

Exploring the factors that support cooperative and equitable municipal-First Nation
relationships: A case study of the City of Calgary and the Tsuut'ina Nation

By

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Abstract

This research examines the factors that influence the emergence of cooperative municipal-First Nation relationships, and explores how these relationships can be sustained and built upon so that they are based on the principles of mutual recognition, mutual respect, sharing and mutual responsibility. Municipalities and First Nations are increasingly collaborating on land use planning, development, and services provision, and municipal officials, including planners, need to consider the role they can have in transforming organisational structures and land use planning practices in a way that will foster collaboration with First Nations. Strong relationships allow for mutually beneficial projects to be explored and undertaken, they reduce the chance for conflict and misunderstanding, and they play an important role in meaningful reconciliation between Aboriginal and non-Aboriginal peoples

This research utilizes a case study of the City of Calgary and the Tsuut'ina Nation to examine municipal-First Nation cooperation, and centres on how the relationship between the two communities evolved during negotiations to construct the southwest Calgary ring road through Nation land. Document review, policy analysis, and semi-structured interviews were used to determine the factors that encouraged the emergence of a cooperative relationship between the two neighbours. The research points to the importance of visionary community leadership in building trust and respect between First Nations and local governments, and in arriving at mutually beneficial outcomes.

Since political turnover, conflict, and changing priorities can threaten relationships, this thesis also explores how the City of Calgary can work toward organisational arrangements to sustain and build upon its relationship with the Tsuut'ina Nation. Municipal politicians and employees have a

responsibility to pursue active reconciliation with First Nations, and this research suggests practices, processes, and values that municipal governments, planners, and other officials can strive to adopt. This research suggests that comprehensive strategies, developed in partnership with First Nation neighbours and targeted at the levels of planning practice, policy, and culture, have the potential to enable municipal governments, planners, and other officials to respectfully and effectively engage with First Nations.

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Chapter 1. Introduction

Strong relationships between neighbouring municipalities and First Nations allow for mutually beneficial projects to be explored and undertaken, they reduce the chance for conflict and misunderstanding, and they play an important role in meaningful reconciliation between Aboriginal¹ and non-Aboriginal peoples (Walker, 2008). It is increasingly common in Canada for municipalities and First Nations to collaborate on land use planning, development, and services provision (Federation of Canadian Municipalities, 2004; Nelles & Alcantara, 2011). Yet a number of forces can stall relationship-building efforts, including institutional inertia, the lack of a policy framework to structure action, and the memory and lasting consequences of past conflicts (Barry & Porter, 2012; DiMaggio & Powell, 1991; Nelles & Alcantara, 2014). Municipal governments (“municipalities”), their planners, and other administrators, need to consider the role they can play in transforming organisational arrangements and land use planning practices in a way that will foster collaboration with neighbouring First Nations. Respectful engagement and collaboration with First Nations is a moral, pragmatic, and sometimes legal imperative for municipalities in light of Aboriginal claims to sovereignty and right to self-determination (Turner, 2006), recent improvements regarding the consideration of Aboriginal rights and interests in provincial planning policy (McLeod, Viswanathan, Whitelaw, Macbeth, & King, 2015), and the increasing importance of pursuing regional solutions to environmental and economic issues (LeRoux, Brandenburger, &

¹ "Aboriginal" is a colonial term used most frequently by the Canadian government and in public policy to collectively refer to the first inhabitants of Canada and their descendants, and includes First Nations, Métis, and Inuit peoples. I choose to use the term 'First Nations' in this research, as my case study is based on the relationship between a First Nation community and a municipality, although I use the term Aboriginal when referring more generally to Indigenous peoples in the Canadian municipal and regional contexts. Some of the research findings may be generalizable to municipal relations with Métis or Inuit communities, and some may not be. I recognize that the terms Indigenous, Aboriginal, First Nations, Métis, and Inuit are not interchangeable, and I have tried to avoid using the terms in such a manner

Pandey, 2010).

This thesis examines municipal-First Nations cooperation from both an analytical and a normative perspective. I am interested in not only the factors that favour the emergence of cooperative relations, but also in the factors that support long-term, mutually beneficial, and mutually respectful relationships between First Nations and municipalities. Municipal politicians and employees have a responsibility to pursue active reconciliation with First Nations, and this research emphasizes the practices and processes that municipal governments, planners, and other administrators should work toward.

I draw from a case study of the City of Calgary (“the City”) and the Tsuut’ina Nation² (“the Nation”), and explore how the relationship between the two communities improved substantially, at least at the political level, over the course of negotiations to construct the southwest Calgary ring road through Nation land. Although the City and the Nation have existed as geographic neighbours for over a hundred years, they remained in relative political and social isolation to one another until the ring road negotiations began in earnest in 1998. At the beginning of negotiations the relationship between the two communities was obviously strained, and it appeared to remain so until Naheed Nenshi was elected as Calgary mayor in 2010. Mayor Nenshi’s leadership has been heralded as one of the decisive factors in leading to a cooperative relationship between the City and the Nation, but this research explores other factors that constrained and enabled both the capacity and the willingness of the two neighbours to cooperate. Furthermore, I explore the types of practices that would allow the City and the Nation to sustain and build upon their relationship, even in the face of political turnover, conflict, or changing municipal priorities.

² It was announced in late August 2015 that the official spelling of Tsuut’ina has changed from two words to one (“Tsuut’ina Nation returns”, 2015, August 28). I’ve maintained the two word spelling, “Tsuu T’ina” in quotations from news media and in the title of articles, but use the one word spelling everywhere else.

This thesis addresses the following research questions:

1. What factors encouraged the emergence of a cooperative relationship between the City of Calgary and the Tsuut'ina Nation during negotiations for the southwest Calgary ring road?
2. What types of organisational arrangements can the City of Calgary work toward in order to sustain and build upon its relationship with the Tsuut'ina Nation, so that the relationship is not only cooperative but characterized by mutual recognition, mutual respect, sharing, and mutual responsibility?

I utilized a qualitative case study approach for this research, and collected information using document review, policy analysis, and semi-structured interviews. From this evidence I argue that the emergence of a cooperative relationship is due not just to the leadership displayed by Mayor Nenshi, but also to the leadership of Tsuut'ina Nation Chief Sandford Big Plume and his successor, Chief Roy Whitney. The political leaders of the two communities reopened lines of communication, fostered mutual understanding, and worked toward mutual benefit. Additionally, the ring road was an important project to both the City and the Nation, and the imperative of the road project favoured the emergence of cooperation. Belanger and Walker (2009) refer to this phenomenon as “interest convergence”, which occurs when municipalities collaborate with one or more Aboriginal communities in times where the interests of the Aboriginal communities align with the interests of mainstream society. While interest convergence is a convenient foundation to forge collaborative relationships upon, Belanger and Walker (2009) argue that municipalities should strive to maintain positive and respectful relations with their First Nation neighbours not just on pragmatic grounds, but “on account of normative principles associated with their prior occupancy in self-organising societies, community rights and aspirations for self-determination and the obligations among treaty peoples and their leaders to proceed with mutual respect and recognition for each other” (p. 132). Therefore, while there are pragmatic reasons for

municipalities to cooperate with First Nations, particularly in times of interest convergence, I argue that municipalities should engage with First Nations because there is a moral and sometimes legal responsibility to do so.

