

Summary of *Belonging to Lake Nipissing: Knowledge, Governance, and Human-Fish Relations*,
PhD Dissertation, 2017

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The findings of this research address the second and third core FishWIKS research questions - **2. Can varied IKSs be used to improve the effectiveness of fisheries governance at national, regional, and local scales in Canada and internationally?** **3. Can various IKSs be used to inform and enhance an ecosystem-based approach to fisheries management in Canada and internationally, given the complexities of ecosystems and additional uncertainties posed by climate-induced changes?**

A brief introduction on the specific issue being addressed

The case of NFN shows that it is not knowledge per se (as in, knowledge when it is uncoupled from governance and legal systems) that stands to “improve” the effectiveness of fisheries governance at multiple scales. Rather, it is through Nipissing knowledge *and* command of resources that improvements may be made. Command in this case means substantive, meaningful Indigenous decision-making authority over lands and resources within traditional territories. This reinforces von der Porten et al. (2017)¹ who state: “[t]he time of Indigenous ‘inclusion’ into state-led marine policy making is ending. Indigenous peoples are increasingly asserting their rights to *primary roles* in policy- and decision-making that affect their traditional homelands, freshwater bodies and oceans” (68 *emphasis mine*). The relationships with and sense of belonging and obligation to the lake held by Nipissing community members is such that they are the stewards of Lake Nipissing. To improve fisheries governance, Nipissing would lead fisheries governance on Lake Nipissing; the province would ensure that its policies concerning non-Aboriginal fisheries do not infringe upon, but meaningfully support, Nipissing’s primary stewardship role.

Why it was important to address this issue

As it stands, the leading policy documents for Lake Nipissing and the province of Ontario are completely inadequate to achieve this goal. Overall, the values, interests, and priorities do not resonate with what I have learned about the tradition of fishing at NFN

(which embodies a Nipissing Anishinaabe knowledge system), nor do they establish the conditions through which IKS can “improve” or “enhance” fisheries governance.

What are the key findings from the research?

Firstly, “improve” is a normative concept: improve according to whom, to which standards, and to what ends? For example,

- Sustainable fisheries and management strategies ignore that, from an Anishinabek worldview, the issue is not how to maintain levels of consumption without diminishing the ability of the Earth to keep on giving to human beings, but what human beings can give to the Earth in a reciprocal relation, i.e. the need to understand the reciprocal nature of human-fish relations – these relations *are* Indigenous knowledge;
- A nature-human divide animates ideas of conservation, ecosystem function and resilience, , uncoupling human beings from the land. This devalues material-spiritual connections, indivisible human-fish relationships, community resilience, and the agency of non-human beings;
- Ontario’s Ministry of Natural Resources and Fisheries’ (MNRF) Vision includes healthy ecosystems that support “native” self-sustaining fish communities, while Ontario’s natural heritage attends to “[non-Indigenous] anglers traditional fishing habits”. The “restoration” of fish populations and their supporting ecosystems according to these priorities and in the absence of First Nations redress, reconciliation, or restitution is short sighted and colonial;
- Ontario adopts a Landscape Approach to managing at broader spatial scales and over longer time periods but how broad and how long is enough considering the ongoing history of resource inequity, Ontario’s historic suppression of First Nations harvesting practices, and an Anishinaabe cosmology that attends to the responsibility of human beings to sustain all forms of life;

¹ Von der Porten, S., Lepofsky, D., McGregor, D., and J. Silver. 2016. Recommendations for marine herring policy

change in Canada: Aligning with Indigenous legal and inherent rights. *Marine Policy*, 74: 68-76.

- Fisheries management continues to serve its historic function of expropriating Indigenous fish resources for the use of non-Indigenous economies and interests. In the case of Lake Nipissing, the local recreational fishing and tourism industry generates an estimated \$69-125 Million annually. Even with the emphasis on post-positivist ecosystem dynamics, conservation and sustainability policies remain wholly Eurocentric as they fix nature and humans/culture in separate spheres, with devastating and disproportionately felt impacts;
- Fisheries management itself is plagued by a record that includes species extinctions and near extinctions (sturgeon in Lake Nipissing); yet, “data” - not respect, care, appreciation, or other cultural values expressed in the research - remains the principal basis from which to devise ‘management’ interventions;
- Through climate change management, the province seeks to *benefit* from climate-change scenarios, obfuscating the responsibilities human beings have to Creation;
- Resiliency modeling depoliticizes and dehistoricizes the uneven environmental (and socio-economic) harms experienced by First Nations, historically and in the present, as they bear the brunt of adverse climate change impacts and adaptation strategies;
- The precautionary principle, touted as robust and fault-tolerant, treats threats, risks, benefits, and values as non-normative, universal, and ahistoric, neglecting ongoing historic resource inequity in the assessment of vulnerability and risk; Moreover, the province’s risk-aversion approach aligns with the risk-based frameworks that are used by the state to manage and violently discipline First Nations ‘hotspots’; sites where Indigenous peoples’ self-determining practices are seen to pose a serious threat to Canada’s putative sovereignty claim;
- The provincial strategy regards Ontario’s “aquatic resource” and supporting industries for their contribution of more than \$2.5 billion

