr. Perry’s *Indianness* was considered invalid rests in this statement by Harry Daniels of the Native Council of Canada (NCC):

Regardless of Mr. Perry’s status, he is undeniably a Native person. The harvesting of wild rice is part of the Native culture and to arbitrarily take this right away from Mr. Perry ...is surely wrong (Document 43: H. Daniels, NCC, Aug. 1, 1980).

Mr. Daniels has an interest in non-status and Metis rights, and this position is consistent with positions taken by the NCC, and the Ontario Metis and Non-status Indian Association (OMNSIA). However, in this context, his statement establishes a position on the identity of Harold Perry as an Aboriginal person regardless of ‘Indian Status’, presumably to affirm Mr. Perry’s *‘Indianness’* in relation to MNR policy, and to base his *‘right’* to harvest *Manomin* on that identity. Statements of this sort are likely in response to a supposition that his identity is questionable, invalid, or inadequate.

This suggests that the history of Aboriginal identification has a bearing on the dynamics of the Mud Lake dispute, and imposes a hardship on Mr. Perry’s efforts to be recognized as valid, and to exert influence on the outcome of the dispute. MNR discourses affirm Provincial authority and ownership of wild rice, and circumscribe Aboriginal rights to *‘access’*, where special consideration is granted to *‘Status Indian’* people only. Thus, Mr. Perry’s need to articulate his attachment to the Mud Lake

*Manomin*, and his historical and cultural involvement with the crop, becomes a major component of the community's efforts to legitimize their position relative to the Mud Lake *Manomin*, and to exert influence over the evolution of events.

Community expressions regarding the *Manomin* at Mud Lake contrast, and significantly challenge, Provincial perspectives. While differences exist between the various groups constituting this *community*, commonality and cooperation are achieved, and are presented as community statements, especially regarding community involvement in decision-making, and respect for the long-term relationship of the Perry family regarding planting, and maintenance of the crop. They speak to cultural heritage, a long-term relationship of nurturing and harvesting, and a sense of identity that is tied up with the presence of *Manomin* in their lives.

This sentiment is echoed in academic literature on the subject. As Tyler states:

the harvesting and use of natural resources means more than securing an economic commodity in order to 'earn a living'. Spiritual stewardship of resources represents a 'way of life', a vital process of socialization, moral education, kinship, economic responsibilities and the expression of individual skill and ability (1993:2).

These various meanings are found within the discourses presented by the Ardoch community. For instance, Harold Perry asserted authority over the *Manomin* based on *Aboriginal right*, an ongoing relationship with the rice over time, and an obligation to ancestors and descendants as part of a cultural heritage:

I Harold E. Perry lay claim to wild rice by Aboriginal right (Document 7, May 8, 1980)

I helped plant this rice, cultivated it so I feel I am in a position to harvest it (Document 27:1, Harold Perry, Sept. 25, 1981).

I hold a certain amount of responsibility to my ancestors and to my daughter. I want to preserve it as it is - part of my heritage (Document 3: Harold Perry, Sept. 3, 1981)

In these statements, Harold Perry asserts his authority as the steward and inheritor of the Mud Lake *Manomin*, and states his obligation to manage and protect the crop for its continuity, for the good of the local environment, and for the local people. His statements express an explicit belief in his authority, and right to manage the Mud Lake *Manomin*, and by extension adamantly negates any authority being held by the MNR regarding the crop.

Local non-Aboriginal residents support these statements. In contrast to MNR statements that base authority on legislation, community statements argue that true authority is based on a historical relationship with the *Manomin*:

In the case of Mud Lake, Ardoch, ... that rice stand has been conserved, protected and replanted by Harold Perry's family and without their protection, the Wild Rice would not be there (Document 55: Sally Beaton, MVCA, Aug. 27, 1981)

I think that there is the matter of Aboriginal rights... this rice was established by the Indians, and it is my opinion that their rights should be recognized... (Document 2: Bill Flieler, Reeve Township of Clarendon and Miller; Dec. 1, 1981:119)

According to this perspective, local authority is based not on legislation, but on a long-term relationship with the rice, and the history of labour that ensured its continuity, and survival. These statements affirm the Perry family's ties to the Mud Lake *Manomin*, and an authority based on that relationship.

Community statements further this perspective when they refer to the rice as part of the historic and cultural fabric of the community, and as a symbol of identity and community in the local area.

The relationship which the residents, Metis and white, and our Indian friends from Alderville have with the rice, is deep. It touches our heart and nerves. It cannot be replaced. It is a sentiment which can not be restored if lost (Document 25: R. Lovelace, Aug. 30, 1981)

You have indicated that it is your responsibility to manage resources including wild rice to obtain maximum economic benefits to our Province.

Certainly economic benefit is a large consideration in your mandate but equally large is your responsibility to appreciate and reflect through policy, cultural and traditional relationships which exist between people and resources. Perhaps these entities are far less tangible than dollars but our society still values these relationships above the fortunes of commerce (Document 30, R. Lovelace, Dec. 7, 1981)

In an age when traditions have been overtaken... it is important to us to maintain the traditions of value. It is essential to our identity as individuals and as a community (Document 25: R. Lovelace, Aug. 30, 1981)

The local people...are not interested in making money from the rice but would rather see it remain as it is now, part of the local people (Document 3: Barbara Sproule, Sept. 3, 1981).

These statements articulate a sense of well-being that cannot be bought, or traded for profit. Rather, they indicate the importance of their vision of community, and environment – one which suggests a desire to attain, and maintain a sense of self-determination for their local community. Thus, community discourses adamantly express a sense of the Mud Lake *Manomin* as part of their conception of themselves, and of their community. They oppose a vision of *Manomin* as a commodity, and articulate a worth that is far greater.

The belief in the authority of the Perry family over the Mud Lake *Manomin* is also prevalent throughout the local discourses. Harold Perry is recognized, and supported as that authority, and as the legitimate person to make decisions regarding *Manomin* use. For example, these statements express recognition of the Perry family, and Harold Perry specifically, as the locally recognized authority over the rice:

(Richard Perry) told us when the rice was there, how much rice was there, if we could gather it, if there was enough to gather (Document 2: Melvin Smoke, Dec. 1, 1981:198)

They (Richard and Harold Perry) looked after it as far back as I can remember. And I've heard stories from Nick Webbor, and Bill Beaver, Rod Beaver that how Harold's great grandmother brought the rice in and followed that right down through (Document 2: John Millar, Dec. 1, 1981:221-2)

The tradition and responsibility of harvesting and re-sowing rice has been kept in the Perry family ... There has never been a dispute over the rice. This resource has been a part of our tradition and local culture. We have always considered the Perry family as the guardians of the rice (Document 25: R. Lovelace, Aug. 30, 1981)

Clearly, these statements validate the Perry family as caretakers of the rice.

Furthermore, this next statement expresses a belief in the '*right*' of the '*Indian people*', including the Perry family, both to access, and control, of the *Manomin* at

Mud Lake:

The local people generally accepted the fact that the rice was an Indian right, and the locals only harvested very little and only for their own use. This was acceptable to all and I feel still is (Document 45, Harold Perry, May 19, 1980).

