Mining on Aboriginal Lands

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For centuries, colonial powers considered the North to be a vast reservoir of natural resources. The social importance of furs grew as the boundaries of major cities were pushed into the cold latitudes of the North, in Europe and in North America (Armstrong, Rogers, and Rowley 1978; Sugden 1982). For millennia, Aboriginal peoples had been using copper to make tools and to trade by the time European explorers reached Canada's Coppermine River and then found gold at Fortymile River and in the Klondike (1896). Major geological expeditions at the start of the twentieth century discovered massive deposits of northern mineral resources and paved the way for large-scale exploitation. Consequently the mining industry set up operations throughout the circumpolar north, whether in America, Europe, or Asia. During the twentieth century, uranium, gold, tungsten, lead, zinc, and silver were intensively extracted from different locations throughout Canada's northern latitudes. Starting with the last decade of the twentieth century, mining activities focused on diamonds. Oil and gas from the northern territories and the Arctic Ocean, as well as the tar sands of certain western provinces, were also heavily exploited in order to feed the developed world's greed for energy and resources.

In all of the Arctic, resource exploitation represented some US$60 billion at purchasing power parity (PPP) in 2001 and up to US$62 billion at PPP in 2003. The mineral extraction sector was responsible for 28 per cent of the total gross domestic product for the whole Arctic. It represented some 35 per cent of the Canadian Arctic's gross domestic product (Duhaime and Caron 2006; Duhaime et al. 2004). The impact of mining on the environment is considerable and well documented, in particular by several Arctic Monitoring and Assessment Programme (AMAP) reports (2009, 2004a, 2004b, 2003, and 1997). However, environmental impacts are not the whole story. The social risks of large-scale resource exploitation in the North are also considerable, such as widespread pollution, economic boom-and-bust

cycles, and massive and temporary migration of workers into an Aboriginal environment. Nothing guarantees that social and environmental concerns will be weighed when resources are exploited, as past and contemporary cases demonstrate.

This chapter attempts to answer the following question: what are the conditions under which social concerns can change corporate practices so that the negative effects of mining development will be diminished and the positive effects will not have detrimental impacts? Based on a selection of cases on northern Canada, our study found that, among other factors, the active presence of Aboriginal organizations seems to be a key agent for change in corporate encounters with Aboriginal peoples.

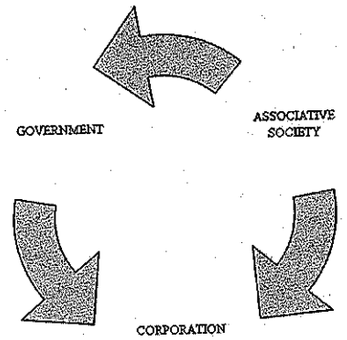
Corporate Rationality and Society

Economic development requires that corporations, governments, and citizens (and their associations) in a given geopolitical area work together. These three social actors pursue their own interests in economic development activities, which they promote more or less effectively depending on their capacity. Numerous exchanges take place between these actors. What we are interested in here are the flows of influence (see the following figures).[1]

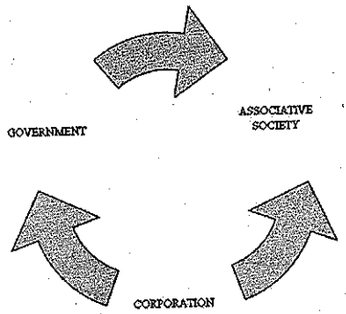
Each of these actors represents a set of realities, the complexity of which can only briefly be mentioned. For instance, the corporation is a legal entity that brings together capital, with a view to making profits. The government is an institution that redistributes resources levied from corporations and citizens. In our approach the citizens' associative world is the plural universe of unions, voluntary associations, and other institutions (non-governmental organizations and churches, for example). Citizen associations are created by groups of individual citizens in order to promote interests of some sort that are not necessarily supported by or may be at odds with government or corporate interests. As a matter of fact, the category of citizen associations (or associative society) includes a large spectrum of organizations, from grass roots local associations based upon volunteer work to professional interest groups using various experts. Canadian Aboriginal organizations fall under the category of the associative society.

The specific interest of the corporation is to make profits in order to redistribute them among its shareholders. To achieve this goal, the corporation endeavours to impose its interests and the means to attain them on the other two actors in question, namely the government and the citizen.[2] The government redistributes collectivized resources according to its perception of the common good. Concurrently, the corporation seeks to impose its

Interaction models between corporation, government, and associative society



Note: Arrows represent flows of influence. In the 'neutral' model all arrows should be bi-directional. This figure illustrates the optimal conditions, under which associative society's concerns can be taken into consideration by corporations.



Note: This figure illustrates the worst conditions, under which associative society's concerns are not taken into consideration by corporations.

vision of the common good on the government. Neoliberal societies, such as Canada, have governments that endorse this corporate vision and seek to impose it on their citizens (see the first figure above).[3] The citizen participates in the interrelations between government and corporate interests in various ways: the individual citizen may simply contribute by a consenting silence, which allows the corporation and the government to pursue their own agenda without much constraint;[4] the individual citizen and citizens' associations may participate actively by indicating their preferences or claims, and they may endeavour to impose their interests[5] by impassioned representations, revolt, or rebellion (Bergeron 1977).

