

Indigenous Peoples' Energy Projects

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Abstract

There are increasing numbers of Māori in New Zealand and Aboriginal peoples in Canada involved in the energy sector. In this paper I explore a number of the factors which have been instrumental in Indigenous peoples becoming involved in energy projects. Utilising a 'weak theory' approach I provide narratives of three case studies from New Zealand and Canada (Tuaropaki Trust, Hupacasath First Nation, Peavine Métis Settlement). These cases involve renewable and non-renewable energy types - categories which are often used to judge the value of energy projects. I suggest that while these distinctions provide useful analyses, I ask what might happen if we extend the analysis further to consider how the apparent 'negatives' and 'positives' of each might be being balanced by other activities that the Indigenous companies are involved with.

Indigenous peoples, renewable energy, non-renewable energy, politics.

Indigenous Peoples' Energy Projects

Introduction

While Indigenous peoples¹ in New Zealand and Canada have generally observed the development of energy projects on their lands beyond their control, in this article I highlight how in recent years they have become more actively involved at the forefront of energy production. In this article I examine some of the factors that are involved in establishing and maintaining Indigenous energy projects and ask: how do we explain the increasing numbers of Indigenous organisations and companies involved in the energy sector? What might be some of the trends in the economic, environmental and legal areas which have given rise to this involvement? In the second part of the article I utilise a “weak theory” approach to provide narratives of three case studies (Gibson-Graham 2006) and to indicate the time and place bound specificities of each. In the third section I consider if the categories of renewable and non-renewable energy are noteworthy and if they are useful to assess these energy projects. Genealogies of technologies show that energy related technologies are culturally specific and yet I suggest that these genealogies alone can not account for what Indigenous peoples might be doing to balance out apparent negatives and positives from involvement in the energy sector.

How Indigenous Peoples Have Become Involved In Energy

The diverse circumstances which have led to Indigenous peoples involvement with different energy projects has its roots in the acquisition of Indigenous lands and

¹ I appreciate that in Canada, the Constitution of Canada uses the term ‘Aboriginal peoples of Canada’ to refer to Indian, Inuit and Metis and that while some groups are happy to accept these, the terms are also fraught. For example some Indians accept the label and specify which Band is being discussed, while others prefer to describe themselves as First Nations and argue that the term Aboriginal does not pay attention to their unique status as First Nations. In New Zealand many Māori refer to themselves as hapu and iwi which is often translated as sub-tribes and tribes and rarely as nations. I use the term ‘Indigenous peoples’ therefore to span these definitions of peoples across Aotearoa and Canada.

resources during colonisation. New Zealand and Canada have a number of similar historical threads as well as divergences to their colonisations. It is not my purpose to detail all these distinctions and similarities here, as they have been covered at length by authors elsewhere (Maaka & Fleras 2005; Nettheim Meyers & Craig 2002). In both countries however colonial perceptions of Indigenous peoples as inferior and less civilised have supported colonial desires for, and acquisition of, Indigenous peoples' lands and resources. The argument that Indigenous peoples did not have the capacity to exploit the resources involved was often put forward to support the confiscations of Indigenous peoples' land and resources or the minimalisation of the role that Indigenous peoples were to play in the exploitation of resources and receipt of revenues (Hill, 2004; Boast, Erueti, McPhail & Smith, 1999; Mill, 1975). Many of these colonial assumptions continue and are manifested, for example, in criticisms of Indigenous institutions and governance (Cornell, 2005, Sautet 2008).

Given the marginalisation of Indigenous peoples from their resources and therefore energy production, much of the literature relating to Indigenous peoples and the energy sector portrays a bleak picture of Indigenous rights being trampled, environmental destruction and economic exploitation (Anderson & Bone, 2003, Mander and Taulis-Corpus, 2005). The Indigenous Environmental Network argue that

Indigenous peoples have disproportionately suffered impacts due to the production and use of energy resources – coal mining, uranium mining, oil and gas extraction, coal bed methane, nuclear power and hydropower development – yet are among those who benefit least from these energy developments (undated).