annually to Ontario’s economy, while the Lake Nipissing plan seeks to enhance Lake Nipissing as a desirable fishing *destination*. Having identified “human exploitation” as the biggest management issue on Lake Nipissing at a time when First Nations fishers, indeed, all fishers on Lake Nipissing, are being asked by their respective authorities to reduce their catch of the most sought-after species, such economic valuation conflicts with stated goals to sustainably manage fisheries and partner with First Nations. Evidently, economic considerations trump any other. This is further evinced by the 2012 amendments to the Canadian Fisheries Act, which shifted focus to providing for the sustainability and ongoing productivity of commercial, recreational, and Aboriginal fisheries, as opposed to protecting the habitat of all fish.

Secondly, the conceptualization of Aboriginal fisheries, Aboriginal Traditional Knowledge (ATK), and partnership with First Nations is too narrow as exemplified below:

- Aboriginal fisheries are framed as constitutionally protected, an Aboriginal and treaty right of significance to the dietary, social, cultural and economic role lives of Aboriginal peoples; however, this neglects the concerted and ongoing efforts made by the state and other allied actors (i.e. fish and wildlife lobby) to eliminate this way of life/livelihoods. This effectively decontextualizes current issues with fisheries “overexploitation” on Lake Nipissing, which means that current challenges will not be addressed at their root, and will continue;
- Governments have a legal duty to consult “when any proposed activity or decision may adversely impact those rights”,² but standard consultation protocols in Ontario fall far below what First Nations expect of the Crown’s fiduciary duty;
- First Nations harvesting traditionally occurs year-round, during fish spawning, and involves the use of nets - practices that fall outside of

² Ontario Ministry of Natural Resources and Forestry (OMNRF). 2015. *Ontario’s Provincial Fish Strategy: Fish for the Future*.

provincially-sanctioned regulations and norms. In this context, MNRF is careful to establish that (ever-expanding) grounds exist to legally infringe upon Aboriginal and treaty rights, for instance, “conservation of fishery resources [remains] the first priority”.

- Aboriginal Traditional Knowledge (ATK) is valued instrumentally and characterized as Indigenous “interest” in “fisheries resources management”. Framed this way, ATK is uncoupled from First Nations’ jurisdiction (authority and stewardship as self-governing nations), legal-governance orders, and the role of other beings, not only human, in ecology/creation. Ontario does acknowledge the role of ATK in decision-making and notes that Aboriginal interest in fisheries management is ongoing, not just a thing of the past, but they fail to adequately articulate a strategy that would appropriately and respectfully consider ATK in decision-making. The ministry seeks to “involve” First Nations and it identifies “effective partnerships” as key to achieving its outcomes. However, outcomes are determined by the ministry and I question the extent to which involvement equates to meaningful fisheries governance from a First Nations perspective;
- After the needs of conservation, the province professes to prioritize Aboriginal and treaty rights over the allocation and management of fish “resources” for “recreational, commercial food and bait fisheries”. But proof of uninterrupted harvesting practices despite colonial infringements can be near impossible for Indigenous communities to prove within the Canadian legal system, especially for commercial fisheries. Where rights have been recognized and affirmed, such as the Nipissing right to a commercial fishery, it is unclear how treaty rights take priority - for instance, the arbitrary 50%-50% allocation between Nipissing First Nation and recreational fisheries does not prioritize Indigenous fisheries as a holistic way of life;

- Current configurations of jurisdictional and governing authority fundamentally neglect Indigenous jurisdiction. Meanwhile, the province advocates for partnership, shared stewardship, and trust with First Nations. At the same time, relationship- and trust-building are subject to political change at provincial and federal levels.

What are some of the main policy implications arising from the findings

Overall, The Lake Nipissing policy framework exemplifies an “ahistorical and depoliticized” account of Indigenous peoples, politics, cultures and relations with the environment. Fisheries management and decision-making should be considered in the context of continued Indigenous dispossession, expropriation of resources, and exclusion from environmental decision-making in Ontario and across Canada since at least the early nineteenth century.

In the words of former Chief of NFN, Marianna Couchie, current policy and academic interest in Indigenous Knowledge is a “mechanism to keep on talking”. It is a tool, and but not the ultimate goal. A relational perspective is needed to shift attention within resource management away from the management of resources as a technical exercise to focus on the management of relationships, which allows for the inherently political and complex nature of resource management to emerge. In agreement with Kyle Whyte³, Indigenous knowledge “invites participation to a long term process of mutually respectful learning. And more effort needs to be taken to understand what these processes should look like”.

Support for this research was provided by the Social Sciences and Humanities Research Council of Canada (SSHRC) Partnership Grant #895-2011-1007.

For readability, supporting references have not been included in this summary. Please contact fishwiks@dal.ca for a full listing.

³ Whyte, K. 2013. On the role of traditional ecological knowledge as a collaborative concept: a philosophical study. *Ecological Processes*, 2(7).