In this study we suggest that in the absence of explicit pressure brought to bear by associative society or by the government, corporations do not

take social concerns into consideration.[6] Additionally, we suggest that associative society can impose its concerns on corporations by exerting pressure simultaneously on corporations and government.[7] We use the following approach to verify these assumptions: first, we highlight the importance of the mining industry in the northern economy as a whole by using statistical indicators; second, we examine the practices of mining companies in relation to the social environment by using comparative case studies. In both steps we focus especially on regions in northern Canada. Finally, the findings of these steps are discussed by comparing them to recent international research on mining on Aboriginal land worldwide.

The Mining Industry and Economic Activity

Resource exploitation shapes a large extent of the economy in the Canadian North. In all northern regions, resource exploitation (mainly minerals, gas, oil, and fisheries) is very important.[8] The primary sector, as it is known, is concentrated on non-renewable resource exploitation and creates between one-fifth and one-quarter of all economic activities in the Northwest Territories, Nunavut, and Nunavik, mainly through mining. The mineral sector in northern Canada is now of prime importance, and diamond mines are largely responsible for this. In 2003 the shipments of production from Canadian diamond mines exceeded $800 million, while the production value was estimated at more than $1,700 million, according to the preliminary estimate of the mineral production in Canada (see the following table).

The mineral extraction sector is not only important from a statistical standpoint. To a large extent, it is central because the formal economy revolves around it, and the government's presence is largely explained by this degree of impact on the formal economy. The Canadian militarization of the Arctic during the Second World War and the Cold War brought to the world's attention the material distress afflicting the Inuit, in particular following the sharp decline of the fur trade after the crash of 1929. In 1959 the Canadian government took responsibility for building permanent villages and for assuming the related recurrent operating costs. Coincidentally, the frantic growth in consumption in the 1960s and America's vulnerability to oil supplies from the Middle East, underscored by the 1973 oil crisis, intensified North America's appetite for Canada's northern mineral resources. However, the Aboriginal groups, who had started to organize at that time, opposed these plans. Basically, they wanted guaranteed access to the territory, use of the resources, and compensation for losses resulting from the planned resource exploitation. The Aboriginal groups called for a key seat at the political decision-making table inasmuch as their own affairs were

Mining in the Canadian North in percentage of the gross domestic product of these regions and in 2001 Canadian dollars

	%	C$
Yukon Territories	4.86	51,100,000
Northwest Territories	24.08	585,400,000
Nunavut Territories	22.18	186,900,000
Nunavik	19.02	29,800,000
Labrador	15.29	n/a
Average	17.09	
Total		853 200 000

Sources: Statistics Canada, Duhaime, G. et al. *Nunavik Economy*
Notes: Data for Nunavik refer to 1998. GDP distribution is given for the Yukon Territories, Northwest Territories, Nunavut Territories, and Nunavik. Labour force distribution is given for Labrador.

concerned. At the same time, the relevant public administration bodies were restructured, and growth ensued from several subsequent agreements: the James Bay and Northern Quebec Agreement (1975), the Northeastern Quebec Agreement (1978), the Inuvialuit Final Agreement (1984), the Nunavut Final Agreement (1993), and, more recently, the Labrador Inuit Final Agreement (1997).

Common Characteristics

An analysis of the practices of mining corporations in terms of their relations with the social environment reveals, first, that they have several traits in common. Second, it also shows that it is possible to distinguish between two different types of corporations: those that do not take social concerns into account and those that do take them into account, regardless of the source of their motivation.

Mining companies share some characteristics, aside from having the common objective of making profits. Contrary to expectations, all the corporations that concern us are huge, which can be illustrated easily with a few indicators. For example, such companies are responsible for a large share of the North's economic activity by making highly intensive use of capital, equipment, and machines of impressive size. In Schefferville, on the southern fringe of Nunavik, the abandoned facilities of the Iron Ore Company cover fifteen square kilometres. The profits of a single year of the Ekati diamond mine, in the Northwest Territories, for a second example,

would be sufficient to pay all the public services intended for the entire population of Nunavik, namely some twelve thousand people spread out over fourteen villages on a territory that is 500,000 square kilometres in size. This includes but is not limited to education, health, social services, and subsidized housing.

The number of shareholders of these companies is often high. However, while the number of companies is relatively low, they are vertically integrated with one another. For instance, the Colomac mine in the Northwest Territories belongs to Royal Oak Mines, an American company that has some fifty thousand shareholders, 80 per cent of whom are American residents. Despite the large number of small shareholders, the number of people who make major decisions for these companies is limited: the head of the executive of the parent company and his immediate committee.

These companies invest in mining exploration operations. Such operations are sometimes very lengthy and can mobilize significant amounts of capital. When these explorations are successful, the companies then invest in mining operations by building the facilities required to extract and separate the ore in order to make it a marketable product and to facilitate its transport. The exploration that led to the development of the new nickel-copper complex located in Katiniq in northern Quebec, then owned by Falconbridge, extended over a period of twenty years; the investment required for the actual mining was spread out over many years and represents some $700 million, so the company reported.