In *Fossil Fuels, Oil Companies, and Indigenous Peoples: Strategies of Multinational Oil Companies, States and Ethnic Minorities* (2007) a range of authors describe the damage done to Indigenous peoples and their land by oil companies in places as diverse as Nigeria, Papua New Guinea, Alaska and Ecuador. The kind of damage occurs from the exploration and drilling phases through to the subsequent abandoning of drilling sites. The book concludes that

the international community, the NGOs and the indigenous groups must compel oil companies to observe minimum standards by exerting pressure on them... On the other hand, incentives must be provided to oil companies to exploit more cleanly and to invest more and more rapidly in alternative energy technologies (Haller et. al, 2007, xi).

In the US context, Winona LaDuke argues that because “conservatively, 10% of US reserves and energy markets are on tribal lands” tribes should be considered to have historically played a large role in energy production (LaDuke 2005, 238). They have however, “received a pittance for their resources” and the examples LaDuke provides are still of the US government or other non-tribal companies managing and at the forefront of the exploitation (LaDuke 2005, 238).

Accounts of Indigenous peoples leading the exploitation of energy resources is less prevalent, largely because it has not been that common (for examples see Indian and Northern Affairs Canada 2004; 2nd Annual National Conference, Opportunities to Develop Renewable Energy Projects With Aboriginal Communities, Industry and Government Partnerships, February 25-26 2008, Toronto. 3rd Annual National Conference, Developing Aboriginal Renewable Energy Projects, April 27-28, 2009, Toronto, Council of Resource Tribes 2008).

Trends

The emerging stories of Indigenous peoples in control and at the forefront of energy production involve a range of broad circumstances. The documentation of these experiences and stories continues to be fragmented but is gradually being collated as a result of inter-nation conferences and reports (2nd Annual National Conference, Opportunities to Develop Renewable Energy Projects With Aboriginal Communities, Industry and Government Partnerships, February 25-26 2008, Toronto. 3rd Annual National Conference, Developing Aboriginal Renewable Energy Projects, April 27-28, 2009, Toronto). There are a number of significant trends in the economic, legal

and environmental arenas which have given some impetus to Indigenous involvement in energy projects which I will now examine.

Economic arena

A number of the economic trends that have supported Indigenous involvement are largely a result of a culmination of decades of neoliberal policies and practices dominating in New Zealand and Canada that have encouraged Indigenous peoples to pursue particular types of economic development. Neoliberal policies involve a reduction in the size of the state through the corporatisation and privatisation of state owned assets and a devolution of service delivery (Bargh, 2006). Neoliberal advocates argue that the free market is more efficient than the state at providing services and individuals should be 'free to choose' the services which best suit their particular needs (Bargh, 2006). Underpinning neoliberal practices and policies are particular assumptions about Indigenous peoples as not being entirely capable of governing their own affairs, except after some levels of training, particularly from the market mechanism (Bargh, 2007, Hindess, 2001).

Indigenous peoples have used neoliberal arguments in a number of ways. Arguments surrounding empowerment and self-determination have been used to attain the provision of services by Indigenous peoples for their own communities (Bargh, 2006). Some Indigenous peoples are also keenly pursuing forms of market training and/or avenues for economic development as these suit their self determination aims. Indeed some scholars suggest that it is merely questions around Indigeneity which impede the assimilation process. As part of their research on Native governance Begay et.al. (2007, 36) argue that

Professors and graduate students can get into interminable and angst-ridden debates about whether or not economic development is 'good for' or 'alien to' Native communities and lifeways. Few tribal leaders have much tolerance for these debates, charged as these leaders are with supporting community well-being and implementing their citizens' collective goals and decisions.

There is a sense implicit here that the business of running communities is such that a level of pragmatism is required, and if dominant political and economic discourses align with Indigenous desires then they can provide some progressive space for Indigenous activities (Lewis, Lewis & Underhill-Sem, 2009).