Interviews with municipal staff and senior Nation administrators revealed that the City could embark on an opportunity to support and build upon its relationship with the Nation by working toward organisational arrangements that foster mutual benefit, communication, and a long-term approach to the relationship. By organisational arrangements I refer to practices, discourses, and organisational values, among other elements (Healey, 2004). I suggest that comprehensive strategies, developed in partnership with First Nation neighbours and targeted at the levels of planning practice, policy, and culture, have the potential to enable municipal governments, planners, and other administrators to respectfully and effectively engage with First Nations.

Following this introduction, Chapter 2 provides a literature review of planning and colonialism, reconciliation, transformative planning, new institutionalism, and First Nation-municipal relations. Chapter 3 explains the qualitative case study approach that guided this research, and the methods that were used to collect and analyze information. Chapter 4 describes two theoretical frameworks that were developed in order to analyze the factors that influence the emergence of cooperative relationships, and the factors that support long-term, positive relationships. Chapter 5 presents a narrative of the City-Nation relationship during the ring road negotiations. Chapter 6 applies the theoretical frameworks developed in Chapter 4 to the City-Nation case study. Chapter 7 concludes the thesis with a brief discussion of key findings and areas for future research.

Chapter 2. Literature Review

Planning and Settler Colonialism

Technical definitions of contemporary land use planning strip planning of its political and cultural orientation, and obscure how planning has and continues to perpetuate settler colonialism. For example, Leung (2003) defines land use planning as “the process of protecting and improving the living, production and recreation environments through the proper use and development of land” (p. 1). While the term ‘proper use’ is subjective, and therefore open to political and cultural interpretation, in many cases what is thought to constitute proper use is defined by the interests and biases of mainstream society (Porter, 2010). Land is typically reduced to an economic or pragmatic value in Western society, and this assumption shapes the approach that municipalities, planners, and other officials take to land use planning and engaging Aboriginal communities (Dorries, 2012; Porter, 2010; Sandercock, 2003). But land has multiple meanings, and it forms the foundation of settler colonialism, as noted by Tuck & Yang (2012):

Within settler colonialism, the most important concern is land. Land is what is most valuable, contested, required. This is both because the settlers make Indigenous land their new home and source of capital, and also because the disruption of Indigenous relationships to land represents a profound epistemic, ontological, cosmological violence. This violence is not temporally contained in the arrival of the settler but is reasserted each day of occupation. (p. 5)

The arrival of settlers to the land that is now known as Canada displaced Aboriginal peoples from land that they had occupied and travelled for hundreds and sometimes thousands of years (Miller, 2009). Aboriginal peoples were separated from their traditional settlements, ceremonial sites, and hunting and fishing grounds, and relegated to reserves (Miller, 2009). Land was evaluated, mapped, parcelled, and assigned an economic value (Porter, 2010).

While many, if not most, Canadians view colonialism as a historical act, Tuck and Yang (2012) explain that colonialism “is a structure and not an event” (p. 5). The colonial project never ended, and is instead embedded in Canadian legislation, mainstream Canadian values, and the physical landscape (Sandercock, 2003). Planning has been, and still is, essential to the colonial project, Matunga (2013) illustrates, because it provides “the intellectual, conceptual, and technical skills to facilitate the scorched earth clearance of Indigenous people” (p. 9). In this way planning is both a product of, and an instrument for, colonialism. Matunga (2013) concludes that municipalities and planners have a responsibility to acknowledge the role of planning in oppressing the rights and interests of Indigenous populations, and to “aid the recovery and re-inclusion of Indigenous communities in what is now largely ‘shared’ though nonetheless misappropriated space” (p. 9).

Planning is increasingly confronted with Aboriginal demands for self-determination and restitution, and the recognition of these claims in legal cases and planning legislation (McLeod et al., 2014; Turner, 2006). Walker, Moore, and Linklater (2011) explain that “[t]he Aboriginal right to self-determination emanates from original occupancy, Treaties, and the constitutional arrangements made between settlers and Aboriginal peoples in order to create and reproduce the modern settler state” (p. 164). The effect of the Aboriginal rights resurgence has been to ‘unsettle’ planning’s colonial position, and municipalities and planning practitioners must look for ways to honour the rights claims and interests of Aboriginal peoples (Porter, 2010).

The question then becomes, how should Aboriginal and non-Aboriginal people move forward, and how will mainstream Canadian society have to change? Answers to these questions vary. On the stronger end of the spectrum, Tuck and Yang (2012) assert that “[d]ecolonization eliminates settler property rights and settler sovereignty. It requires the abolition of land as property and upholds the sovereignty of Native land and people” (p. 26). There is an undeniable tension between the authors’

argument and the willingness of planners and the public to accept such unsettling claims. In contrast, Walker, Moore, and Linklater (2011) argue that “[s]elf-determination in the Canadian context is not aimed at separation and isolation but rather is the right to the fulfillment of Aboriginal community aspirations in partnership with non-Aboriginal communities (and governments)” (p. 164). These two contrasting interpretations of required action signal that the aspirations of different Aboriginal communities varies. Municipalities and planners need to confront the colonial status quo and consider how to connect with First Nations and recognize how through inaction, they may perpetuate colonial practices. Only then can First Nations and municipalities begin to contend with the possibility for reconciliation.

Reconciliation

Dorries (2012) points out that “the idea of *reconciliation* is often used as a general term for expressing the desire of politicians and Indigenous political leaders to move towards a different kind of political relationship” (p. 148). Meaningful reconciliation processes actively work toward better shared futures between Indigenous and non-Indigenous peoples, while at the same time confronting ugly colonial legacies (Corntassel & Holder, 2008). For relationships between municipalities and First Nations to be meaningful, municipalities must move beyond vague and empty promises of reconciliation (Corntassel & Holder, 2008). Walters (2008) advances the concept of ‘reconciliation as relationship,’ which “involves sincere acts of mutual respect, tolerance, and goodwill that serve to heal rifts and create the foundations for a harmonious relationship” (p. 168). Regan (2010) concludes that reconciliation requires personal change from ‘settlers,’ or non-Indigenous peoples, before structural change is possible. Reconciliation is an ongoing process and involves “not only a forgiveness of the past but shared strategies for moving forward collectively to decolonize existing relationships” (Corntassel & Holder, 2008, p. 469).

Decolonizing planning and municipal-First Nation relationships requires foregrounding Aboriginal peoples' right to self-determination in decision-making processes moving forward (Dorries, 2012). Challenging established municipal governance and planning practices will require determination, honesty, and even courage, from politicians, planners, and other municipal officials.