All companies produce outputs. They create wealth, which is shared unequally between the actors involved: members of the board of directors and the executive, shareholders, employees, suppliers, government, and the institutions belonging to the surrounding society. They generate waste in the air (smoke containing non-degradable organic pollutants; heavy metals), on the ground (tailings; deposits of pollutants that have been carried by air), and in the water (deposits of pollutants that have been carried by air and transported by sea currents; tailing confinement ponds; leakage; and acid run-off). The effects of the pollutants are felt not only in the immediate area but also over very large distances since they are carried by major air and sea currents. Several kinds of pollutants enter the food chain and have harmful effects on living creatures, including humans. These pollutants eventually create disturbances in the human environment. The presence of the companies produces disturbances in mining towns as well. These centres are economically vulnerable to such companies and their activities. Indeed, most are based on a single industry, whose profitability is partly linked to world price-setting mechanisms; moreover, the communities become highly dependent on the efficiency and reliability of transportation

Smelter chimneys. Photo by Gérard Duhaime.

systems, which are often developed by these companies (Myers 2001; Notzke 1994). It needs to be noted, however, that the decisive factors underlying these investments, operations, and impacts differ from one corporation to the next, as was revealed by our comparative examination of corporate practices.

Corporations That Pay Little Attention to Social Concerns

Corporations that pay little attention to social concerns seek to maximize their profits by following market signals, which strictly dictate the relevance of investing and of reinvesting if the outlook is favourable (for example, according to the price of ore or the status of reserves), or of shutting down operations. Such corporations endeavour to keep their operating costs as low as possible, which includes avoiding wage increases, not treating waste, or neglecting to re-naturalize sites at the time of closure. These externality costs, as they are called in business language, are left up to public authorities. Such corporations tend to concentrate the wealth created into a few hands and, consequently, effect only a minimal redistribution of the wealth generated.

Numerous companies conduct mining exploration without having any concern for the environmental impact of this type of activity. In Nunavik,

for instance, on a territory approximately 500,000 square kilometres in size, promoters abandoned some six hundred mining exploration sites between 1940 and 1975, some of them containing highly toxic chemical compound (Duhaime, Bernard, and Comtois 2005). This problem is not only extensive; some mining sites are intensely contaminated. Giant Mine in the Northwest Territories of Canada is one of them. Belonging to Royal Oak Mines, this underground mine was opened in 1948 and produced some 90,000 ounces of gold annually, for a total of 7.7 million ounces. The mine closed after the price of gold depreciated in the late 1990s, and its assets were sold. Giant Mine granted concessions to its employees following a bitter strike, during which production continued uninterrupted, except for the week after an underground explosion that resulted in the deaths of seven employees. With its closure, the mine left behind a huge environmental problem in the form of 250,000 tonnes of arsenic mixed in the tailings. The extent of the problem was such that government officials examined the possibility of exploiting the arsenic in some way in order to offset the costs of a clean-up that the industry did not want to assume and which fell to the Canadian taxpayers, as represented by the Department of Indian and Northern Affairs and the government of the Northwest Territories.

Numerous mines that opened during the period 1945–70 fall under this category. It was an era in which environmental questions, even less social impacts, were not yet on the agenda. At that time, the role played by civil society was minimal or none at all. As a matter of fact, governments of the time were also largely insensitive to these concerns. Moreover, associative society itself was not yet sufficiently organized to express its concerns and, in general, to have an impact over the ways, means, and goals of resource exploitation. This is the era that preceded the emergence of Aboriginal organizations as a political force in Canada. The environmental and social problems related to these northern mining operations are a dark collective legacy to which the mining industry contributed heavily.

Corporations That Pay More Attention to Social Concerns

Some companies pay more attention to social concerns, albeit their degree of attention is not necessarily very high; still, it is better than nothing. In theory, the factors underlying decision making about investments, operations, and impacts apply to these companies as well; according to corporate rationality, they seek to maximize profits, keep production costs down, reject externality costs, and so on. Yet, some of their practices differ. In what follows we examine two case studies to determine these practices and the conditions that make them possible, or even demand them.

Nanisivik Mine

Nanisivik Mine, located north of Baffin Island near Arctic Bay, has been in operation since 1976.[9] It is an underground zinc, lead, and silver mine. The extracted ore is transformed into a zinc concentrate containing lead and silver; it is then shipped by boat in four loads to blast furnaces in Europe. The mine is wholly owned by Breakwater Resources Ltd., which acquired it in 1996 for $2.5 million. Breakwater is active in exploration, development, and mining production in the Americas and North Africa and is among the world's biggest zinc producers. The head office of Breakwater Resources is located in Toronto. It also has offices in North Bay (Ontario), Rouyn-Noranda (Quebec), Joutel (Quebec), and Wenatchee (Washington), as well as at its mines in Honduras, Tunisia, and Chile. The main shareholder is Dundee Bancorp Inc., which owns 33.6 per cent of the shares.