Legal arena

Greater recognition by companies and governments that commercial projects on Indigenous lands or in Indigenous areas are more likely to be successful if Indigenous peoples have been consulted, has changed the legal landscape in many places in New Zealand and Canada. Consulting with Indigenous peoples about commercial projects which in some way impact on their territories has become more of a norm than the exception. The process and quality of that consultation and involvement varies however, but increasingly there is a perspective that if there is scope, and profitability, for Indigenous peoples involvement then that is understood as a positive avenue (Maaka & Fleras 2005).

Trends of consultation have been influenced by the increasing clarification of Indigenous rights in the legal arena. This is largely a result of a number of successes for Indigenous peoples in the courts and under international law. There is increasing clarification around the extent of Indigenous peoples' continuing rights to resources and territory and the requirements on companies and the Crown to consult, act in good faith and in some cases provide for revenue sharing arrangements, when trying to access Indigenous peoples resources (for examples see *New Zealand Maori Council v Attorney-General, Delgamuukw*).

The issue of a Right to Development has been pivotal in clarifying Indigenous rights relating to resources. In 1986, the United Nations General Assembly passed the Declaration on the Right to Development in which they reaffirmed the inalienable human right of all people and peoples to the Right to Development. Whether Indigenous peoples are 'peoples' or have a Right to Development has been hotly

debated by governments and Indigenous peoples at national and international levels over the years (Charters, 2006). Some of this debate has been put to rest with the adoption of the Declaration on the Rights of Indigenous Peoples by the UN General Assembly in 2007. The Declaration states in Article 23 that “Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development...”. And further in Article 26:2 that

Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

One of the reasons for the rarity of Indigenous peoples involvement at the forefront in energy has been because the discourse around Indigenous peoples’ rights has largely been one that has emphasised the connection between Indigenous peoples and the land. This has often been to the exclusion of any conception of a Right to Development for Indigenous peoples or the possibility of Indigenous engagement in economic activities involving environmental exploitation.

There are two principle reasons why the Indigenous peoples and land connection has been so strongly emphasised over the years. The first is that although Indigenous peoples are diverse, the land connection often reflects the realities of many Indigenous peoples. The Maori concept of *kaitiakitanga* in New Zealand is one that combines the notion of guardianship of land and other resources as well as a spiritual and genealogical relationship between particular tribes and their lands (Selby, Moore & Mulholland 2010). In British Columbia, Canada the Hupacasath talk about being stewards over their territory as well as the inextricable connection between culture and identity and the land and resources in their territory (Hupacasath 2004: 8) The connection of Indigenous peoples to land has made Indigenous peoples ever vigilant about retaining land by all kinds of methods and avenues. In New Zealand and Canada one of the ongoing ways in which governments have continued to try and acquire Indigenous lands has been by insisting that their understanding of the connection Indigenous peoples’ have with the land take precedence over

understandings and realities that Indigenous peoples might have or want. In New Zealand and Canada governments have insisted on particular tests to determine if land is 'truly' Indigenous according to their standards and therefore also to determine the level of rights applicable for Indigenous peoples. Such tests often include whether Indigenous peoples have used and use their lands in particular ways, and have done so substantially uninterrupted since at least usually the 1800s (*Ngati Apa*). If land is not deemed to be Aboriginal/Māori land, the Crown concludes, that Indigenous rights relating to what happens on that land are not as significant.

One of the significant reasons why Indigenous peoples emphasise their connections to the land perhaps above their development rights therefore, are a result of the configuration of these colonial legal systems and arguments. Indigenous peoples in New Zealand and Canada have persistently contested tests created by the Crown, including in landmark cases such as *Ngati Apa*, *Sparrow* and *Delgamuukw* and have also argued the UN Right to Development must be applicable in the discussions (Waitangi Tribunal, 1993). As noted above, the adoption of the Declaration on the Rights of Indigenous Peoples in 2007 by the United Nations General Assembly includes recognition of Indigenous peoples' rights to development and supports these earlier legal moves.