In this thesis research I suggest that the City of Calgary and the Tsuut'ina Nation should work toward the principles of reconciliation as laid out by the *Report of the Royal Commission on Aboriginal Peoples* (1996, vol. I): mutual recognition, mutual respect, sharing, and mutual responsibility. Mutual recognition involves co-existence by non-Aboriginal and Aboriginal people, where each provides the other with room for autonomy. Mutual respect refers to a "quality of courtesy, consideration and esteem" that marks interactions between individuals and communities, even in the face of cultural difference (RCAP, 1996, vol. I, p. 649). Sharing is similar to the concept of mutual benefit, but implies a balance between "the giving and receiving of benefits" (RCAP, 1996, vol. I, p. 651). The final principle is mutual responsibility, which Aboriginal people and non-Aboriginal people have to each other, and to the land. Building relationships built upon these principles of reconciliation is an example of transformative practice, which I discuss below.

Transformative Planning

Individuals who engage in transformative practices "refuse to accept that the current way of doing things is necessarily the best way; they break free from concepts, structures and ideas that only persist because of the process of continuity" (Albrechts, 2010, p.1117). In the context of municipal governance and land use planning, transformative practice is tasked with "identifying and implementing strategies that transform structures of Aboriginal political, social, cultural, and economic oppression" (Walker & Belanger, 2013, p. 201). Transformative planning has to occur

with First Nations, and cannot be undertaken by planners *for* them (Viswanathan, McLeod, King, Macbeth, & Alexiuk, 2013). Transforming municipal policies and land use planning practices so that they align with First Nations rights and interests is a significant task, and requires more than “the reshuffling of management models and procedural rules” (Porter, 2010, p. 78-79). This is not to suggest that individuals can easily change or ignore deeply embedded institutional structures, but instead that politicians, planners, and other municipal officials need to look for strategic opportunities to maneuver within or to shift these structures. A personal commitment to build equitable relations with First Nations is an important quality for planners, but so is “is the ability to focus on moments within institutional rules and parameters where real and lasting change can be achieved. It is about influencing and shaping the institutions and rules within which planners work” (Porter, 2004, p. 109). Sandercock (2003) also concludes that transformation requires both political leadership and institutional change. An understanding of how institutions enable and constrain action is therefore an essential component of transformative planning practice. The field of new institutional analysis is a useful body of literature to consult on this subject since decolonized municipal-First Nation relations are unlikely to persist if they are not supported by appropriate institutional structures, including organisational policies, discourses, and values (Healey, 2004).

New Institutional Theory

Both theoretical frameworks described and used in this research are grounded in new institutional theory³, although, as will be explained in Chapter 4, they emphasize different dimensions of institutional analysis and therefore fall within different subfields of new institutionalist terrain. As

³ New institutionalism is often just referred to as ‘institutionalism’, and is sometimes referred to as ‘neo-institutionalism’. The terms ‘traditional institutionalism’ or ‘old institutionalism’ refer to the more narrow study of formal government institutions.

applied to planning theory, new institutional analysis embeds land use planning and development activities in an institutional matrix and examines how these activities are shaped by and shape this matrix (Verma, 2007). Institutions, as Healey (2007) explains, “are expressed in formal rules and structures, but also in informal norms and practices, in the rhythms and routines of daily collective life. They structure the interactional processes through which preferences and interests are articulated and decisions made” (pp. 64-65). Healey (2007) identifies four ideas that distinguish new institutionalism from other analytic approaches, although these ideas are found to varying degrees within the sub-fields of new institutionalism. First, new institutionalists do not conflate institutions with organisations; rather, institutions “provide the ‘rules of the game’, while organisations - like individuals – are players within that game” (Lowndes, 2001, p. 1958). This distinction separates new institutionalism from traditional institutionalism, an approach which has fallen out of academic favour for narrowly equating political dynamics with formal organisations like government bodies (Lowndes, 2001). Of course, Lowndes (2005) explains that organisations are also structured by institutions that exist “below, above and alongside” them (p. 294), with the effect that organisations and individuals exist in a complex institutional matrix. Second, unlike rational comprehensive approaches, (e.g. Faludi, 1987), institutional analysis examines interactions, not decisions. Institutionalists argue that individuals, including planners, are embedded in institutional structures that constrain and enable their actions and even thoughts, and therefore individuals are limited in their rational ability to translate knowledge into action. As a result, new institutionalists stress that planning issues need to be approached with an awareness of the context they are embedded within. Third, new institutionalism draws on Giddens’ (1984) conception of the duality of structure and agency, which explains that people both reproduce and transform the social systems they are a part of. People interact in social systems with structural properties – rules and resources - and it is these structural properties that individuals consciously

and unconsciously draw on and recombine through their actions. Giddens (1979) explains that “the structural properties of social systems are both the medium and the outcome of the practices that constitute those systems” (p. 69). Therefore, Giddens’ (1984) structuration theory maintains that structure is “both enabling and constraining” (p. 162). This is in contrast to structural theory, which characterizes structure as an external barrier to action. Because action shapes structure, just as structure shapes action, new institutionalists (and to a lesser degree historical institutionalists) argue that intentional institutional transformation is possible. The possibility of transformative and decolonizing planning practice flows from this principle. Fourth, new institutionalists, and in particular sociological institutionalists, stress that institutional design, or the transformation of institutional structures, requires not just changes to formal policy and procedures, but also to the discourses and cultural references which influence how actors engage with these new rules (Healey, 2007).

Three rather distinct schools of thought fall under the umbrella of new institutionalism: historical institutionalism, rational choice institutionalism, and sociological institutionalism (Hall & Taylor, 1996). Historical institutionalism directs attention to the rules and norms that permeate formal organisations and as an approach it emphasizes path dependence and the influence of unintended outcomes. Rational choice institutionalism embeds the rational, benefit maximizing actor of neo-classical economics into an institutional context that structures information and choices. Sociological institutionalism takes the most expansive view of institutions, and defines institutions as “not just formal rules, procedures or norms but symbol systems, cognitive scripts, and moral templates that provide the ‘frames of meaning’ guiding human action” (Hall & Taylor, 1996, p. 947). Institutions under this definition not only constrain and enable action, they also constrain and enable the preferences and identity of actors. New institutionalism provides a way to think

about transformative planning as a process that occurs through individual action and structural change.

Municipal-First Nations Relations

Most academics have approached the study of Aboriginal governments and peoples in the context of provincial or federal legislation and policy, and literature on municipal-Aboriginal relationships is limited (Nelles & Alcantara, 2011). The interface between neighbouring municipalities and First Nations is complicated, largely because municipalities exist as ‘creatures of the province’, while First Nations are largely under the policy purvey of the federal government. However, Walker (2008) proposes that for First Nations with urban or near urban reserves, while their most *formal* relationship might be with the federal government, their most *strategic* relationship is with their neighbouring municipality. Recently academics have begun to devote more study to municipal-First Nation relations (Alcantara & Nelles, 2009; Dorries, 2012; Nelles & Alcantara, 2011; Walker, 2008; Walker & Belanger, 2013; Wood, 2003).