The Indians have had control of the harvesting and the white people of the area have known that the harvesting had been carefully controlled. The rest of the residents in the area have been unanimous in their support (Document 51: Martha Brouse, Aug. 20, 1981)

Thus *Aboriginal right* to the rice is affirmed by local residents, and is defined in terms of access, and control. According to this argument, authority and access are not based upon legislation, and the Province's authority to issue licences based on certain criteria. Rather, this '*right*' is a product of Mr. Perry's Aboriginal heritage, and the long-term commitment to the rice, and to the local community over time. Thus, Aboriginal, and local non-Aboriginal residents profess a respect for Aboriginal ownership and control of the rice, specifically naming the Perry family as the legitimate authority.

Community statements also reflect a sense of solidarity, and belonging between all of the members of the community – Status and non-status 'Indian', and non-Aboriginal - based on a history of co-existence, and co-operation. While the Mud Lake *Manomin* was recognized as an '*Aboriginal right*', a value of sharing was implicit in their local cultural practice. As a result, access to the Mud Lake *Manomin*

was not restricted to Aboriginal people alone, but was based on a recognition and respect of an *Aboriginal right* to the rice, and a limited share in the abundance for local residents. These sentiments are expressed in these statements by Harold Perry:

In the past we worked well and in harmony with each other. We are not graded into categories. We are all doing this together. (Document 7, Harold Perry, Sept 3, 1981)

I protest strongly the zoning of Mud Lake for rice harvesting purposes. Surely this will destroy the spirit of wilful sharing (Document 19, Harold Perry, Aug 18, 1981).

This solidarity is further expressed during the second hearing. When Mississauga respondents were asked the question ‘who should have the right to harvest the wild rice at Mud Lake?’ these responses were expressed:

The people who planted it, and the people who looked after it – which I would say would be the residents of Ardoch, and also the Indians that helped them look after it (Document 2: Melvin Smoke, Dec. 1, 1981:201)

I think the local people here in Ardoch, and their invited guest, the Indian would be the people that would be able to take the rice (Document 2: John Crowe, Dec. 1, 1981:201)

These statements reflect the importance that *Manomin* holds in the community’s history and well-being, as well as the relationship of sharing that existed between the non-status Algonquin residents, their Mississauga relatives, and their non-Aboriginal neighbours. The idea of the rice as part of the people is so ingrained in the community perspective that the idea that the Province should have authority over the *Manomin* at Mud Lake is shocking.

In fact, this quote by Melvin Smoke makes clear the importance of sharing in the communal harvest:

All the while I’ve been gathering rice at Ardoch, I’ve never had nobody ever come in the field to ask or inquire about rice. Natural Resource people or anybody... Now, we can take 30 or 40 lb... and yet another man (LWR) can take it all... I don’t think this is right (Document 2, Melvin Smoke, Dec 1, 1981:201).

We have no regrets about you (LWR) coming in there if you want to take 40 lbs like we take... not take it all (Document 2, Melvin Smoke, Dec 1, 1981:206).

Thus, the Mississauga express an emphatic negation of commercial harvesting, or any one party having a larger share. Instead, the focus is on sharing, and a willingness to accept anyone so long as they are harvesting traditionally, for their own use.

Based on this belief structure the community rejects Provincial authority over the *Manomin* at this site, and refuses to relinquish the system of stewardship that had existed in the community since the time of planting. Rather, they articulate their intention to continue to harvest, and control the rice as in the past. For example, this statement from IMSet to Mr. Pope expresses a refusal to accept Provincial authority as valid, and is followed by a clear expression of intent to continue to exercise authority over the resource:

I can not stress any stronger in words that the Ontario Ministry of Natural Resources does not have a legitimate right to the wild rice at Mud Lake and cannot arbitrarily declare that it has a responsibility and right to determine its use (Document 40, R. Lovelace, Sept. 3, 1982)

Our intention is to exercise our legitimate right to control and determine the use of the wild rice at Mud Lake (Document 40, R. Lovelace, Sept. 3, 1982)

These statements challenge the legitimacy of Provincial authority. They refuse to tolerate the arbitrary actions of the MNR in assuming authority over the rice, and establish a position which asserts unequivocally the legitimacy of local authority, and control.

Furthermore, in a letter to Chief Marsden of the Alderville 'Status Indian' community, Harold Perry articulates that Provincial licensing must be resisted in order to ensure the continuity of community access as in the past:

I feel Chief Marsden that our maintaining our rights of harvesting without permits is critical, should an application from any of us be refused for any whimsical reason... then to whom would we appeal? Natural Resources I presume... (Document 45, Harold Perry, May 19, 1980)

This statement challenges any sentiment that MNR is seen as a benefactor towards Aboriginal peoples. Rather, it suggests that the MNR has an unpredictable nature in relation to Aboriginal harvesting issues, and is suggestive of an inherent threat in allowing any concessions to Provincial authority in order to guarantee the continuity of access to the resource.

In contrast to Provincial perspectives, the statements made by community members challenge the assumed normalcy of Provincial authority and ownership of the *Manomin* at Mud Lake. They also challenge the image of the MNR as a benefactor, constructing instead an image of a heavy-handed agency with little, or no respect for local peoples, and local contexts. Furthermore, they assert a local authority, and ownership of the *Manomin* at Mud Lake based not on legislation, but on Aboriginal right, historic relationship, and commitment. They express the intention to continue to control the rice at Mud Lake based on this vision.

### **Discourses on Development, Management and Use**

The authority over a resource means the right to make decisions regarding that resource. Baker states “the right to control resources is often synonymous with management of that resource, and in turn, is closely linked to who benefits from that use” (1991:37). Thus, management and development, each with implications for the use and benefit of the Mud Lake *Manomin*/wild rice, are also themes debated throughout the case study. Inherent in these discourses are statements constructing different visions of development, management and use, which are based on different value systems. Thus, these discourses are primarily debating which values we should

draw on in making decisions regarding the development, management, and use of natural resources like *Manomin*.

Throughout the case study documents, MNR and their supporters, suggest that there is a moral duty to utilize resources to their maximum potential. This idea is rooted in the colonial past, from a vision of the continent and its resources as limitless, and a national economy based on resource exploitation, to the concerns regarding the effects of exploitation of resources leading to debates about 'wise use' (Hessing and Howlett 1997; Altmeyer 1995; Artibise and Stelter 1995). This idea of the state, as the arbiter of wisdom is based on their access to, and knowledge of, scientific methodologies (Hessing and Howlett 1997). This sentiment is expressed in this statement by Alan Pope:

As I indicated yesterday my responsibility is to you and all the people of Ontario to manage the resources including wild rice to obtain maximum economic benefits to our Province while utilizing a rational and responsible system to ensure a sustained yield in perpetuity, of that resource (Document 26, Alan Pope, Sept. 16, 1981)

This idea is consistent with the findings of Peter Usher who states, "the state manages for certain levels of abundance on a technical basis, and then allocates shares of this abundance to users on an economic and political basis" (Usher in DCI 1995:346). Thus, the concept of maximum use is balanced with an idea of management that draws on scientific principles in order to determine the most advantageous levels of use, while preserving the conservation of the resource. In this way, the MNR is professed as the only viable authority because of its access to, and knowledge of scientific methodologies.