The second central reason for the emphasis in the literature on the Indigenous connection with land has been because the notion of Indigenous peoples' attachment to the land and engagement in subsistence activities has fitted with colonial perceptions and images of Indigenous peoples as existing closer to nature and at an earlier stage of a developmental continuum of humanity. Political theorist Barry Hindess argues that the developmental view of humanity, which ranks peoples according to their alleged levels of civilisation, is intertwined with the history of imperialism (Hindess, 2007). Indigenous peoples are seen as located at an earlier (less civilised) stage of this continuum, despite clearly being 'in the present' (Hindess, 2007). These assumptions, prevalent during early colonisations, have in turn continued through into internationally recognised definitions of, and policies relating

to Indigenous peoples such as at the United Nations (Cobo 1986) and with other international institutions (International Labour Organisation Convention 169).

Environmental arena

The third sets of trends which have added impetus to Indigenous peoples' involvement in the energy sector have been environmental and relate to global climate change and peak oil. It is now well recognised that the planet is facing considerable changes because of climate change. In their 2007 report, the Intergovernmental Panel on Climate Change state that, "Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level" (2007, 2). They add further that

Changes in atmospheric concentrations of greenhouse gases (GHGs) and aerosols, land cover and solar radiation alter the energy balance of the climate system. Global GHG emissions due to human activities have grown since pre-industrial times, with an increase of 70% between 1970 and 2004" (2007, 5).

The end of the world's 'cheap' and readily available oil supplies also presents huge difficulties. In the *Manifesto on Global Economic Transitions*, scholars from the International Forum on Globalization and the Institute for Policy Studies argue that

Peak Oil—depletions of inexpensive oil and gas supplies (and alarming new evidence of limits to accessible coal)—threatens the long term survival of industrial nations and industrialism itself, at its present scale. Long distance transportation, industrial food systems, complex urban and suburban systems, and many commodities basic to our present way of life—autos, plastics, chemicals, pesticides, refrigeration, et. al—are all rooted in the basic assumption of ever-increasing inexpensive energy supply (2007, 3).

Alongside climate change and peak oil is an increasing global demand for energy. In light of the depletion of non-renewable energy, renewable options are presenting a popular alternative (United Nations Environment Programme, 2009).

As I will explore in the case studies, for those Indigenous peoples involved with or embarking on energy projects the global environmental situation presents opportunities. For those Indigenous peoples with a land base with resources that are suitable for exploiting for energy production, the global energy situation provides the opportunity to be at the forefront of production and supply. For those Indigenous peoples involved with non-renewable fossil fuel industry it may mean that the future of the industry may be limited but that any finite resources which continue to exist on Indigenous lands will become even more highly sought after.

The Hupacasath First Nation of Vancouver Island, Tuaropaki Trust of Mokai and the Peavine Métis Settlement Alberta provide useful illustrations of some of the specificities that are leading Indigenous peoples to be more involved in the energy sector.

Specific Cases

In this section I deliberately aim to provide a more descriptive than critical account of three cases, deploying what Julie Graham and Katherine Gibson (J.K. Gibson-Graham) refer to as “weak theory” (Gibson-Graham 2006). The aim of weak theory is not to confirm what we already know, as Gibson-Graham put it, but rather to “help us see openings to help us to find happiness, to provide a space of freedom and possibility” (Gibson-Graham 2006, 7). Weak theory they suggest reduces certainty and makes room for Others. It is “little better than description” (Gibson-Graham 2006, 71) and “proliferates difference in the economic landscape” (Gibson-Graham 2006, 71). This kind of methodology, providing examples but not judging them or prescribing them as models for other places, is intended, in this instance, to allow for an appreciation of Indigenous energy projects in particular time and place. This is in contrast to what might be called ‘hard theory’, which provides over-generalised and ‘grand narratives’ that proclaim to be able to apply to everyone everywhere. I suggest that such grand narratives do not provide an adequate account and thus tempt scholars to provide too simplistic pictures and judgements. There is therefore still much more

that could be said about these examples but they are set out here as narratives of diversity rather than as scripts to be followed.

Hupacasath

Hupacasath are within Nuu-chah-nulth territory and are members of the Nuu-chah-nulth Tribal Council (Nuu-chah-nulth website). The Hupacasath First Nation describe themselves as having “exclusively owned, used and occupied the land, waters and resources... since time immemorial. Their traditional territory is on central Vancouver Island and includes the town of Port Alberni” (Hupacasath First Nation, 2003, 5).