Nelles and Alcantara (2011) demonstrate that municipalities and First Nations are increasingly finding ways to collaborate, despite the lack of a straightforward jurisdictional interface. The authors highlight the growth of First Nation-municipal agreements in British Columbia, of which there are four general agreement types: 1) relationship building, 2) decolonization, 3) capacity building, and 4) jurisdictional negotiation (2011). Nelles and Alcantara (2011) show that jurisdictional agreements are the most common type of agreements signed by First Nations and municipalities, and these documents set out parameters for things like lease agreements and provision of utilities and community services. However, relationship-building and decolonization agreements have become more common in recent years, which suggests that some First Nations

and municipalities are shifting toward more collaborative rather than business-type relations (Nelles & Alcantara, 2011). Although Nelles and Alcantara (2011) do not evaluate if joint agreements correlate with or caused improved municipal-First Nations relationships, they suggest that the increasing number of agreements signals “that both First Nations and municipal governments have progressively recognized the mutual benefits of collaboration and have sought to formalize these new relationships” (p. 327).

In one of the few academic papers published on First Nation and municipal government relationships, Alcantara and Nelles (2009) draw from a case study of the Kwanlin Dün First Nation (KDFN) and the City of Whitehorse to examine the factors that led to cooperation or non-cooperation. Because, at the time, a theoretical framework to analyze cooperation between First Nations did not exist, the authors adapt the previous work of Nelles (2009), who combined elements of historical institutional theory, second-generation rational choice theory, and social capital to evaluate the factors that influence the emergence of inter-municipal cooperation. Similar to this thesis research, Alcantara and Nelles (2009) utilized semi-structured interviews, policy analysis, and document analysis. They conclude that existing social ties between the communities and local political leadership were the most important factors that allowed for a cooperative outcome over a KDFN land claim in Whitehorse.

Walker (2008) suggests that even without clear federal or provincial guidance on how municipalities can and should work with Aboriginal peoples and governments, “municipalities should not wait around for other governments and should improve work with Aboriginal communities because they have the power to do so and it is impractical not to” (p. 23). In the same paper Walker (2008) describes five areas municipalities should prioritize and work on in order to enhance their ‘interface’ with urban Aboriginal peoples and near-urban Aboriginal communities.

Particularly relevant to this thesis research is Walker's (2008) discussion of urban reserves and how development on these lands can result in economic benefit for both First Nations and municipalities. Although urban reserves and reserves located adjacent to municipalities are not the same thing, some of the planning and development issues that First Nation and municipal governments in these situations must tackle are similar. Issues that might arise include the provision of municipal services, planning and development coordination, and a fear by municipal politicians that tax revenue will be lost (Walker, 2008). Hausam (2013) argues that municipalities and Indigenous communities in Canada and the United States will increasingly find themselves interacting, due to "[s]overeignty, self-governance, and increasing tribal populations" (p. 172). As Indigenous communities become more politically powerful and rightly regain their lost lands, non-Indigenous communities may "fear losing tax revenue, legal authority over the land, natural resources, and public access" (Hausam, 2013, p. 172).

In 2002 Alberta Municipal Affairs (AMA) released the results of a survey that was conducted with politicians and employees from municipal governments and municipal government organisations in order to better understand their experience with First Nation-municipal relationships. The report should be interpreted with care because the authors did not consult with First Nation representatives. According to the report, survey participants felt that communication and face-to-face meetings were the most important factors for establishing and maintaining positive relationships with First Nations (AMA, 2002). These findings are similar to those of the Federation of Canadian Municipalities (FCM) (2004), who conclude that communication, mutual respect and trust, and joint capacity-building are key to successful municipal-First Nation relationships. Additionally, the AMA (2002) reported that some communities have formalized their relationship through memoranda of understanding, agreements in principle, and service agreements. Although relationships between municipal and First Nation governments will not be without their challenges,

the report concluded that too often “relationships are defined in context of these challenges rather than in the context of identifying and exploiting common interests and mutual gains” (2002, p. 13).

Municipalities are more likely to collaborate with First Nations when the interests and rights claims of First Nations align with that of the municipality in question (Belanger & Walker, 2009; Fraser & Viswanathan, 2013; Nelles & Alcantara, 2014). As discussed in the introduction chapter, Belanger and Walker (2009) refer to this phenomenon as “interest convergence”, which they define as

the point when concerted attempts will be made by mainstream officials to correct mismatches and disparities destabilizing the smooth functioning of mainstream society. Accordingly, the interests of non-mainstream populations (e.g., Aboriginal) in achieving social equality are accommodated only when they converge with the interests of dominant society. (p. 124)

When interest convergence occurs it can result in beneficial outcomes for both municipalities and First Nations. However, interest convergence is a weak foundation to build municipal-First Nation relationships upon, as the notion does not capture the responsibility of municipalities and planners to work with First Nations for normative reasons, such as reconciliation and to support the Aboriginal right to self-determination. Instead, municipalities should work toward organisational arrangements that will buttress the relationships they share with First Nations, in order to protect these relationships from political turnover and changing municipal priorities (Belanger & Walker, 2009). Furthermore, Belanger and Walker (2009) argue that these strategies should be arrived at through municipal-First Nation discussion and co-production.

Pragmatic Reasons to Cooperate

In addition to the normative and rights-based reasons for municipalities to pursue better relations with their First Nation neighbours, there are also pragmatic reasons. Practitioner-oriented

publications often present the benefits of better First Nation engagement in terms of legal, political or economic benefits (e.g. Daum Shanks, 2007). Partnerships can result in more cost efficient service provision, increased economic development, and joint capacity building (FCM, 2004). There is also a growing realization that some issues, including watershed management, transportation, and economic development, span boundaries and are better solved by inter-governmental collaboration (LeRoux, Brandenburger, & Pandey, 2010). Reimer (2013) refers to this as the “enlargement of the urban scale” (p. 4655). It is increasingly common for municipalities to form horizontal networks with other municipalities to tackle regional issues (Reimer, 2013), and recently, municipalities and First Nations have begun to forge these same types of cooperative, horizontal links (Nelles & Alcantara, 2011). Cooperative relationships can be a powerful process of reconciliation, because they do not rely on policy or legislative changes to occur at the federal or provincial level.

Chapter 3: Methods

Research Design: A Qualitative, Post-Modern Case Study Approach

Examining the emergence of a cooperative relationship between the City of Calgary (“the City”) and the Tsuut’ina Nation (“the Nation”) and exploring how the two communities can sustain and build upon their relationship required a research design that could capture the complexity of the developing relationship and the case-specific context that influenced this process. I therefore decided to use a qualitative case study approach to guide this research. Yin (2014) explains that case studies are suited for examining complex phenomena in their real-world context, something which experiments and surveys cannot accomplish. Case study research uses multiple sources of data and “[t]his ensures that the issue is not explored through one lens, but rather a variety of lenses which allows for multiple facets of the phenomenon to be revealed and understood” (Baxter & Jack, 2008, p. 544). In the context of this thesis research, I utilized a variety of lenses by considering multiple factors to explain the emergence of a positive City-Nation relationship, and by drawing on multiple methods and multiple sources of information within each method.