The idea of the MNR as the wise, and legitimate authority over natural resources is supported with the argument that Aboriginal and local users are inefficient, and wasteful, and thus incapable of making proper use of resources. Local

management practices are described as unscientific and intuitive, and incapable of making sound management decisions. In this way, the delegitimization of local community management, and use heightens the legitimacy of Provincial management, and development strategies. MNR argues that wild rice must be commercially developed in order to ensure maximum use and benefit to the citizens of Ontario, and to the local community. Thus, management and development are based upon a value of 'waste not, want not' where *proper use* is equated with *maximum use*, and *benefit* is equated with *financial profit*.

In contrast, community discourses focus on a moral duty to preserve the balance between use, and the social, and biological linkages within the area. Use, therefore, must be sufficiently limited in order to sustain the ecological connections, and community relationships inherent in its place within the community. Development is not only commercial development for economic benefit, but also social, and cultural development, and the preservation of ecosystem linkages. Community perspectives advocate a management approach focused on maximum security and benefit to the community. This is a cautious approach based on local knowledge of the resource, and its social, and ecological linkages within the region. This idea is allied with a vision of the MNR, and LWR as profit seekers with no commitment to the local environment, or community. By constructing an image of the Ministry as unethical, and profit motivated, the community initiates a significant challenge to MNR authority, and the model of management and development they advocate.

Throughout the late 1970s and early 1980s, the MNR advocated the development of a commercial wild rice industry. An internal MNR document recommends that they manage wild rice resources for this purpose (MNR, April 15, 1977). To that end, they advocated research and development initiatives that would

lead to a viable industry throughout Ontario (MNR, April 19, 1979; MNR, Sept. 19, 1980; Document 11, James Auld, Mar. 13, 1980). This was accomplished through issuing licenses to commercial industries that had the technical expertise to ensure maximum use and benefit. For example:

My Ministry is committed to the long-term development of a commercial harvesting industry. There are tremendous advantages for the community in terms of jobs and cash flow if this product is managed and marketed efficiently... the responsibility for developing this industry will fall to the licensee and will be a condition for maintaining the commercial harvesting rights (Document 36, Alan Pope, June 18, 1982).

In this statement, the commercial development of a viable wild rice industry is declared a condition for access through the Provincial licensing system. Therefore, the Provincial vision of development is enforced through Provincial power structures, which ensure compliance through provisions for access. Furthermore, the use of the term 'rights' in this phrase further defines 'rights' to resources as access only, and defines the MNR as the arbiter of that right.

Statements expressing this priority are evident throughout the case study material. MNR repeatedly argues that the rice at Mud Lake must be developed for the good of the local community, and the Province as a whole. As the following statements illustrate, the MNR argues for commercial development as a means to benefit the local economy through job production:

In the future our priority for wild rice will be both the commercial harvesting of wild rice and the use of this [for] economic development and job opportunities in your county (Document 26, Paul Coghill, Sept 16, 1981).

The commercial licence will be awarded by the Ministry to a qualified firm, thus providing a local source of job opportunities... we must support, especially during these difficult economic times, local industries which offer job opportunities (Document 33, Alan Pope, Apr. 22, 1982).

To that end, the MNR implies that it will choose a firm that can carry out the desired mandate. Thus a 'quality firm' is one that will carry out the will of the MNR.

This explicit focus on the development of a commercial industry based on an economic model is further expressed in the following example. MNR articulates its mandate to manage resources for maximum economic benefit to the Province:

James Auld indicated that the granting of the licence was consistent with OMNR policy of developing resources "to the fullest extent for the benefit of all citizens in Ontario" (Document 23:4, Mr. Oatway, Aug. 21, 1981).

These statements profess a philosophy of maximum utilization in order to provide maximum benefit - where benefit is defined as economic benefit.

Furthermore, job production is used to legitimate this form of development as rational, logical, and in the best interest of the local community. Furthermore, it is made clear that preferential access will be granted only to those willing to carry out the mandate of the Province.

This philosophy is consistent with perspectives reflected generally at this time. The goal of a variety of policies, for instance wild rice policy, is reflected in a Cabinet discussion which defines the objective as providing "social and economic benefit to people of Ontario by stimulating use and management" in this case of wild rice (MNR, Oct. 13, 1980). This goal is further reflected in their statement "Ontario will support policies to ensure and enhance a viable industry" (MNR, Oct. 13, 1980). The idea of maximum use for maximum benefit is so closely held that anything less is seen as wasteful.

The following statements, made in the context of the Treaty 3 area, reflect this perspective. MNR argues that under-utilization is wasteful and that Aboriginal people do not use wild rice to maximum potential:

... it is apparent that the simple availability of the crop is not sufficient to interest the native people in the development of this resource to full economic advantage. The problems of inaccessibility, lack of interest, and in peak years, the sheer magnitude of the crop (i.e., the crop being too large to harvest by primitive methods), all have contributed to a drastic under-utilization of the resource and to an awareness that increased economic benefits are available to the Province as a whole through an increased utilization of [the crop] ... the traditional attitude of the Indian people has been such that they have not pursued the available opportunities for economic development (MNR, April 19, 1979:7-8)

... Natives have neither the knowledge or interest to take advantage of opportunities (DIAND 1980).

Clearly, Provincial representatives openly express a perspective that Aboriginal users are wasteful, incapable, or uninterested in making satisfactory use of natural resources. The implication of these statements is that there is a bias against Aboriginal peoples, uses, and philosophies inherent in the Ministry's policies, and perspectives. Thus, when commercial development, and Aboriginal use, come in to conflict, the implication is that commercial interests will be granted the support of the MNR.

This sentiment is reflected in statements made by Provincial representatives in the context of the Mud Lake dispute, suggesting the inadequacy of local harvesting practices:

As you are aware, in the past this crop has not been harvested to its fullest potential (Document 26, Paul Coghill, Sept 16, 1981).

However, this idea is also linked to ideas about Aboriginal culture, and Aboriginal perspectives on the importance of *Manomin*. MNR statements, often suggest an absence of understanding regarding the scope of Aboriginal objectives,

and the potential benefits associated with *Manomin* harvesting, and focus exclusively on the objective of maximum use:

I attempted to stay away from discussing the moratorium aspect, stressing only the Minister's wish to see a natural resource, such as wild rice, be harvested and not allowed to go to waste... *I further tried to emphasize the best way for the Bands to indicate their need and interest in wild rice, was to harvest to the maximum of their permits, and if necessary, apply for additional volumes.* This would be a more effective way of demonstrating the importance of wild rice to them, than demonstrations, confrontations, etc... (Document 53, Mr. Oatway, Aug 25 1981 – my emphasis).