The Hupacasath *Territory Land Use Plan* explains that

The Hupacasath have, since time immemorial, managed their lands and resources sustainably. If they had not there would not have been as many fish and wildlife and as much forest and other resources at contact as there had been 8,000 years previously (Hupacasath First Nation, 2003, 23).

The concept of sustainable resource management for the Hupacasath is based on the following principles: Healthy people, strong culture, healthy environment, successful economy, and a strong governance system (Hupacasath First Nation, 2003, 23).

The Hupacasath have divided their territory into 29 Hupacasath Use Areas (protected areas, resource development and special management), (28 land based areas and one marine based area) which determine where different types of projects can take place. Based on the values of the Hupacasath (cultural values, natural resource values and present use areas), management objectives are designed for each Hupacasath Use Area which state how Hupacasath will manage

land and resources within the Hupacasath Use Areas (Hupacasath First Nation, 2003, 25).

After declines in the forestry and fisheries industries as well as Hupacasath opposition to a natural gas facility planned for their area in the late 1990s, the Hupacasath started looking for other forms of resource development and economic opportunities (Willis 2008). They conducted a resource inventory to ascertain if it was possible to get involved in green/alternative energy projects (Venturing Forth, 2005a). The Pembina Institute helped to determine that one place in particular, China Creek, had the potential for a micro-hydro project (Pembina 2006).

Hupacasath Chief Judith Sayers explains that from the very beginning it was important to get good advice and that it was also extremely helpful to have a significant amount of data about water-flow and rainfall (Sayers undated). This kind of data indicated a predictable source of water and therefore revenue which made getting finance for the project easier (Venturing Forth, 2005). The project was in the planning stages for 3 years before construction began in 2004. The Upnit Corporation was established with Hupacasath owning 72.5%, Svnex Energy Resources Ltd 12.5%, Ucluelet First Nation 10% and the City of Port Alberni 5%.

Chief Sayers comments that micro-hydro presented a unique opportunity for Hupacasath to bring together their traditional values, respect for water and salmon and economic development (Venturing Forth, 2005). The micro-hydro takes water at the headwater by pipes which are then used to turn a turbine to generate electricity and the water is then returned to the river. The micro-hydro project sells power to BC Hydro, with whom Upnit Corporation has a 20 year electricity purchase agreement at a fixed rate (National Centre for First Nations Governance, undated). The electricity is used on Vancouver Island.

Finance has come from a range of sources, including initially an approximately CAD\$ 8.5 million loan from Vancity (Canada's largest credit union based in

Vancouver), a CAD\$250,000 loan from Ecotrust (Ecotrust Canada Capital Corporation is a community development financial institution whose purpose is to finance the conservation economy) (Ecotrust website, undated) and the pooling of resources from the Ucluelet First Nation (who own a 10% share in Upnit Power Corporation) (Canadian Geographic, 2008). When the project was completed in December 2005 it had cost between approximately CAD\$13 and 14.5 million (Community Energy Association, undated).

Federal and provincial funding has also helped to support the micro-hydro project including the BC Ministry of Energy, Mines and Petroleum in 2007 contributing CAD\$445,000, Indian and Northern Affairs Canada Development Funding, Aboriginal Northern Climate Change Actions Program CAD \$250,00 (Willis, 2006: 24 & Ministry of Aboriginal Relations and Reconciliation, undated).

Chief Sayers also argues that the project has been part of a particular kind of community economic development that “paves the way to self-government” (Sayers undated). During the establishment of Upnit nine Hupacasath were employed “in various jobs from contract and environmental monitoring to working on construction” (Sayers undated). Eventually four Hupacasath will be employed by Upnit which Sayers argues “is an important step forward for our community. It builds capacity for another run-of-the-river project we have in mind as well as the utility corporation we are starting to establish” (Sayers undated: 5). In other economic development projects Hupacasath people are used “wherever possible”.