This research is qualitative in nature because I used interviews and document review which rely on subjective interpretation. In a broader sense, my use of the term qualitative means that I acknowledge “the socially constructed nature of reality, the intimate relationship between the researcher and what is studied, and the situational constraints that shape inquiry” (Denzin & Lincoln, 2011, p. 8). Additionally, qualitative research involves “interpretive meaning-making” by both researchers and the research participants (Kovach, 2009, p. 25). Therefore, this research should be understood within a postmodern framework, as opposed to a positivist framework,

because the process of interpretation means that the results are the product of “knowledge construction” rather than “knowledge collection” (Kvale, 2007, p.19). Although subjectivity cannot be eliminated from qualitative research, it can be mitigated by triangulating methods and sources, by being as transparent as possible about the research process, and by practicing critical reflexivity (Dowling, 2010; Yin, 2014). This chapter describes the methods that I used to collect and analyze information, and how I situated myself as a researcher conducting a qualitative inquiry.

Case Study Design

My research utilizes a single-case design of the City-Nation relationship to explore the factors that influence municipal-First Nation cooperation. Yin (2014) contends that single-case designs, as opposed to multiple-case designs, are appropriate in certain circumstances, such as when the case is *longitudinal*. Because I examine how and why the relationship between the City and the Nation evolved over a period of time - the course of the ring road negotiations - this research meets Yin’s (2014) definition of a longitudinal case design. Although I could not make comparisons across cases, the longitudinal approach allowed me to draw within-case temporal comparisons (Baxter, 2010). Because this research looks back in time, it is more precisely characterized as a *retrospective* longitudinal case study (Baxter, 2010). Baxter (2010) cautions that relying solely on semi-structured interviews in retrospective studies can introduce bias because interview participants may have difficulty recalling past events; however, this bias can be minimized by triangulating interview accounts with sources like other interviews, journalistic accounts, and policy documents. Consequently, where possible, I triangulated interview findings with other data. In some cases interview findings were not expected to converge with other accounts, particularly when interview participants were speaking in terms of their own opinions.

Ethics Approval

In the summer of 2014 I contacted Peter Manywounds, Chief Executive Officer and spokesperson for the Tsuut'ina Nation, to discuss my project. We came to an agreement over who I would interview and what information I would be granted access to, and my project was put before Chief and Council for approval. I was granted ethics approval from the Nation on November 6, 2014 (see Appendix I: Research Ethics Approval). This project also received ethics approval from the Queen's University General Research Ethics Board in November 2014, following a full review (see Appendix I: Research Ethics Approval). Approval meant that my research proposal complied with Queen's ethics guidelines as well as with Tri-Council Guidelines (TCPS 2) regarding research involving humans, and specifically research involving First Nations, Inuit, and Métis Peoples of Canada.

Research Methods

I undertook a literature review before conducting document review, policy analysis, or interviews. This review, and in particular the work of Nelles and Alcantara (2014), provided a framework from which to explore the factors that affect the emergence of municipal-First Nation cooperation. As my research progressed I soon became interested in not only the factors that explain episodes of cooperation, but also in the factors that explain why some municipal-First Nation cooperative relations last and others do not. This emerging interest led me to consider how relations between the City of Calgary and the Tsuut'ina Nation could be sustained and built upon. I began reviewing literature on governance transformation and Healey's (2004) work on institutional dynamics resonated with my initial case study findings.

By reviewing relevant literature before I collected data I became aware of previous findings and theories that my own findings could either corroborate or contradict (McCracken, 1988). Additionally, the review revealed the kinds of information I needed to collect in order to test my theoretical propositions. Applying my theoretical frameworks – based on Nelles and Alcantara (2014) and Healey (2004) - to my initial findings was a deductive exercise. However, as Baxter (2010) explains, “qualitative research in practice is rarely a purely deductive or purely inductive endeavour” (p. 89). Inductive inquiry occurred as I examined my case in greater detail and modified and refined my initial frameworks in response to real-world information. This process continued over the course of my research, as the way I looked at the relationship between the City and the Nation cycled through deductive and inductive modes of inquiry.

Both my first and second research question were informed by document review, policy analysis, and semi-structured interviews. My interview guides were designed to cover both research questions. While undertaking document review I looked for documents that contained information that was relevant to one or both of my research questions.

Because this case study is retrospective in nature, it was a labour-intensive task to identify key players and events. I benefitted immensely from reviewing the comprehensive blog, *Calgary ring road: The history of a road* (<https://calgaryringroad.wordpress.com>), which tracks and analyzes the ring road project, and is written by an independent researcher, Jesse Salus. The blog posts are based on news articles, interviews, and primary documents, and were a helpful primer before I began my own independent research on this topic. Additionally, Salus has assembled an extensive collection of primary sources and was generous in sending me scanned copies when I requested them.

Document Review

Document review is an important component of case study research (Yin, 2014). To understand the context of the City-Nation case I reviewed news articles, legislative documents, contracts, and planning and policy documents. Over the course of my research I collected approximately 200 news articles and opinion pieces that discussed the southwest Calgary ring road, relations between the City and the Nation, and/or regional planning in the Calgary region. Ordering these articles from date of publication and reviewing them in order allowed me to construct a chronology of events for the case. The majority of articles I reviewed came from two daily Calgary-based newspapers (*Calgary Herald* and *Calgary Sun*) that differed in their biases, as was obvious when reading articles in the opinion section. I also collected articles from an Aboriginal newspaper (*Alberta Sweetgrass*). Finally, the news article review was augmented by articles from national papers and web-based broadcasts. Where possible I corroborated findings from semi-structured interviews with news articles and in some cases interview participants were able to fill in knowledge gaps not covered by news articles.

Policy Analysis

It was also important to understand the legislative, regulatory, and policy context of the City-Nation case. I reviewed federal legislation, including the *Constitution Act, 1867* and the *Indian Act*. I also reviewed provincial legislation, including Alberta's *Municipal Government Act*, which guides the operation of municipalities, and the *Alberta Land Stewardship Act (ALSA)*, which became law in 2009 and guides regional planning. The *South Saskatchewan Regional Plan*, which covers a large portion of southern Alberta, including my study area, falls under the ALSA and was approved by Cabinet in 2014. I also reviewed the *Calgary Metropolitan Plan (CMP)*, which covers planning for the Calgary region. The CMP has not yet been approved, as several components of

the plan are disputed by Rocky View County and the M.D. of Foothills (Dormer, 2014, March 28). Finally I reviewed a number of past and present Calgary transportation and land use plans that were relevant to the southwest Calgary ring road or surrounding land. I did not view any Tsuut'ina Nation land use plans as they are generally not available to non-Nation members. In addition to legislation and plans, I reviewed a number of agreements that were signed over the course of ring road negotiations, including the final southwest Calgary ring road agreement, signed by the Nation and the Province in 2013, and a master services agreement, signed by the Nation and the City in 2014.