Indeed, the one bit of information that I am fairly confident is correct, is that the percentage of harvest by the native people in Metis is extremely small. Also, the percentage of harvest of wild rice, because of the nature of the cereal and its maturing process, is such that 100% harvesting is absolutely impossible. However, there is a great variation between that which is possible to harvest and that which is being harvested. Indeed, that in itself creates some very significant problems (Document 46, Harry Parrott, Sept 29, 1980).

These statements act to delegitimize Aboriginal peoples by portraying them as irrational, prone to emotional outburst, and incapable, or uninterested in the benefits to be gained from a commercial wild rice venture. In addition, their 'use' is expressed as wasteful, and that they would more likely receive the support of the MNR if they proved their need, by increasing the quantity of their use.

Of special interest is how this next statement by Harry Parrott, the Minister of the Environment, defines the importance of *Manomin* as 'economic importance' *versus* social, or religious importance, and challenges the Aboriginal 'rate of use' as adequate. He continues on this theme of the illegitimacy of a religious, or social value to harvesting practice:

I was once under the impression that there was a religious connotation to rice harvesting. I am persuaded that the religious connotation is not as direct as I once thought, although I do believe that it is an important aspect of our native people's way of life – but there is a significant difference (Harry Parrott, Document 46, Sept 29, 1980).

These statements call into question the belief structures of contemporary Aboriginal peoples, and challenge the continuity of valid religious experience. In this way, Aboriginal users are delegitimized in favour of those capable of proper, and valid use of the resource. The effect of these discourses is to support, and strengthen the MNR's legitimacy, and responsibility to manage the wild rice at Mud Lake.

This is consistent with the findings of several researchers who have recognized that state policy perceives Aboriginal frameworks as unscientific, irrational, and emotional (Notske 1994; Tyler 1993; Wolfe et al., 1991; O'Reilly 1988). As Notske states, this approach is supported by the idea that resources are commodities, and that traditional lifestyles are quaint but unrealizable (Notske 1994). A further aspect of this perception is that Traditional knowledge, and management techniques are also viewed as inadequate, and intangible. For example, Tyler states:

Western scientism makes a clear distinction between 'opinion' and 'fact'. Only experts and specialists are qualified to render 'facts' or determine 'truths' on the results of empirical testing by accepted scientific methods. Therefore in the context of classical western tradition, tribal knowledge is viewed as 'unscientific' and the acknowledged 'truths' of oral tradition are considered 'myth' in the pejorative sense (1993:3).

Thus, Aboriginal knowledge, and management techniques are discredited as unscientific.

In contrast, researchers in the field of Traditional Ecological Knowledge (TEK) state that Aboriginal resource management is complex, and highly skilled (O'Reilly 1998; DCI 1995; Notske 1994; Tyler 1993; Wolfe et al., 1991; Fiet 1986). It is based on a systematic accumulation of environmental information, over time, and in a range of situations, which is drawn on to understand the systemic relationships between all factors (Freeman 1995; Tyler 1993). This way of knowing is intrinsically

‘ecological’, ‘holistic’, and ‘local’. It links broad, experience based, accumulated knowledge about the territories involved in a way which leads to an intimate understanding of the ecological nature of the area. Usher adds,

The indigenous system rests on communal property arrangements, in which the local harvesting group is responsible for management by consensus. Management and harvesting are conceptually and practically inseparable. Knowledge comes from the experience of every aspect of harvesting itself ... (Usher in DCI, 1995:346-7).

Examples of this concept can be found in the case study documents. For example, during the second hearing Harold Perry responds to questions about his management practices, and his knowledge of the wild rice at Mud Lake:

I know by going in there what to do, and I know that I can make it grow (Document 2, Harold Perry, Dec. 1, 1981:241)

I know from years and years ... where it has grown before and where it will grow again, the type of soil that it will grow in by looking at it, paddling through it... something that you know, sort of like eating with a knife and fork,... it comes to you (Document 2, Harold Perry, Dec. 1, 1981:240)

However, these statements do not engender a sense of competency regarding Mr. Perry’s management system to Mr. Ferguson (Mining and Lands Commissioner) who chaired the second hearing. Rather, in this statement from his report to Alan Pope following the second hearing in 1981, Mr. Ferguson discredits Mr. Perry’s methodology as ‘intuitive’, and ‘incidental’:

... I did discuss with Mr. Perry on the record the extent of his management program. He was only able to establish that his program is very intuitive. He has kept no records of areas or methods used. He has done no experimentation in respect of soil conditions and as far as I could determine from discussing the matter with him, his program has consisted merely of scattering seed in locations which occur to him as ideal locations and inspecting the stands as incidental to other trips through the lake (Document 61, Mr. Ferguson, Dec 8, 1981)

Thus, not only are Aboriginal and local interests defined as illegitimate, but their traditional knowledge of the resource, and their traditional management practices, are perceived of as unscientific, and intangible as well.

Lanark Wild Rice allied itself with state discourses in this dispute. The primary focus of LWR statements engage with the idea of development of the industry for economic benefit. They express a belief that resources belong to all of the citizens of Ontario, and support the authority of MNR, and their focus on commercial development for economic benefit:

The Ministry of Natural Resources has jurisdiction over the wild rice, regardless of how it got there. At the present time Steven Richardson who holds the license has not always had that privilege, and he may not again as a result of this hearing (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:38).

I'm here with a proposal for something (wild rice) ... each and every one of us do own as Canadians (Document 2, Nov 31-Dec 1 1981:38).

This sentiment supports the Provincial claim to authority over wild rice, and accepts the MNR's right to make decisions regarding access to specific sites.

Other statements support Provincial attitudes to commercial development, implying that the Aboriginal people at Mud Lake would benefit financially from involvement in a commercial industry, and thus should be interested in the commercial development of the wild rice crop:

I'm sure that these people who planted rice years ago would be very happy to see their children and children's children benefiting from it to some degree (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:16).

I think the native people in this area might have a substantial amount to gain from the wild rice business in this area. Provide markets for you, and provide an incentive to grow additional wild rice and provide jobs (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:37).

Mr. Zarecki also supports Provincial attitudes toward economic development, and the value of a commercial industry to the region, and argues that the local community

would stand to make significant economic gains due to the economic potential of a commercial business:

... Steve Richardson and I planted a thousand pounds of wild rice this year. If it grows, we are going to need people to help us harvest it. More direct benefits occur when we harvest in the area. Steven has to buy for machine repairs, Volkswagen motors for his pickers, bags, etc.. He's spent around 10,000 dollars each year trying to keep the wild rice going (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:15).

...It costs Steven Richardson somewhere in the neighbourhood of 3,000 dollars to get that rice harvested to get back to the Kenora market. Spoilage on the way. And then to process it down there. Why should that money go out of the area? (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:17).