Relationships are also central to the Hupacasath project. Chief Sayers argues that it is important to “build relationships with people and organizations who can help you over the long term” (Sayers undated). She also points out that sharing the kudos which comes from successful enterprises helps to foster positive relationships. As part of Hupacasath traditions ceremonies are held to thank people whenever a significant milestone is achieved (Sayers undated). Sayers argues that from these practices and this project, the Hupacasath are moving more to being a self-sustaining nation and thereby “changing the conditions in which people live”

(Sayers undated).

Tuaropaki

The Tuaropaki Trust is an amalgamation of multiple-owned lands that can be traced to the descendents of seven Mokai hapu: Ngati Parekaawa, Ngati Kohera, Ngati Wairangi, Ngati Whaita, Ngati Moekino, Ngati Haa and Ngati Tarakaiahi (Te Puni Kokiri & Federation of Māori Authorities, 2005).

In 1951 owners of the 43 land blocks surrounding Mokai amalgamated to develop a single pastoral farm. Finance received from the Department of Māori Affairs was conditional on the Department managing the farm until the loan was repaid. In 1979 the loan and interest was repaid and the Department of Māori Affairs returned the land back to owners with the Māori Land Court appointing the initial trustees (Tuaropaki Trust, undated). In 1982-83 the New Zealand government began exploration of the geothermal fields, drilling investigatory wells on Tuaropaki lands. Proposals to build electricity power plants had not been discussed with Tuaropaki and it became apparent the government intended to sideline Tuaropaki (Tuaropaki Trust, undated). The Trust decided to carry out the development itself (Tuaropaki Trust, undated). In 1994 the Māori Land Court confirmed that Tuaropaki owned all government wells and fixtures on Tuaropaki lands. Tuaropaki Power Company Ltd. was established and resource consents obtained for geothermal development in 1994 (Tuaropaki Trust, 2005, 10). A geothermal power station was completed by 2000. A second plant was completed in 2005 and both plants combined are able to supply power to approximately 100,000 homes which is sold into the national grid. Tuaropaki Power Company was 100% owned by the Trust until 2003 when a quarter share was acquired by its business partner, State Owned Enterprise, Mighty River Power (Tuaropaki Trust, undated, 4). Tuaropaki Power Company board is governed by four people, three from Tuaropaki and one from Mighty River Power (Tuaropaki Trust, undated, 10).

Tuaropaki argue that the decrease in global oil and gas reserves and the increasing demand for renewable energy places them in a unique position to provide geothermal energy for electricity (Tuaropaki Trust, 2005). They acknowledge however that the loss of energy in the conversion of electricity means it is not the most efficient way of using the energy. It is more efficient, they argue to “use geothermal energy to provide heat direct to those enterprises that require substantial amounts of heat energy. The challenge is to locate such enterprises and encourage them to establish on, or in close proximity to, Tuaropaki land” (Tuaropaki Trust, 2005, 9). In 2010 Tuaropaki announced the beginning of construction for a milk factory in an attempt to draw large consumers of energy geographically closer to them (Wairarapa Moana 2010).

The benefits from Tuaropaki operations are returned to members in a number of ways. There are grants and scholarships for the elderly or those wanting to pursue higher education showing a recognition of people’s education and employment needs (Tuaropaki website). Funding is also directed towards maintenance of the local marae which supports the cultural and political aspirations of the people of Mokai. Benefits are also shared with what Winona La Duke as called “all our relations” (La Duke 2005) not just humans but also flora and fauna- all living elements of the environment. The green waste from the glass houses on Tuaropaki lands (which grow for example tomatoes and capsicums for export) is directed through a huge worm farm and then redistributed across the Tuaropaki lands that are used for farming. These kinds of practices aim to perpetuate practices which support the environment, as well as the people at Mokai.

Peavine Métis Settlement

Métis are descendents of European, mainly French, and Aboriginal women who moved in both Aboriginal and European societies and formed a unique Métis culture over the years (Métis Settlement General Council, undated). In the significant

Canadian *Powley* case the Supreme Court of Canada stated that the term Métis

refers to distinctive peoples who, in addition to their mixed ancestry, developed their own customs, and recognizable group identity separate from their Indian or Inuit and European forebears. A Métis community is a group of Métis with a distinctive collective identity, living together in the same geographical area and sharing a common way of life (*Powley*, 2003).