In 1997 the Nanisivik mine had a record year, extracting 805,000 tonnes of ore. This resulted in a number of consequences. As the mine is located on Arctic territory, where the permafrost reaches considerable depth, it cannot be heated. The temperature remains at about –20°C all year round. Water is not used in the diamond drilling process, to avoid the permafrost's melting. Dry drilling techniques have been developed, and a sophisticated ventilation system is used to eliminate the ensuing dust (Allen 1998.). However, some Nanisivik residents lodged a complaint with the government of the Northwest Territories in 1997 concerning the high levels of dust and other environmental practices of the company.[10] The mine was closed in 2002 after the price of nickel hit a historic low point worldwide. At that time some two hundred workers, including thirty permanent residents of Arctic Bay, were employed at the Nanisivik mine. The industrial complex was partially dismantled, and a reclamation process occurred. Former mine infrastructure, such as harbour facilities and an airstrip, was upgraded as a consequence of the federal government's decision to create a permanent military installation on the site.

Katiniq Mine

The mine located at Katiniq in Nunavik is operated by the Raglan Mining Corporation.[11] It was originally owned by Falconbridge but now is integrated with Xstrata, one of the world's nickel giants along with Inco and Rao Norilsk. It is involved in the exploration, production, and refinement of nickel, copper, and cobalt, and its head office is located in Toronto.[12]

The extraction of ore at Katiniq Mine began in December 1997, at the same time as did the start-up of the concentrator. Approximately 3,700 tonnes of ore are processed each day, for an annual quantity of about 130,000 tonnes. The ore is transformed on site into a nickel-copper concentrate. The concentrate is transported by truck over 100 kilometres to Deception Bay, where vessels transport it to Quebec City. At Deception Bay, Xstrata is reusing a wharf that was built in the 1970s for an asbestos mine near Salluit. The navigation season lasts eight months, and at least six maritime trips are planned each year. The first load of nickel-copper concentrate was shipped in March 1998 on the MV *Arctic*.[13] Once in Quebec City, it is then transported by rail to the company's blast furnace in Sudbury for processing. The resulting matte (a mixture of metal and sulphurs) is shipped back to Quebec City by rail, where it is loaded on a vessel bound for Norway; there the metal receives a final stage of refinement. In 2003, once refined, the production of the Raglan mine totalled some 25,100 tonnes of nickel, 6,600 tonnes of copper, 380 tonnes of cobalt, as well as a small quantity of platinum and palladium.

Approximately 400 persons have been working at the Katiniq mine site since 1995. The number of employees has reached 700 in recent years as facilities have been upgraded and production has increased. Local Inuit people were hired during the development stage (66 Inuit, or 15 per cent of the manpower, in 1996) (George 1996b). In fact, the company made considerable efforts to involve the local Inuit communities of Salluit and Kangiqsujuaq. In 1995 Raglan Mining Corporation and Makivik Corporation (a not-for-profit organization that represents Inuit interests) signed the Raglan Agreement, which included clauses on compensation for the residents of these two neighbouring villages, hiring Inuit workers as a priority, training manpower, subcontracting to Inuit firms, and providing for environmental stakes (Phillips 1995). The agreement led to the establishment of manpower training programs for the populations of Salluit and Kangiqsujuaq. It also led to two instalments of $1 million being paid by the Raglan Corporation, the first in 1996 and the second at the time of production start-up in 1997, directly to the Inuit of the two villages. A third point in the agreement was the granting of a $60 million contract between Raglan and a joint-venture company for the development of open-pit mines on the property. Kiewit, a multinational construction company, invested $8 million in the joint venture and is entitled to 80 per cent of the earnings; the minority partner, Nunumviut Development Inc., invested $2 million and is entitled to 20 per cent of the earnings. Nunumviut was formed by the villages of Salluit and Kangiqsujuaq, and because it did not have the initial capital required, Makivik Corporation loaned 85 per cent of the amount, and Kativik Regional Development Council provided the remaining 15 per cent. The Department of Indian and Northern Affairs provided the loan guarantees under its Resource Access Negotiations Program (George 1996a).

Political Power and Corporate Practices

The two examples above reveal important common corporate traits, over and above those already mentioned. Indeed, in all reported cases the corporations agreed to change some of their practices to take into account the pressures from their social and political environments. The factors explaining this type of behaviour are limited in number. From a corporate perspective the incentives to change include the following: government regulations that allow the corporation to define the pace and the means of required changes; a profitable period that makes such changes more palatable; some economic benefits to the corporation itself; the willingness on the part of the government or associative society to enter into a partnership with the corporation; a cost-effective ecological approach; a flexible approach that makes it possible to define goals according to opportunities; and an informed public (Gunn 2001; see also Gunn 1995).

The changes made to the operations at the Nanisivik mine and to the plans at the time of its closure were imposed by pressure from associative society, exerted directly on the corporation and indirectly on the government. The gains were obtained during a period that was favourable for the company to maintain its profitability, where its investment was likely amortized, even though the subsequent drop in the price of base metals led to the mine's eventual closure. With regard to the Katiniq mine, the negotiation of agreements between Raglan and Makivik Corporation reveals a clear willingness on the part of associative society to enter into a partnership with the company, which had a lot to gain. Finally, changes to these mining companies' practices occurred at a time when legislation to protect Aboriginal rights (the Nunavut Final Agreement and the James Bay and Northern Quebec Agreement) and regulations to protect the environment (for example, the Canadian Environment Assessment and Review Process of 1973) existed.