In these statements, there is an implied invitation for local people to be involved in the commercial industry, thereby seeking to diffuse any resentment local people may have had regarding the issuance of a licence which prevented the continuity of their long-standing tradition of local use. However, these statements focus exclusively on the rice as a resource commodity for economic development. They also fail to recognize any other potential benefits that could arise from the rice. Thus, these statements share in the failure of the MNR to understand, and acknowledge the perspectives expressed by the local community.

These efforts to co-opt the community into the industry contrast starkly with earlier statements by LWR representatives supporting the commercial harvesting license. Rather, earlier statements are consistent with Provincial attitudes toward Aboriginal peoples, and their inability to make proper use of resources. These statements support a perspective of Aboriginal people as wasteful, and therefore undeserving of a license to harvest the crop:

Zarecki says the Metis in the Mud Lake area are not utilizing the resource and he says the rice is 'being wasted'. He says he surveyed the lake this week and claims that over half the stand of rice on the lake has already fallen off. "A very valuable resource is wasted for another year", he said, "It really burns me

up because it's going down the tubes" (*Perth Courier*, Aug 27, 1980:unknown page).

It seems a shame, Jim, that there wasn't any harvest this year and Mr. Richardson related to me that he and his partner flew over the area and paddled through most of the area and observed that forty-fifty per cent of the rice was floating in the water and hadn't been harvested by anyone (Wiseman, Document 10, Feb. 25, 1980).

*Manomin* does not float due to its unique physiology. Thus, these statements appear to be a strategy to delegitimize local harvesting practice, and to manipulate public, and bureaucratic opinion, in order to encourage support for the issuance of a license to harvest for LWR. Likewise, efforts to gain the support of local community members through inducements to profit seem to be an effort to manipulate community, and public opinion, in order to support the bid of LWR to gain permission to harvest the rice commercially on a for-profit basis.

A further move to delegitimize local management practice is introduced by LWR at the second hearing. In response to community concerns that commercial/mechanical harvesting will be detrimental to the *Manomin* beds, LWR introduce technical advice that speaks to technical knowledge, and scientific management principles. Statements in support of LWR made by Dr. Punter, a specialist in paddy production of wild rice, clearly suggest that the local management system is inadequate, and ineffective:

In the centre part of the lake the plants are very much denser and not nearly as robust. In fact the density results in a great deal of competition between plants and in these cases they don't even produce a head at all... if the lake were managed it could become one of the more productive wild rice lakes in this general region. If it isn't managed, there is going to be an increase in the abundance of competing species and probably over a long time, a considerable depletion in the potential for wild rice in that lake (Document 2, Dr. Punter, Nov 31-Dec 1 1981:46).

... That rice in the Mud Lake has greater potential than is currently being realized. If people wish to harvest it, if they wish to harvest it commercially, certain things could be done to improve the stand (Document 2, Dr. Punter, Nov 31-Dec 1 1981:52).

This argument is extended with a description of some technical aspects of harvesting, where effective management practices are described in order to construct legitimacy on behalf of LWR:

The presentation of McLean covered Lanark Wild Rice operations from 1974 to present day. Their operation has been conducted with full cooperation to Ministry of Natural Resources requirements, over various rice beds in that area. ... A grant (1980) from ARDA in the amount of \$40,000 was given to Lanark Wild Rice to conduct studies over three years on the wild rice potential in southern Ontario... He (Dr. Punter) expressed the opinion that an exceptional harvest by mechanical harvesters would yield forty percent of the potential crop. The remaining sixty percent would be more than substantial for the propagation of the bed, the feeding of fish and ducks, etc... his studies confirmed the flail system does more damage, yields less than the mechanical harvesters (Document 13, Mr. Buchan, July 29, 1980).

It is quite normal for wild rice to appear and disappear naturally over a period of time. It can be encouraged by appropriate management techniques (Document 2, Dr. Punter, Nov 31-Dec 1 1981:52).

Such opinions attempt to devalue local management practices as damaging, and ineffective. They also imply that community concerns are naïve, and inaccurate.

LWR also attempted to challenge the idea that they were a big business interested only in profits, and that they were ‘outsiders’ with no interest in the local environment:

Steve Richardson applies for the license, he is a resident here, and looks after harvesting. There is no Lanark Wild Rice Ltd., there is Steve Richardson and Cliff Zarecki, two people who harvest wild rice (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:10).

I don’t feel that Steven and I are exactly big business, but I guess the press wouldn’t have a story if they didn’t print it that way (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:16).

Mr. Zarecki further challenges the community’s definition of local, suggesting instead that Mr. Richardson is himself locally based and part of the local people:

Steven Richardson lives perhaps forty miles away from the Mud Lake, has all his life. So has his father, his parents, his brothers and sisters. In fact one of his sisters is related to the Hermers some of which are probably in this

audience. I don't view Steven Richardson as an outsider, not by any stretch of the imagination (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:13).

In fact many people who are invited to harvest come a long way, several hundred miles... from the Peterborough area (Document 2, Mr. Zarecki, Nov 31-Dec 1 1981:13).

These statements, however, fail to acknowledge the communal nature of the community harvest practice. Instead, they focus exclusively on a specific aspect of community statements regarding 'outsiders', and by defining Mr. Richardson as local, and the Mississauga harvesters as 'outsiders', seek to delegitimize this complaint.

The strongest statement regarding the morality of maximum use is expressed by Dr. Punter in support of LWR at the second hearing into the Mud Lake issue:

...Wild rice is well known to be the most nutritious of all the cereals; it has got the best protein content, the best protein balance. It's also a plant, which also grows in places where no other agricultural endeavour is possible. Now we've heard about the responsibility on human beings to feed their families, as I fully subscribe to that, in fact I think *we all have a responsibility to feed the family of man, as a whole. If we don't take advantage of this wonderful cereal, and grow it to its fullest potential, we are, all of us, negligent of that responsibility* (Document 2, Nov 31-Dec 1 1981:254).

Arguing for the morality of commercial development, Dr. Punter calls into question the morality of the local community for their refusal to share with the larger global community. He insinuates that their concern for the needs of their families, while understandable, are a selfish perspective that should be reconsidered. Once again, this statement works to delegitimize, and disempower a concern expressed by the local community.

In contrast, local discourses on management, development, and use are expressed in significantly different terms. Statements made by local residents, and their supporters define development as community development, and the maintenance of economic, social, and ecological integrity. In these terms, management,

development, and use are linked with ideas of community identity, cultural identity, and community development, relationship building, and healing.

For example, in these statements, community members attempt to express the feeling that they have for the *Manomin* at Mud Lake. This feeling is linked to community identity, and to community history. They reflect a sense of attachment to the *Manomin*, and make clear the feelings of local people that it has a meaning that goes beyond economic potential:

We used to have rice on the table, and my father would be so proud to present it to me. And then he would tell me some of the experiences he had during the gathering of the rice, and the people that we would join at that one time of the year. I just look at it as part of the tradition... If I lost it, it would be just a loophole in my life. There is something there that is too great to lose (Document 2: Randy Smoke, Dec. 1, 1981:211-2).