Interviews

According to Dunn (2010), interviews are an effective way for researchers to test or verify tentative hypotheses; fill knowledge gaps left by other methods; gather insight into the experiences, motivations, and opinions of individuals; and consider multiple perspectives. To this end, I conducted semi-structured interviews with ten individuals who were involved with the ring road negotiations and/or who are involved with ongoing relations with the City or the Nation.

Interview Participants

I conducted ten interviews for this research, all of which took place between December 2014 and April 2015. Interview participants were initially selected through purposeful sampling (Patton, 2002) based on background research that indicated they had first-hand experience with the ring road negotiations or could provide insight on the relationship between the City and the Nation. I identified subsequent interview participants by asking at the conclusion of each interview if there were other individuals I should try to speak with, and by noting the names of individuals who were mentioned during interviews. I recognized it was important to select a variety of participants so that collectively they provided multiple and sometimes contrasting perspectives (Rubin & Rubin,

2005). While the number of interviews conducted was constrained by time and resources, research credibility was maintained by triangulating interviews with other methods and by interviewing participants who were knowledgeable about the research problem (Rubin & Rubin, 2005).

I purposefully interviewed officials from the Nation before all other interview participants in order to test my initial indicators of cooperative First Nation-municipal relations. As a student and non-First Nations person I did not want to assume that these concepts would resonate with their experience. Upon interviewing two individuals from the Nation it became apparent that I had to modify my indicators and therefore some of my questions for other participants. In terms of building and sustaining positive relationships, I had overestimated the relevance of formal mechanisms and policies, such as formal agreements and the duty to consult, and underestimated the importance of informal mechanisms, such as regular communication and face-to-face meetings. Modifying analytic categories in response to collected information is not uncommon in qualitative research (McCracken, 1988).

In total I conducted two interviews with senior non-elected officials from the Tsuut'ina Nation; one individual was involved in the 2009 ring road negotiations and one was involved in the 2013 negotiations. Although my research focuses on municipal-First Nation relations, I interviewed a provincial official who was familiar with the 2013 negotiations to evaluate the influence the Province had, if any, on City-Nation relations. The Province negotiated directly with the Nation for the ring road project, while the City played an advisory role. Considering Provincial influence on City-Nation cooperation was a form of hypothesis testing in that it was an alternate explanation and allowed me to avoid placing undue emphasis on the role of the City or Nation.

I conducted five interviews with people from the City of Calgary: one senior City representative and four people who work in business units that all fall under different municipal departments. In

order to preserve the confidentiality of my participants I identify each participant by their business unit and not the more specific subdivision, as some subdivisions have few employees. Interview participants were from the following business units: City Wide Policy and Integration, Transportation Planning, Water Resources, and Community and Neighbourhood Services. The interview participant from Community and Neighbourhood Services is also involved with the Calgary Aboriginal Urban Affairs Committee. Interviewing employees from a variety of departments allowed me to discern to what extent the cooperative City-Nation relationship has spread from the political level to the administration level.

Because I was interested in how the Nation and the City interacted with other neighbouring communities, I interviewed a former senior planner from the County of Rocky View. Rocky View is a large rural municipality that shares a border with both the Tsuut'ina Nation and the city of Calgary. I also interviewed a resident of the Calgary community of Lakeview. Lakeview borders the Tsuut'ina Nation and became the most likely site for the road after the 2009 ring road agreement was rejected. The Lakeview community resisted this plan and pressured the City and the Province to find a route that would avoid destruction of neighbourhood homes.

All interviews were conducted in confidentiality, and the names of interview participants are withheld by mutual agreement. See Table 1 for a summary of the interviews and how they are identified in the text of this research.

Table 1. Interview participants.

Interview Participant	Notation in thesis
Tsuut'ina Nation senior administrator, involved in 2009 negotiations	Nation representative, interview, December 12, 2014
Tsuut'ina Nation senior administrator, involved in 2013 negotiations	Nation representative, interview, December 19, 2014
Lakeview community member	Lakeview community member, interview, January 2, 2015
Senior City representative	Senior City representative, interview, February 17, 2015
City employee, Calgary Aboriginal Urban Affairs Committee, Community and Neighbourhood Services	City employee, interview, February 17, 2015
City employee, City Wide Policy and Integration	City employee, interview, February 19, 2015
City employee, Transportation Planning	City employee, interview, March 18, 2015
City employee, Water Resources	City employee, interview, March 30, 2015
Provincial official, familiar with 2013 negotiations	Provincial official, interview, March 2, 2015
Former senior planner, County of Rocky View	County planner, interview, April 1, 2015

Recruitment

My interviews with two non-elected officials from the Tsuut'ina Nation were facilitated by a Nation spokesperson who provided contact information for people he thought I should speak with. All other interview participants were contacted using publicly available email addresses or phone numbers.

Each participant was provided with a letter of information and a consent form to review (see Appendix II: Letter of Information and Consent Form). With the exception of two officials from the Tsuut'ina Nation who gave verbal consent, all contacts provided written consent forms that were completed in person or scanned and emailed to me. In order to allow time for reflection, I

provided participants with the interview questions approximately a week before the interview took place, although some participants noted they had not reviewed the questions beforehand.

I contacted five additional potential participants (one from the Province, three from the City, and one consultant) but these individuals either declined to participate or did not get back to me.

Interviews

Interviews were semi-structured and generally followed an interview guide of questions which related to the research questions or case context. In consultation with my research supervisors, I prepared a different interview guide for each category of participant: Tsuut'ina Nation representatives, Provincial official, municipal staff, and community resident (see Appendix III: Sample Interview Guides). Within these categories some of the interview questions varied based on the experience and position of the participant, as well as time allotted for the interview, but many of the questions remained the same. Each interview guide evolved slightly as some questions were modified or added to the guide based on findings from previous interviews (Rubin & Rubin, 2005). The flexible nature of the semi-structured interviews allowed me to ask additional questions when unexpected but interesting points were brought up by participants (McCracken, 1988).

I conducted five interviews in person, and five over the phone. Rubin and Rubin (2005) argue that phone interviews are not ideal for in-depth interviews because it is more difficult to build rapport over a phone conversation, but concede that they are acceptable when resources are not available to meet with participants in person. Phone interviews were valuable for this research because they allowed me to interview participants I did not have resources to interview otherwise.

Interviews lasted between thirty minutes to three hours, although the typical span for an interview was about forty-five minutes. All interviews were recorded with a digital audio-recording device, except for one interview where I instead took detailed notes. After completion of the unrecorded

interview I typed my handwritten notes and added additional comments. Before each interview began I confirmed that the participant was comfortable being recorded.