Indeed, it seems that the basic difference between these cases and those that were mentioned earlier lies in the acquisition of significant political influence and power by Aboriginal organizations, owing to the territorial claim agreements that they succeeded in obtaining. These land-claims agreements resulted from a transformation of Canada's political culture, which was itself a response to the conditions in which the Inuit lived at the time. Moreover, the Inuit learned to use the tools of the contemporary world to their advantage, including representative democracy, negotiations, and corporate rationality. Equipped with the means put at their disposal by previous gains, they succeeded in applying the necessary pressure to impose some conditions on those companies that wished to

exploit the resources on the territory for which the Aboriginal organizations were henceforth responsible. The process was not fundamentally different in Nanisivik. Here Indigenous peoples' complaints received attention only late in the twentieth century, when the Inuit of Nunavut acquired mastery over these same tools of influence and were preparing to exercise political power in 1999 through the creation of the new Territory of Nunavut.

Dynamics of Relations

It would seem, however, that the effectiveness of associative society in influencing corporate practices is neither final nor decisive. Indeed, relations between the actors in question continue over time as each remains concerned about its own interests. The objectives and the means at the disposal of the corporation are often much more coherent over the long term than are the objectives and the means used by the surrounding actors.

It must be noted that associative society is presented here in an overly simplified form as some sort of homogeneous whole. In fact, it is made up of a vast plurality of groups that are not organized according to a coherent and harmonized theoretical structure. The idea of associative society only has coherency in a theoretical framework; there is no single voice to express what could be considered an opinion of associative society as a totality. Moreover, the reality is that when facing huge corporations, associative society cannot hope to have the same resources at its disposal. Moreover, the state as a whole also is homogeneous only in theory; in practice, it is composed of a multiplicity of superimposed layers and parallel hierarchical lines that often ignore and occasionally contradict one another.

In this landscape who oversees corporate practices? The agreements entered into may have no effect if appropriate means of oversight are not implemented. In 1997, for instance, a typical year in the profitable business of mining, Nanisivik Mine employed approximately 190 persons, 18 per cent of whom were Inuit, out of a population of 350 in the entire community of Nanisivik. Yet, when the mine had opened in 1976, the owners had promised that 30 per cent of the workforce would be Inuit (Bourgeois 1997). The situation is nearly identical at the Katiniq mine: 15 to 18 per cent of the workforce was Inuit, although the agreement had specified that a minimum of 20 per cent of the total workforce should come from Inuit communities. In 2008 no more than 8 per cent of the employees were Inuit.[14]

These results can be (and are) interpreted in different ways. Corporations

see them as tangible expressions of their efforts to implement the promises they made. Aboriginal groups denounce them as lower than what was agreed. To explain these results, numerous factors should be considered, including corporate commitment; various constraints associated with industrial work (Duhaime 1991), such as worker training for specific jobs, which require high and persistent investment; and shaky relations between non-Aboriginal workers and Inuit trainees and workers, including racial tensions, bad communication, and sexual harassment.[15] Nevertheless, the fact remains that provisions in the formal agreements were not completely fulfilled. It is not our goal to make a judgment, but importantly, in these contexts, it seems clear that pressure is needed to safeguard the interests of associative society in face of corporate free rein. Once they succeed in gaining benefits from such agreements, Aboriginal organizations play the role of watchdog, with the support of the press and other civil society institutions. This role is crucial in implementing provisions, in order to improve the results and to ask for supporting measures when the results are found to be unsatisfactory.

Can the watchful eye of public authorities re-establish some form of balance between the powerful mining companies and the less powerful associative society? It is not clear that this balance is attainable. Environmental regulations adopted in Canada and the United States call for impact studies but do not impose follow-up studies or corrective measures in cases where the actual consequences differ from the anticipated ones. Katiniq Mine is an example of such a situation. This mining operation anticipated positive impacts to the local social environment in the form of jobs, contracts, and mitigation measures designed to address negative impacts on the natural environment. In 2008 Xstrata delivered a $32.5 million profit-sharing payment to Makivik Corporation. Unfortunately it appears that this 'annual cash windfall' has led to several social disturbances within the recipient communities: a stratification between the newly well-to-do and those left behind; an increase in social problems such as overspending, bootlegging, substance abuse, and family violence; socio-economic stratification between the villages favoured by the agreement with the mining corporation and the other villages in the region. Consequently, these other communities see the agreement as a sort of denial of sharing, which is considered a basic value of Inuit culture and identity.

Finally, government-mediated settlements, between the interests of corporations and those of the actors in associative society, do not necessarily lead to a balance between them. It may tip the scales back in favour of the corporations, which occurs often in market economies that are dominated by the neoliberal credo. Privatization commonly leads to a reduction of corporate social and environmental obligations at the expense of society if the state does not step in to ensure compliance (Duhaime et al. 2001).