Alberta has the single largest provincial population of Métis people in Canada with 67,000 Métis (Bell & Robinson, 2008). The creation of eight Métis Settlements in Alberta gives Métis a land base that no other Métis group in Canada has (Bell & Robinson, 2008). The Métis people of Alberta who live on Settlements in the central and northern part of the province signed an agreement with the Alberta government called the Métis Settlements Accord in 1989. As part of the Accord legislation was passed by the Alberta Provincial government in 1990 (Métis Settlements Land Protection Act, Métis Settlements Act, Métis Settlement Accord Act).

As part of the Métis Settlements Act 1990 each Métis Settlement Council are provided with powers of a Municipal Council, and including together with the Métis Settlements General Council, the ability to enter into development agreements with oil and gas producers concerning the exploitation of subsurface resources (Lundell, 2006). Under the Act, land is issued in fee simple title for Métis but Alberta retains all mines and mineral rights (Bartlett, 1990, 100-101).

The Peavine Métis Settlement has become involved in the oil industry. For many years since establishment, their main source of income was from farming however this did not provide enough employment and people generally had to leave the Settlement in search of work (Venturing Forth, 2005b). In addition, members of the Settlement did not want to simply watch others drill what they consider to be their oil. As a result they decided to be partners in the exploitation and established Tirmoil Energy Ltd (Venturing Forth, 2005b).

Tirmoil Energy Ltd is a wholly-owned energy subsidiary of the Peavine Métis Settlement. In 2006, Tirmoil Energy Ltd acquired Arrow Energy, the first time that an Aboriginal community has taken over a publicly traded company (Arrow Energy website, undated). This resulted in new management and a new Board of Directors. There are three Peavine Métis Settlement representatives of the six Arrow Energy Board of Directors (Arrow Energy, 2008).

Arrow subsequently acquired all of Tirmoil's assets, which included oil production, as well as an oil sales pipeline. In addition, Arrow obtained potential access to a large block of undeveloped land on the Peavine Settlement and it began drilling two new wells in Peavine in 2007. Tirmoil Energy Ltd has a 33.7% ownership stake in Arrow Energy while Peavine's membership owns 11.7% (Arrow Energy, undated). At the time of writing, in the fast moving world of oil companies, Arrow Energy has changed its name to Kallisto Energy Corporation and operates as a subsidiary of Tirmoil Energy (Bloomberg Businessweek 2010; Kallisto Energy Corporation 2010).

Iner Gauchier, a Councillor of the Peavine Métis Settlement argues that "Tirmoil is an oil company like any other oil company in Canada or the US and it is Aboriginally owned 100%. We bid for minerals, we explore, we drill and we market the oil. And we're proud of that" (Venturing Forth, 2005b). Gauchier argues that it was initially difficult to get agreement from their membership to establish an oil company but over a six month period of meetings and information dissemination agreement was achieved. As a balance to involvement in the oil industry the Settlement has 50-60% of its land set aside for hunting, fishing and trapping and the rest for oil operations (Venturing Forth, 2005b).

Renewable or non-renewable?

The different emerging stories show Indigenous peoples being involved in both renewable and non-renewable energy production. In environmental studies and

Indigenous politics literature, types of technology are often understood to be more or less compatible with Indigenous worldviews depending on the extent to which they exploit/ care for the environment (Battiste & Henderson, 2000). Renewable energy is, from this perspective often considered more environmentally friendly and therefore more akin to Indigenous worldviews, while types of technology such as those for non-renewable energy can be understood as more exploitative and 'less Indigenous'. I suggest that while these distinctions provide useful analyses I ask what might happen if we extend the analysis further to consider how the apparent 'negatives' and 'positives' of each case might be being offset by the broader range of activities that the Indigenous companies are involved with.