For years, in fact for generations, my family have cultivated the rice on Mud Lake, harvesting it in good years and keeping it established during lean years. Without dispute we have shared the rice with the Indians of the Alderville reserve and with our non-Indian neighbours of Ardoch. Without the encouragement of either your Ministry or the Ontario Government, we have developed this resource for ourselves and our community (Document 22: Harold Perry, Aug 18, 1981).

The wild rice at Mud Lake belongs to the Indians and Metis and Settlers, who have developed a traditional relationship with it. This relationship is generations old. This relationship is ingrained in the fabric of the communities represented by IMSet (Document 40: R. Lovelace, Sept. 3, 1982).

The wild rice represents more to our community than a commercial interest (Document 6, Residents of Ardoch, July 22, 1980).

This sense of the rice as a part of the local people is repeated throughout the case study. Community statements indicate that there are far more variables to consider in resource management, and development than commercial potential only. In fact, these statements delegitimize commercial interests by challenging their limited perspective of *Manomin* as a simple commodity.

One such variable is the link that the *Manomin* already has with the local economy through its existing ecological linkages. Through these statements, the community challenges MNR's perspective that benefit, even economic benefit, must logically flow from commercial exploitation of the crop:

...much of our revenue comes from the many visitors who come to enjoy the natural aspects of our area...the rice on Mud Lake helps to create this environment and we contend that the traditional harvesting encourages a greater number of ducks and fish in our area. All of this adds up to our way of life... (Document 6, Residents of Ardoch, July 22, 1980)

It must also be stressed here that Commercial Harvesting of Wild Rice is not the only option for obtaining maximum Economic Benefit to our area. The rice and the environment of which it is a part represents a framework which is the foundation for the area's financial well being (Document 30, R. Lovelace, Dec. 7, 1981)

We enjoy the side benefits of the rice. We have an abundance of waterfowl and trapping animals. Fish are coming back better than ever with the well being of the rice beds. Our local economy is based on these resources. Experts have told us that Mud Lake and the rice is a fragile environment. We need to preserve it as it is"... "the process of zoning appears to be the old game of taking what belongs to the people (Indian or white) in small hunks until nothing is left (Document 25, R. Lovelace, Aug. 30, 1981).

Reeve Barbara Sproule and other village residents said the rice and associated economic benefits belong to the entire community (*KWS*, July 25, 1980:16).

In these statements, community members challenge the Ministry's proposition that the rice be developed by a commercial firm in order to benefit the local area. Rather, they articulate that the current management, and use of the crop has an already significant relationship to the local economy.

The community does not express the perspective that no resources should ever be developed for financial profit. However, they do articulate that the Mud Lake *Manomin* should not be considered for this purpose, partly because of its already existing linkages within the local areas economy, history and community identity, but

also because of the long history of exploitation and impact on the local area from previous development initiatives:

Your decision to arbitrarily rescind this moratorium, made without consultation with the municipalities or the citizens involved, is incongruous with the preservation of a natural resource, notwithstanding the rights of individual citizens. Through your granting of harvesting privileges to the Lanark Wild Rice Company for the grand sum of \$1.00, you are depriving the local people of an additional source of income (Document 51, Mr. McEwen, Aug. 20, 1981).

This is not an area where commercial exploitation of natural resources is unheard of. Our area has long history; and scars to prove it, of ecological disaster. As residents we are becoming more aware of our own impact on the environment and certainly can no longer condone without full participation the exploitation of any of our resources (Document 6, Residents of Ardoch, July 22, 1980).

These statements express a concern regarding the potential impact on the local environment due to the excesses of commercial development. It also expresses the belief that no development should be considered without local participation.

This sentiment is extended in these statements where the community challenges the idea that commercial development will benefit the local area to the same degree as the current system:

Ecologically speaking, the rice has become an integral part of our environment. Fish and waterfowl use it, creating a greater abundance of these species in our area than might be expected"... "We fear that if the rice is tied in with the fortunes of a commercial venture that it will be subject to stresses which will eventually render it depleted (Document 45, non-Aboriginal supporter, May 19, 1980).

What you harvest is a result of what you have sown and this too applies to wild rice. Commercial harvesters take all and nothing will be left for future use (Document 3, B. Flieler, Sept. 3, 1981)

These statements express a concern regarding the continuity of the resource due to commercial interests. They express a fear that commercial harvesting will impact heavily on the ability of the plant to regenerate itself, and as a consequence, significantly affect the ability of local residents to earn a living through the associated

ecological benefits of the rice harvest, such as the commercial hunting, and fishing industries, and associated benefits.

This is linked to an idea of the MNR, and LWR as uninvolved, and disinterested in community well being. Rather, they are constructed as profit seekers, motivated by financial profit, with little interest in the extent of benefits afforded to the community through the presence of *Manomin* at Mud Lake. This is contrasted with an image of ‘*local use*’ as ‘*wise use*’ – best suited to the conservation of the Mud Lake *Manomin*:

The area inhabitants are bitterly resentful of government bureaucracy which allows ‘outside takers’, who have no involvement in the development of the relatively small rice bed, to destroy a way of life without apparent sensitivity and then to harvest elsewhere (Document 48, Martha Brouse, May 9, 1980).

We wish to express our concern at the morality of this decision as it affects the residents of Ardoch who established the rice beds, looked after them and must now relinquish the end product to a late-arriving entrepreneur (Document 55, Sally Beaton, MVCA, Aug. 27, 1981).

The very obvious wish of the local people involved is that the continued preservation and sensible management by the Indians and Metis, who are the largest harvesters, be maintained (Document 7, Harold Perry, May 8, 1980).

There is a distinct sense of resentment toward the MNR expressed in these statements.

Furthermore, the community challenges the right of MNR to decide the fate of the *Manomin* when they were not responsible for its establishment, and would not have to suffer the consequences of the destruction of the rice if the commercial harvester was over zealous in their harvesting practices:

The Ministry of Natural Resources did not bring the rice here. They have not cared for it. Lanark Wild Rice have not resown rice here. Harold Perry’s father brought the rice beds to their present status, and Harold continues to watch and nurture the rice beds (Document 25, R. Lovelace, Aug. 30, 1981)

When the rice is gone they will go elsewhere but this is our home and we will stay (Document 25, R. Lovelace, Aug. 30, 1981)

Their challenge goes further, to question the legitimacy of the MNR to make reasoned decisions regarding the Mud Lake *Manomin*. These statements challenge MNR’s

authority by questioning their judgement, based on their behaviour throughout the conflict:

...the taking of such a risk on the only single rice bed in the region, the persistent efforts to try a second year without even an assessment of last years damage (Document 7, Harold Perry, May 8, 1980)

I support efforts in objections to a one-dollar selling price to commercial operations. I think if they are willing to pay \$1.00 to harvest the rice it's worth at lest that much to leave it for the ducks and the fish (Document 3, Mr. McEwen, Sept. 3, 1981).

When faced with the intensity of community emotion, and attachment to the Mud Lake Manomin, the absurdity of a one-dollar selling price draws out the ludicrous nature of this dispute, drawing significant attention to the judgment of the MNR in this particular case.