Interview considerations

I was aware that interview participants could potentially misremember or exaggerate events, and so I interpreted interview results in an open-minded but cautious manner. Haveri (2008) explains that researchers of governance transformation will likely encounter ‘the rhetorical wall’ during interviews. This occurs when interview participants describe organisational changes as if they have occurred, but are actually speaking in terms of intention rather than action. This phenomenon may lead researchers to overestimate the extent of positive institutional change taking place, as the “rhetorical wall indicates an overly positive interpretation of reality and an emphasis on possibilities and plans rather than what happens on the ground” (Haveri, 2008, p. 148). Participants may speak in this way for two reasons: (1) they overestimate the ease in which goals can be accomplished or policy implemented, and therefore speak of transformation as if it had already occurred, and, (2) to present what they believe is a more favourable image of their organisation (Haveri, 2008).

Haveri’s finding suggests that the results of governance transformation research are strengthened by collecting data using multiple methods and from multiple sources. I practiced triangulation by interviewing a variety of participants, and took particular care to interview Calgary employees that represented a variety of business units within the City administration. I also verified interview accounts of institutional change against news articles and policy documents. Furthermore, when I recognized during interviews that interviewees were speaking in vague or general terms I attempted to prompt them to give specific examples of practice.

In addition to shaping my research methods, the intention-action gap has direct implications for my second research question, which asks how cooperative relations between First Nations and municipalities can be enhanced and sustained. The difficulty that actors face in translating possibilities into change, and the complexity involved in evaluating that task, supports my use of a new-institutionalist framework to evaluate governance; new-institutionalism illuminates how change is context-dependent and how decisions are influenced by deep-seated structures, rules and norms (Healey, 2006a). These implications are discussed further in Chapter 6.

Interview Transcription

I transcribed each recorded interview in its entirety, from when the audio recorder was turned on until it was turned off. Although some academics (see McCracken, 1988) discourage researchers from transcribing their own interviews, citing the rationale that researchers become too close to their data and that doing so is labour intensive, I found transcribing my interviews to be a useful exercise. Listening to the interviews allowed me to improve my interviewing skills for subsequent interviews, provided an opportunity for tentative content analysis, and allowed me to control the quality of the transcription.

Because there is no perfect translation between speech and the written word, Kvale (2007) contends that “rather than being a simple clerical task, transcription is an interpretive process” (p. 92). Transcription involves deciding how to represent what was said, how much to include, and with what degree of precision (Kvale, 2007). Transparency in transcription choices is important because transcripts tend to be viewed as “solid rock-bottom empirical data” (Kvale, 2007, p. 93). In order to mitigate subjectivity I transcribed interviews verbatim, meaning that I captured grammatical errors, repeated words and false starts, filler words like *ah* and *um*, and I spelled words as they were pronounced (for instance writing ‘*cause* instead of *because*) (Rubin & Rubin,

2005). I also indicated in the transcript where interview participants had paused for a lengthy period before answering a question.

Before a quotation was included in the text of this work I listened to it in the audio file again to ensure accuracy of translation. Where I deemed that a verbatim quotation was distracting I removed some of the grammatical errors, digressions, and filler words before including it in written work, so long as these changes did not alter the meaning of the interview participant.

Interview Feedback and Verification

Yin (2014) notes that participant feedback is one way to improve the accuracy of research. After I completed analysis and began to write up my results, I sent interview participants an email with quotations and paraphrased ideas that I wanted to use, and included the text that they would be inserted in. I verified with participants that they were comfortable having these statements included. This ensured that I was not taking a comment out of context or had misinterpreted what was being said. All ten participants responded to my email, and five requested minor changes.

Coding and Analysis

My research process was like that of all qualitative research, where “data collection and analysis occur concurrently” (Baxter & Jack, 2008, p. 554). As I gathered more information and talked with my thesis research supervisors, certain patterns in the data began to emerge. I tested my understanding of these patterns throughout the research process by subjecting them to alternate theories, and in some cases I modified my original theoretical frameworks to better capture this real-world information (Baxter, 2010). By journaling tentative explanations, I was able to track how my thinking and hunches evolved over the course of the research. This being said, my research was marked by a period of more intensive data analysis, which began after I completed the

transcription of all of my interviews and started to code my interview transcripts. The literature review and initial interviews with members of the Nation were instrumental in developing the initial set of themes that would drive the questions posed in the remaining interviews and ultimately the initial set of deductive codes.

Cope (2010) explains that the purpose of coding qualitative information is threefold. First, it reduces large amounts of data into a manageable size to analyse. Second, it organizes relevant information into categories, some of which is useful for analysis and some of which is important for the case context. Third, coding is a significant part of analysis and theory-building. To code my interview transcripts I used the five-step method described by McCracken (1988), which is a systematic way to analyse written documents, and where each step of analysis moves toward increasing levels of generality. This process shifts the focus from the specifics of a case and towards more abstract themes and theory that are potentially transferable to other cases. Throughout this process I used the software program NVivo10, which allowed me to review written documents and mark words or sections of text with key words and codes.

The first stage that McCracken (1988) describes involves carefully reading the transcripts, sorting out important from unimportant material, and commenting only on important material. At this stage I was looking for content that directly or indirectly related to my research questions, and I paid careful attention to potentially relevant concepts, themes, events, and people (Rubin & Rubin, 2005).

The second stage of coding involves examining comments made on the transcript and judging if, when taken together, these comments suggest new themes or concepts (McCracken, 1988). I then read my transcripts again through the lens of these new categories. I left additional comments on

each transcript, and in some cases commented on my previous comments; this is a reflective practice in research coding and analysis.

The next stage of coding moves from the written work itself and focuses on the comments that have been left. At this stage I used the NVivo10 software program to examine my comments and the text that they applied to. I distilled comments into shorter phrases and key words, and looked for patterns where I could code text with the same phrases and key words.

The fourth stage of analysis involves reducing the number of themes or codes by looking for related concepts and grouping them together under headings that unite these concepts (McCracken, 1988). At this stage I examined the initially-developed codes to see if they could be united into more general groupings.

The fifth stage is the final stage of analysis, and is where careful thought is applied to how the themes created in the previous stages relate to the initial research questions, and how this should be presented in writing up the data (McCracken, 1988).

Each stage requires concentrating on the task at hand and I found it was not possible to analyse the data with both of my research questions in mind. As a result I moved through this process twice, coding the transcripts for my first research question before I moved on to my second research question.

Reflexivity

Qualitative researchers cannot completely detach themselves and the biases they hold from the research process because “qualitative research is interpretive,” and “the stories of both the researcher and research participants are reflected in the meanings being made” (Kovach, 2009, p. 26). Therefore, self-reflection and honesty about personal biases is an essential undertaking for

qualitative researchers, particularly in cross-cultural work (Kovach, 2009). Dowling (2010) defines this process as critical reflexivity, which “means acknowledging rather than denying your own social position and asking how your research interactions and the information you collect are socially conditioned” (p. 37). To facilitate reflexivity I kept a journal where I noted my thoughts on the research findings and my role in gathering, interpreting, and presenting information. Conversations with my supervisors were also helpful in reflecting on the work. While I attempted to mitigate bias, this work is influenced by my position as a planning student and by my identity as a non-Aboriginal Albertan.