Discussion

Recent case studies involving mining operations throughout the Aboriginal world tend to confirm the above results and our theoretical perspective. For instance, Jenkins and Yakovleva (2006, 281) did a remarkable analysis of the ten top mining corporations in the world (including some we have just seen at play on Canadian Aboriginal lands, such as BHP Billiton, Barrick Gold, and Xstrata). They reviewed the way in which these mining corporations conducted performance reporting in relation to sustainability and social responsibility. The authors reached conclusions that are similar to ours. In their words, reporting practices are made of *leaders*, who are 'mature reporters,' and *laggards*, who are 'infant reporters.'

Around the world, relationships between transnational mining corporations, local and national governments, and local and national Aboriginal associations are consistent with those found in the Canadian cases. A further example is the case of Richards Bay Minerals (a Rio Tinto subsidiary) on Mbonambi land in South Africa. An analysis of this case brought Paul Kapelus to conclude, 'In order to promote their ultimate goal of profit maximization, firms will have to take into account the costs and benefits of addressing the concerns of each of these groups in the process, ignoring the interests and claims of some (e.g., small NGOs) and paying close attention to those of others (e.g., multilateral financial institutions)' (2002, 291). In other words, communities' expectations might be taken into consideration and lead to concrete actions if they represent a serious threat to the profitability of operations. As Katherine Anne Trebeck observed, 'some communities have been able to force their demands into corporate decision-making to the extent that recognizing and responding to community expectations becomes a prudent strategy in the company's self-interest' (2007, 542). In two cases – Century Mine (Rio Tinto), on Indigenous land near Doomadgee in Queensland, and Jabiluka (Energy Resources of Australia), near the Indigenous village of Mirras in the Northern Territory – Trebeck observed that this 'prudent strategy' was literally forced upon the mining companies by significant pressure tactics used by local communities, such as local sit-ins, blockades, and large protests in major cities (2007, 552, 554).

When pressure is not put on corporate shoulders, what motivation do they have for taking into account social concerns, and, more important, what motivation is there to actually take concrete actions as a response to these concerns? Without pressure from local citizen associations there are few

incentives to move forward in a socially and environmentally responsible manner by mobilizing resources and developing adequate tools to address such concerns (Clark and Clark 1999, 196). This is what we observed in such cases as Giant Mine in the Northwest Territories and in the hundreds of abandoned mining exploration sites in Nunavik.

It is our contention that government has a role in mediating relations between corporations and associative society. This has also been observed by several others. For instance, government can define the legal obligations requiring corporations to address social concerns. Ideally, it may define a comprehensive framework for project development and monitoring post facto, for benefit-sharing agreements, and for mitigation programs. However, several cases studies prove that this ideal remains exceptional. For example, Marlin Mine (Gladis Gold), near Los Encuentros in Guatemala, delivered few local jobs and benefits, while heavily poisoning the local environment, in spite of a large body of regulations and the involvement of institutions at both national and international levels (Fulmer, Godoy, and Neff 2008). Fulmer, Godoy, and Neff argue that such legal tools are an ambiguous response to the needs of Indigenous communities because they do not have 'the combination of coherence, political will, and ability to ensure [the] compliance that would make a dependable source of rights protection' (2008, 113). The Marlin Mine case is a perfect example of the model represented in the second figure accompanying this chapter: while Indigenous farmers told government and corporate representatives that the mine was not welcome in their territories, the Guatemala president cited a need to protect investors' rights, and the project continued. In a subsequent blockade one opponent citizen was killed and sixteen others were arrested and charged with terrorism (Fulmer, Godoy, and Neff 2008, 91). In other words, a legal framework is no guarantee that social concerns will be adequately addressed. This is also our conclusion based on Canadian case studies.

However, the government's role as a mediator exists and, at least, has potential to ameliorate the situation. In Clark and Clark's (1999) and Trebeck's (2007) view, the government's role is to regulate the industry and to intervene in order to deal with inequities. Moreover, corporations themselves have few incentives to change their practices, and they are generally poorly equipped to deal with social developments or poverty alleviation (Downing 2002, 19).

The best means by which this mediator role could be implemented is through the deliberate actions of associative society. The cases of Century and Jabikula led Trebeck (2007, 557) to the conclusion that Indigenous communities 'are most effective in bringing leverage over mining companies when they impact upon profit,' using legislative or judiciary tools (for example, native title provisions, and civil rights) or, when such tools do not exist, by employing 'political mobilisation, engagement of influential supporters, blockades and other means to inflict delay.' Brett Clark (2002) comes to similar conclusions. In his view the Indigenous Environmental Movement provides a model of successful actions by associative society. What is remarkable about the movement is that it transcends ethnic borders and provides unity to this citizens' opposition in a way that parallels the transnational structure of the mining industry.

The deliberate action of associative society is not without paradox, however, as Kirsch (2007, 314) has shown in his examination of the case of Ok Tedi Mine (BHP Billiton) near the Yonggom people's village in Papua New Guinea. Such actions may lead to negotiation, which may then force a choice – or a trade-off – between environmental and social protection, on the one hand, and benefits, on the other. Cases of this nature are numerous, where associative society has embraced corporate business logic. Sometimes the tools at its disposal are so ineffectual that the associative society is forced to take whatever financial compensations are offered. This is the case of marginalized Indigenous groups (Taylor 2008, 123) and was also observed to be the case in the Canadian context.