Community members also challenge the ethics of the MNR for their indifference and disregard for community interests in the rice. As Notske states, "communities want to be involved in a meaningful way in decisions over resource use. They assert a need for a truly cross-cultural process" (1994:271). This sentiment is expressed not only by the Aboriginal users, but by all of the community members. All of them felt slighted at the MNR's total disregard for community interests:

The people of Ardoch, both Indian and white were shocked to see the machinery without warning to anyone. It is felt that the act could have been committed through prejudice to the Indians... In this area the Indians and whites have lived with equal respect for one another as common residents of the community working together to improve the way of life (Document 48, Martha Brouse, May 9, 1980).

The failure of Natural Resources to notify the local residents and representatives, the secrecy of the operation, the failure to talk to the Indians and Metis who harvest the rice... total disregard to the residents wishes (Document 7, Harold Perry, May 8, 1980)

In fact, throughout the case study, the whole community is unanimous in expressing their emphatic desire to have a say in decisions affecting the local environment, and in so doing, express a desire for local self-determination. It is this idea more than any other that binds the different segments of the community together.

Lanark Wild Rice also comes under attack as a business interest, bound by the realities of business and therefore unlikely to be in a position to ensure conservation of the *Manomin* beds. This challenge is based on their need to sustain an income, which would affect the 'requirements' of the harvest, rather than ecological integrity and community needs:

We can not compete with the machine. It is faster. It is bigger. It can take in an hour what four canoes can take in a day. We can not compete with a profit making venture because they have to take enough to pay for their time, capital investment, and the satisfaction of material growth. We can not compete with the government policies which change with the needs of capital ventures. We can not share the rice with the commercial harvester because our means and reasons for collecting rice are so radically different (Document 25, R. Lovelace, Aug. 30, 1981).

An operation such as Lanark Wild Rice Company will need more and more rice every year to sustain its capital investment and meet its overhead costs. Other operators may argue for licenses. In years where the crop is small, the commercial operators will be forced to take too much of the standing crop and therefore could endanger the rice stands by depleting the seed (Document 55, Sally Beaton, Aug. 27, 1981).

Thus, MNR and LWR are constructed as inappropriate monitors of resource conservation based on their interest in maximum utilization as a priority, and on their need to obtain sufficient financial profit to support the demands of the market system.

This argument is extended through several statements that argue that the local community is in a better position to assess ecological integrity than those who are less familiar with the area:

...if for one reason or another there was not enough rice to be harvested, it was left for seed for the next year (Document 3, Harold Perry, Sept. 3, 1981)

Long term effects of large machinery harvesting on wild rice production and wildlife are not known to me although it would appear that conventional limited harvesting by Indians and Metis, who have had traditional rights and have a stake in the entire ecosystem, is logical... I recommend that rice harvesting permits be granted to the appropriate members of the Metis and Indian community in this instance and that those concerned with the harvesting be allowed to set harvest quotas consistent with the crop year and further that they undertake responsibility for yearly production in the interest of the entire ecosystem (Document 48, Martha Brouse, May 9, 1980)

The way we do it is slow. But then again we only take what we need. And what we don't need we just put it back into the lake for ducks or reseeded (Document 2, Randy Smoke, Dec. 1, 1981:213)

Furthermore, the community challenges the very concept of development for economic benefit as the best alternative. Instead, they point to many other benefits that accrue to the local area as a result of the current system of use. These benefits include community relationships that have developed as a result of the *Manomin*, and the opportunity to learn, and teach the value of sharing, and community building.

Your decisions (of June 18, 1982 ) reflect a preoccupation with jobs and money, with no recognition of the traditional values of, gift from the creator, teaching from elders, charity to the old and poor and sharing with neighbours which the wild rice holds for us...(Document 40, R. Lovelace, Sept. 3, 1982)

We wish to emphasize again that worthwhile human relationships have been created by the sharing of wild rice in the traditional fashion and that our community is compelled to resist the 'selling out' of these traditions (Document 30, R. Lovelace, Dec. 7, 1981).

This is further extended to the valuable role that *Manomin* could, and should, play in rejuvenating cultural identity, and supporting cultural healing through the continuity of the traditional practice:

...wild rice is one of the most special religious items in nature that they [elders] can utilize in their ceremonies and bring the culture back alive... the people are saying, it is our heritage. We have to do things that will bring the culture back to life in the young people (Document 2, Alan Roy, Dec. 1, 1981: 143)

I wish I could get a course started to teach them [young people] how to gather the old way, and teach them some of the ceremonies that they had lost, to bring it back... they would be doing something that their fathers before them

were doing, and their father's fathers were doing, it would relate to the customs (Document 2, Randy Smoke, Dec. 1, 1981:212)

These statements speak passionately about cultural revival and the use of *Manomin* as a sacred plant, as a link to history, heritage, culture and spirituality. They also express the healing and social power inherent in traditional practices that are communally undertaken. As Bernseshawi states,

Maintaining a spiritual relationship with the land is vital for keeping a close relationship with nature and the Creator. When this relationship is lost or severed, then a person or community is said to experience spiritual loss, eventually leading to spiritual illness (1997:121)

This perspective is implied throughout the statements made by community members. They consistently articulate a sense of the rice as a part of the local people which, if lost, would be irreplaceable, and damaging to the community as a whole, as well as to the individual members.

This sense of community unity, and social healing is made manifest throughout this conflict. The community action that resulted from the conflict over the rice provided a lens for the community to assess itself, and to make tangible the linkages that were felt by the various groups within the community. This sense of the community as a diverse, and supportive collective was strongly articulated in the case study material. The elevation of this sense of community identity was a distinct effect of the conflict, which no one was prepared to lose:

I would like to extend a sincere thank you on behalf of the Metis and myself for your support and continued involvement in the Wild Rice situation at Mud Lake at Ardoch... I find this one of the most touching, unforgettable and encouraging things to come out of this whole experience (Document 64, Harold Perry, Sept. 17, 1980).

It is exciting that these cultural groups have found a common cause which has provided a platform for dialogue, co-operation and action... there is a strong desire by the cultural groups to work together (Document 29, IMSet, Oct. 7, 1981).

These statements explain that the *Manomin* has a role much bigger than economic benefit. Furthermore, a number of statements address the deeper spiritual connections held by community members:

My belief that I hold on to...is that it (Manomin) shouldn't be something to be sold. It goes back to the gift... from the Creator. It's there for hard times for everyone... I feel very strongly about this. It's something that I don't think should be destroyed. It should be there for hard times (Document 2, Harold Perry, Dec. 1, 1981:232).

Sitting around ... talking with Harold Perry, he knew right away what I was talking about (spiritual importance), his family was in tune with that, but talking with you (Robert Lovelace), and talking with Andy, and talking to some of the farmers right around that marsh, it made sense to them right away, because they had this feeling that the Indian People were coming to this particular lake for a specific reason, not just for the rice, the rice was part of the bigger contact (Document 2, Alan Roy, Dec. 1, 1981:149).