The distinction between renewable and non-renewable energy is not one that Indigenous people have traditionally deployed. Many Indigenous peoples have had, and continue to have, definitions of energy which link them to their origins. In New Zealand for example, geothermal energy is the domain of the god within the earth, Ruamoko, while its manifestation in the central North Island is the result of the spiritual leader, Ngatoroirangi calling for it from his sisters in Hawaiki in a time of need (Waitangi Tribunal, 2008).

The distinction between renewable and non-renewable energy is one found commonly in western based definitions of energy types. Renewable energy can be described as "energy flows which are replenished at the same rate as they are 'used'" (Boyle, 2004, 11). Boyle (2004) argues that there are three principle sources of renewable energy. The first is solar, which can be directly or indirectly used. Direct uses involve, for example, solar panels to heat water. Indirect uses include dams and turbines that can extract energy from rivers - fed by rain that has been produced by vapour from sun-warmed waters. Non-solar is the second category of renewable energy and includes geothermal energy which is heated from the earth's interior and wind energy. Tidal energy is another non-solar energy and an example of the third type of renewable energy - it is caused mainly by the moon's gravitational pull and can involve wave turbines (Boyle, 2004, 13). Non-renewable energy can be defined as

those sources which use fossil fuels (coal, oil and natural gas) and nuclear energy, all of which are finite (Boyle, 2004, 2).

Although generally many renewable energy activities have less impact on the environment than non-renewable energy this is not always the case. It is useful to consider the added dimension of sustainability which intersects both categories of renewable and non-renewable. Large hydro dams may be 'renewable' but their sustainability is questionable when considering the effects they have on surrounding ecosystems. Biofuels may also, on the face of it, appear to be more environmentally friendly because they are renewable however, if they divert say, corn, from food supplies then their sustainability remains questionable (Santa Barbara, 2007).

In the case of the Peavine Métis Settlement while they are involved with the oil industry they also specifically use land to foster the other kinds of priorities that they have for their communities: for hunting, fishing and trapping. Their participation in the industry also provides jobs which enables members who might otherwise relocate elsewhere and potentially lose contact with the community to maintain links. In the cases of the Hupacasath some of the challenges of the micro-hydro dam may be that it is not able to generate the levels of power that large dams or oil production can. There may also be less water flow in the summer months also potentially reducing production. For Tuaropaki they acknowledge that while the generation of geothermal power is productive they are also challenged by their location away from cities with high energy consumption. In addition, when the first geothermal power plant was established by Tuaropaki, it generated little employment. Employment had been one of their aims to sustain their people, therefore Tuaropaki subsequently built greenhouses on that land which utilised the geothermal power (Tuaropaki undated).

A number of other dimensions also contribute to the complex picture perhaps more than the categories of renewable or non-renewable. In all three cases there is a clear aim on the part of the communities to foster their member's pride in the activities they are involved with and provide inspiration. For Tuaropaki this is articulated directly in

their vision statement to “act as a beacon of hope and prosperity for our people” (Tuaropaki website). Hupacasath chief Judith Sayers also points to pride as an important factor equal to the revenue received (Seibold 2007). Similarly Iner Gauchier, highlights the pride that members have for being in control of their own affairs that has come with involvement in oil production. These dimensions suggest that each Indigenous peoples have their own priorities and are probably best placed to create their own categories for self reflection.

Conclusion

Indigenous peoples in New Zealand and Canada are, for particular economic, legal and environmental reasons becoming more actively involved in the energy sector. Given the unique narratives of each of these events and their specific locations in time and place, scholars should be wary of seeking to create models for implementation for other Indigenous peoples elsewhere. In addition, while Indigenous projects are in the areas of both renewable and non-renewable energy, these categories may not, on their own, be as useful for judging the merits of Indigenous energy involvement unless they are placed in the wider context of what each of the Indigenous peoples are involved with. The three cases presented in this paper are not intended to be exhaustive accounts but rather are aimed at sparking consideration of the diversity of Indigenous realities. This represents one of the central aims of the weak theory approach deployed here- to highlight diversity and the potential for alternatives.

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