Conclusion

While corporations once were at liberty to abandon hundreds of spoiled mining exploration sites in Nunavik and, in the process, create massive ecological threats on sites like the former Giant mine, they now enter agreements with Aboriginal organizations in order to clean up the waste of past operations and concede some social benefits. What happened during the last fifty years that brought about such changes in corporate practices?

The Canadian cases discussed above suggest one major conclusion, that the apparent change in the corporate practices of the mining industry active on Inuit territories was brought about by the fortification of Aboriginal associative society. This fortification includes the development of its organizational capacity in order that the society may successfully put its ecological, social, and cultural concerns on the public agenda. We can diagnose two processes that created this new responsiveness. The first was mobilization; the second was professionalization.

In the 1960s and especially the 1970s, a growing number of volunteer associations started to voice concerns for a safer environment in all respects: the air to be breathed, the water to be drunk, and the food to be eaten, for example. During this same period, Canadian Aboriginal associations mul-

tiplied in order to defend their views in the face of growing multinational corporate interest in northern natural resources. This organizational wave soon led to the definition of different territories in the North based on the Inuit's own views, above and beyond the official political division of the territories, throughout northern Canada, from the Inuvialuit region to Labrador. Ultimately, it led to different land claims being negotiated from that period onward.

Negotiations with a central government and multinational corporations forced the newly formed associations to engage in a process of professionalization. Like ecological interest groups, who had to base their concerns in scientific evidence in order to be heard in the public arena, Aboriginal groups had to support their land claims, as well as their demands on the industry, with credible expertise. Consequently, they gradually hired a number of experts, especially lawyers and natural scientists. Besides local associations, they created national organizations to lobby centres of influence more effectively. In other words, from grass-roots civic (and sometimes noisy) mobilization, based on local problems and concerns, were born sophisticated organizations that were characterized by expert management and that engaged high-profile politicians. Owing to this transformation of the public agenda, Aboriginal territories no longer could be seen only as vast reservoirs of natural resources that one could carelessly exploit in order to make a profit. While this point of view still persists, it is no longer 'the only game in town' and, one could argue, it is in decline. Canada's northern territories are now seen as carrying life – including human life and societies – that have to be respected, supported, and protected when necessary.

Ecological and Aboriginal concerns were not exclusive to Aboriginal organizations or to the North. Such concerns were also of growing importance throughout Canada. As mentioned, the Environmental Assessment and Review Process was adopted in Canada in 1973, and Aboriginal leaders were part of the discussions concerning constitutional changes in the 1980s. At the same time, environmental and human rights concerns reached international organizations: first, we saw the Stockholm Declaration made at the United Nations Conference on the Human Environment in 1972; and, second, the Working Group on Indigenous People was created under the United Nations Human Rights Commission in 1981 (Marantz 1996).

The evolution from mobilization to professionalization mentioned above was not exclusive to northern Canada. Such transformations were at play throughout Canada as a whole as well as in the United States, as demonstrated by Theda Skocpol (2003). What does this mean? First, it tells us that what happened on Canadian Aboriginal lands was not isolated from the world context. At the very least, it means that Aboriginal groups were

deeply engaged in these developments and, at best, that their action contributed to these international changes.

Finally, the cases examined allow for theoretical considerations, which we would like to discuss briefly. The summary model presented here is valid for an analysis of this dynamic under certain basic conditions. First, it must be understood that it is a schema that requires considerable development, which would have to call on the resources of several scientific disciplines such as industrial and organizational sociology and political science. Indeed, the intrinsic complexity of the actions and the rationalities of each of the actors cannot be expressed so briefly without simplification. All simplification is by definition unsatisfactory when it involves reporting on reality itself. Such is the thanklessness of modelling.

With this caveat in place, we note that our model must incorporate spatial dimensions; one must consider that it operates simultaneously at the local, regional, national, and international levels. Thus the factors in question interact among these vertically linked geographic layers: the corporation can act at the local level, but it must answer to a parent company, which acts at the global level and which may choose to cease operations in a given geographical area when it deems that conditions there are not profitable, only to invest in a different geographical area. It is the same for the other actors: there are governing institutions that more or less interrelate at the local, regional, national, and international levels; there are citizens' institutions at each of these levels; and both government and civic association actors operate with vertical interrelations.

Our model also must carefully take into account the dynamic dimension of interrelations between the actors. Indeed, these interrelations involve a complex system of actions and reactions among the three generic actors involved. This is complicated all the more by the fact that, as was mentioned earlier, none of the actors involved is, in reality, a monolithic bloc; even the interests of local and global corporations differ. This fundamental characteristic of our model could also benefit from comparative studies, for example, on the behaviour in various social and political contexts and on the policies of corporations with simultaneous operations in several geographical regions. Almost all the mining companies in question have operations elsewhere than in the Canadian Arctic.

What conclusions, then, might be drawn from our examination of the mining industry's corporate practices on Aboriginal land? What conclusions could be derived from the observations made elsewhere in the Indigenous world by recent research that is consistent with the cases we have examined? One thing we can say: nothing will ever ensure that social concerns will be heard and addressed satisfactorily by corporations in the absence

of sufficient pressure by associative society; nothing will ever ensure that government intervention will advance the inclusion of social concerns in the corporate plans; and, finally, nothing will ever ensure that the inclusion of social concerns will not have immediate effects or subsequent effects that run counter to those anticipated.