These expressions of spiritual connectedness are intangible within the framework of western scientific methods expressed earlier. However, they are far from intangible to the members of the community. These feelings run deep, and have special meaning on a personal level. They gave force to community members determination to protect the *Manomin* for the whole community, to refuse to relinquish their right to govern, and protect the *Manomin* against those who would consider it only a commodity, and to refuse any limited access which would prevent the continuity of the relationships of trust, and sharing that had evolved as part of the communal practice.

The community articulates the role of the communal harvest as a major factor in the production of community relationships, and a community identity built on diversity, and respect for difference. The *Manomin* is claimed as a part of the people's history, identity, and spiritual well-being. Thus it is argued, that the rice should not be commercially harvested by any select group of individuals, but should continue to be available to safeguard community well being in the future.

The discourses utilized throughout this study were meant to influence the outcome of the conflict. Community statements consistently argued for respect of their long-term relationship with the *Manomin*, with their deep feelings of attachment to the *Manomin*. However, even in 1982 after considerable pressure to leave the crop for conservation and community needs, the MNR remained committed to the idea of a commercial wild rice industry:

While my Ministry recognizes the need to conserve the wild rice resource of Mud Lake to ensure the supply for use of both human and wildlife populations, approximately 30% of the rice crop on the lake has been designated for commercial use to ensure the development of a viable local industry (Document 33, Alan Pope, Apr. 22, 1982).

I met with representatives of the area and IMSet and told them that seventy percent of the crop would be for personal use by locals, Indians and Metis. The remaining thirty percent would be for commercial use, with preference being given to whoever will provide the most benefit to the local community (Document 59, Mr. Pope, Aug 20, 1982).

The management of this portion of the Lake [70% reserved for use of local area residents, including Indians and Metis] will remain the responsibility of the Ministry of Natural Resources. The Ministry of Natural Resources retains the right to assess the potential yield of the Lake, identify the commercial and domestic harvesting areas and to license the commercial operator... (Document 36, Alan Pope, June 18, 1982).

The MNR did attempt to provide an accommodation to the community by providing for *special access* consistent with their policy of *special access* for 'Status Indian' bands. However, they continued to maintain the absolute authority of the MNR to manage the resource, as well as a nominal provision for the maintenance of the principle of economic development through resource exploitation.

In contrast, the community argued that the basic principles that they had fought for were not acknowledged through this nominal concession. They argued that they were not interested exclusively in access. Rather, they stated their demand for respect, and an active say in the use of local resources:

Your decisions of June 18<sup>th</sup> 1982 clearly indicate that you do not feel that members of IMSet have any right to the wild rice at Mud Lake. No provision in your letter of June 18<sup>th</sup> 1982 names nor provides for the traditional relationships which our member groups have with the wild rice. Your decisions reflect a preoccupation with jobs and money, with no recognition of the traditional values of gift from the creator, teachings from elders, charity to the old and poor, and sharing with neighbours which the wild rice holds for us (Document 37, R. Lovelace, July 7, 1982)

*Local people have no official input into quotas, management record keeping or methods of harvest.* In reality you have merely discouraged Mr. Zarecki in hopes that the local people would find a local commercial outfit more acceptable, in meeting your own objectives. In reality *your decisions do not alter the colonial attitudes your ministry has held in the past towards rural and native people* (Document 40, R. Lovelace, Sept. 3, 1982).

Thus, the community drew attention to their belief that the current conflict was rooted in a colonial mindset, and fundamentally disrespectful of the Aboriginal and local peoples, and their interests. As a result, they withdrew all concessions they had made in the interest of peacemaking, and declared that they would once again stand in the way of commercial harvesting in support of absolute local authority over the Mud Lake *Manomin*.

Finally, after an emergency meeting held to avoid another standoff in 1982, Alan Pope and a contingent of community representatives declared a stalemate. The community agreed to provide harvesting information to the ministry, and to apply for a license with the express understanding that the license would not be seen to negate, or waive, the jurisdictional, religious and cultural concerns held by the community (Document 39, R. Lovelace, Aug. 25, 1982). The following quote is Mr. Pope's concession statement, which declared the conditional resolution of the dispute:

I am issuing this licence, recognizing that there are unsettled disputes concerning Indian rights, Constitutional rights and jurisdiction. It is agreed that neither the application for the licence nor the issuance of the licence will jeopardize our respective positions in the ultimate resolution of these disputes (Document 40, Alan Pope, Sept. 3, 1982).

This concession precludes commercial development of the Mud Lake *Manomin* crop. It also effectively returns control of the crop to the local community, and allows for the continuity of the traditional management, and harvesting system. However, because the agreement deals explicitly with the local context, and does not forgo the position of the MNR relative to their absolute authority to govern resources within the Province, it contains this concession specifically to the Mud Lake context. A more comprehensive settlement would have opened up the door to further claims, at other sites, by other groups.

The very fact that the Province would issue a license to harvest to a commercial businessperson without consultation with the local community is itself instructive. Local non-aboriginal residents may have recognized Mr. Perry's authority over the *Manomin* at Mud Lake, but that recognition did not extend beyond the local sphere. Furthermore, the Provincial authority seemed to have no interest in local self-determination. There was no apparent interest in how the community would like to see their environment evolve, or how they would like development to take place. It would seem that the only reason the local community was given consideration was because of their allied relations with the status Mississauga community, who due to family connections with the Perry family participated in the annual harvest, and who had potential access to special consideration because of their official status as 'Indian' people.

### **Summary**

This case study is reflective of the research of other scholars. The Ministry of Natural Resources, as the Provincial state designate for resource management, expresses their legislative authority citing their mandate under the *WRHA* to manage

wild rice as a resource on Crown Lands. In contrast, the local ‘non-status Indian’ people, ‘Status Indian’ people, and local non-Aboriginal residents challenge state authority over a particular resource, which has intrinsic meaning for the community. Despite differences, the local ‘non-status Indian’ people, ‘Status Indian’ people, and local non-Aboriginal residents find a common ground upon which to speak, and position themselves together, in opposition to state authority throughout this conflict.

The case study documents reflect an oppositional framework. Throughout the case study Ministry of Natural Resource staff expressed their legislative authority over the wild rice at Mud Lake, and circumscribe Aboriginal rights to this resource defining it as ‘special consideration for access privileges’. In contrast, community members in the dispute assert an Aboriginal authority based on identity, historic relationship, and culture. They challenge MNR as a valid authority, and assert the local Aboriginal people as having a valid source of authority based on heritage, culture, historic relationship, and involvement with the rice, and the community.

The community’s demand to be restored to their rightful place as owners, and governors of their resources stood in distinct contrast to the MNR’s role as Provincially designated governors of the natural resources within the Province. By asserting control over the *Manomin* at Mud Lake, the community redefined the spaces of government control and power, and reasserted a local space of local authority based on local beliefs, and values. Their statements served as ‘sites of struggle’ and cooperation between disparate groups, which succeeded in producing a more equitable social space.