Inspired by corporate rationality, companies seek to bring about favourable conditions that will allow them to continue profitable operations. They take social concerns into account only when associative society clearly indicates the need to do so. By saying nothing, associative society helps to minimize the corporation's investment and operating costs and helps to maximize its profits. That is, silence is taken as consent to the interest of mining companies. In contrast, associative society maximizes its own interest by demanding that such companies take, for example, acceptable steps to reduce pollution, to maximize the positive impacts in the social environment, and to follow up on the actual impacts. In sum, corporations only react if they are prodded to do so. At any rate, they always have the possibility of not investing in a place if they believe that they cannot meet imposed social requirements while ensuring the profitability of their investment. During negotiations they undoubtedly will invest significant energy in highlighting the economic benefits of their activities and in reducing social requirements. This includes threats to postpone their investment or to make investments elsewhere since they know that mineral resources are never found at only one place. The world is their market.

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Notes

1 These relations can be represented by models, equations, or charts. Typically in the equations the corporation is represented by the symbol *C*, the government *G*, and the associative society *S*. The flows of interest are represented by an arrow (→). A chart model is presented in the figures accompanying this chapter.

2 $(C \rightarrow (G \leftrightarrows S))$
3 $(C \rightarrow G \rightarrow S)$
4 $((C \leftrightarrows G) \rightarrow S)$
5 $((C \leftrightarrows G) \leftarrow S)$
6 $(C \rightarrow (G \leftrightarrows S))$
7 $(C \leftarrow S) + (C \leftarrow G \leftarrow S)$
8 With the exception of Finland, where the manufacture of communication technology plays a large role.
9 Breakwater Resources Ltd., *Annual Report 1997* and *First Quarter Interim Report, March 31, 1998*, http://www.breakwater.ca; Allen 1998; Bourgeois 1997; and Info-Mine, *Nanisivik Mine, Breakwater Resources*.
10 For more information on the project of military infrastructure see http://www.forces.gc.ca/site/Commun/ml-fe/article-fra.asp?id=5711 (accessed 19 November 2009). See also Bourgeois 1997.
11 Xstrata, http://www.xstrata.com/operation/raglan/ (accessed 19 November 2009); Falconbridge, *Annual Report 1996*, http://www.falconbridge.com; Info-Mine, *Raglan Mine*; *Globe and Mail* 1998; George 1996a; George 1996b; Phillips 1995; and Wilkin 1998.
12 *Globe and Mail* (1998).
13 Unused material and the machinery used to build the mine and the concentrator were brought back to Quebec City at the same time as the first shipment (Wilkin 1998).
14 *Nunatsiaq News*, 'A big cash windfall, murder, mayhem and much more' (Nunavik 2008 in review), January 2009. See also 'Raglan mine workforce short on Inuit,' 3 September 2004; 'Few Inuit working at Nunavik's Raglan Mine,' 11 November 2002; 'Raglan audit identifies concerns with Inuit training at mine,' 2 August 2002; and 'Training of Inuit stepped up at the Raglan mine,' 24 April 1998.
15 Ibid.

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Profile of Matthew Coon Come (1956–)

Cree, Environmental Activist, and Politician

Mathew Coon Come was born on 13 April 1956 in a tent near Lake Mistassini, some nine hundred kilometres north of Montreal, Quebec.[1] His parents, Alfred and Harriet (née Etapp), were trappers. When he was a young boy he left his family for a decade-long stay at a series of residential schools in Moose Factory, Ontario, as well as in La Tuque and Hull, Quebec.[2] After graduating from Grade 12, Coon Come continued his education at Trent and McGill universities, where he studied political science, economics, and law.[3] He married Maryann Matoush in September 1976, and the couple subsequently had five children: Justus, Marilyn, Ryan, Sarah, and Emma.[4]

After completing his post-secondary studies, Coon Come returned to his people in the James Bay area of Quebec. He was chief of the Mistissini Cree from 1981 to 1986.[5] In 1987 Coon Come was elected Grand Chief of the Grand Council of the Crees and Chairman of the Cree Regional Authority. He was re-elected four times by the James Bay Cree people as their grand chief and has continuously demonstrated his commitment to their fundamental rights and their convictions.[6]

Coon Come wanted to protect and preserve Cree land. His commitment to his people resulted in the organization of and participation in various initiatives that can be described as environmental activism. For instance, he created local, national, and international coalitions of environmental, human rights, and tribal activists to stop the creation of the Great Whale hydroelectric project. The project, which was backed by the Quebec provincial government, would have devastated 'an environment already on the verge of ecological collapse.'[7] Under his leadership, these coalitions organized a canoe trip down the Hudson River to a well-attended press conference in New York City, where the Quebec Cree's concerns for their livelihood and territorial lands were expressed. The event initiated a public outcry, and eventually New York State cancelled its purchase contracts with Hydro-Québec. The following year the Great Whale hydroelectric