Chapter 4. Theoretical Frameworks

This chapter introduces two theoretical frameworks to explore my research questions: (1) what are the factors that encouraged cooperative relations to emerge between the City of Calgary (“the City”) and the Tsuut’ina Nation (“the Nation”), and (2) how can the renewed relationship between the City and the Nation be sustained and built upon so that it embodies principles of mutual recognition, mutual respect, sharing, and mutual responsibility? The theoretical framework I first discuss in this chapter examines the factors that affect the capacity and willingness of municipalities and First Nations to cooperate with each other on land use planning and development issues. This framework is based on previous work by Nelles and Alcantara (2014) concerning Aboriginal-municipal cooperation and illuminates the factors that led to more cooperative relations between the City and the Nation in the context of the ring road negotiation. The second framework I discuss in this chapter examines the potential for governance initiatives to become institutionalized in organisational practice and is adapted from Healey’s work on governance transformation (2004). In this case, the newly cooperative relationship between the City and the Nation can be understood as a governance innovation. Healey’s framework allowed me to assess the extent to which current organisational arrangements within the City support a sustained and positive relationship with the Nation. This research is based on the assumption that municipal-First Nation relationships that are supported by organisational structures are more likely to persist than those that are only supported by ties between individuals. Additionally, Healey, Cars, Madanipour, and de Megalhães (2002) argue that politicians and administrators need to recognize that “accomplishing collective action is not a goal in itself. When reconsidering governance arrangements, it is necessary to consider the purpose of such activity and its

legitimacy” (pp. 22-23). Therefore, and in following with the vision of the *Report of the Royal Commission on Aboriginal Peoples* (RCAP) (1996, vol. I), I make the normative argument that the City and the Nation should strive for a renewed relationship built on the principles of “mutual recognition, mutual respect, sharing, and mutual responsibility” (vol I, p. 694).

Distinct theoretical frameworks were required to explore each thesis research question. My first question is largely analytical – it seeks explanations for cooperation or non-cooperation – while my second research question has both analytical and normative dimensions – it starts from the assumption that relationships between municipalities and First Nations should be both mutually beneficial and respectful, and then seeks to understand how organisations can implement practices and policies to support these types of relationships. Nelles and Alcantara’s (2014) framework of municipal-First Nations cooperation broadly outlines the factors that influence relationships in terms of cooperation and provides theoretical expectations for when cooperation will emerge and when it will not. However, there is no guarantee that cooperative relationships will endure, and Healey (2006b) writes that “the literature on experimentation with new forms of collaboration identifies many situations where the flow of creative learning to other governance sites is blocked by the structures and routines of established governance processes” (p. 327). Similarly, Belanger and Walker (2009) argue that municipalities are more likely to collaborate with First Nations in cases where their interests converge. This means that relationships between municipalities and First Nations can dissolve in times of conflict, or when Aboriginal rights and claims threaten the privilege of the municipality. Interest convergence is a similar concept to mutual benefit, and Nelles & Alcantara (2014) state that their theoretical framework rests on the assumption of mutual benefit. Therefore, it was not an appropriate framework to understand how relationships between municipalities and First Nations can persist. In order to understand the types of organisational arrangements the City can work toward to move the relationship from a potentially fleeting

‘episode of cooperation’ or a short period of ‘interest convergence’ to an institutionalized way of operating, Healey’s model is helpful because it shifts emphasis toward the practices, discourses, and cultural values which constrain or enable the institutionalization of governance innovations. The two theoretical frameworks, taken together, then provide the analytical tools to examine the emergence of the City-Nation relationship and how it can be sustained and built upon. Although located in different subfields, both of these frameworks fall within a theoretical approach known as new institutionalism, or new institutional theory, as described in the literature review. Nelles and Alcantara’s (2014) falls closest to a historical institutionalist approach because their model of municipal-First Nation cooperation emphasizes the effect of historic structuring effects. At the same time their framework also borrows elements from sociological institutionalism, which is demonstrated by the weight they give to the influence of community leaders. Healey’s (2004) framework of governance transformation falls within the sociological institutionalist approach, as it emphasizes the role of individual agency and cultural assumptions more so than Nelles and Alcantara (2014).

Section One: The Emergence of Municipal-First Nation Cooperation

This section of the chapter sets out an Aboriginal-municipal cooperation framework, modified from Nelles and Alcantara (2014), which I later apply in Chapter 6 in order to examine the factors that influenced relations between the City and the Nation. This theoretical model utilizes an array of variables connected to the concepts of capacity and willingness in order to explain periods of cooperation and non-cooperation between the City and the Nation. When viewed through this lens it is apparent that cooperative relations are influenced by much broader forces than simple cost-benefit analyses can account for.

Although municipalities and First Nations are increasingly collaborating on planning matters of mutual interest, including utilities provision and joint development projects, and while there is practical interest in forging stronger relationships, there are limited theoretical frameworks to explain the emergence of cooperative municipal-First Nation relations (Nelles & Alcantara, 2014). Work by Nelles and Alcantara is the exception to this rule. In their most recent work, Nelles and Alcantara (2014), advance a framework to explain why some communities cooperate and others do not, and their analysis focuses on the *capacity* and *willingness* of municipal and First Nation governments to engage in cooperative activities. In this following section I describe their analytical approach. This framework builds on a model previously developed by Alcantara and Nelles (2009), which explained cooperation between First Nations and municipalities through the influence of three categories of variables: institutions, opportunities and threats, and civic capital. That model was in turn modified from Nelles' (2009) doctoral dissertation where she united rational choice theory, historical institutionalism, network theory, and social capital to explain intermunicipal cooperation for regional economic development. Before outlining Nelles and Alcantara's (2014) most recent theoretical framework, it is useful to situate it relative to these previous conceptualizations. Doing so illustrates factors that the authors have tested in previous work and which have either been kept, reorganized, modified, or discarded. This was a particularly important exercise for myself as Nelles and Alcantara's (2014) most recent framework is written as a stand-alone article, without accompanying empirical analysis. Examining how factors were defined and operationalized in previous work revealed the dimensions of each factor more fully and allowed me to define and utilize them more precisely in this research. The construct validity of the capacity-willingness framework was improved by moving through this process (Yin, 2009).

Intermunicipal Cooperation Framework: Nelles (2009)

The foundation of Nelles and Alcantara's (2014) most recent theoretical model of cooperative First Nation-municipal relations can be traced to Nelles' (2009) dissertation⁴, in which she develops a framework to explain the emergence of cooperative intermunicipal relationships. Her original framework compared cooperation for economic development in four city regions – two in Canada and two in Germany. Aboriginal communities were not included in her doctoral research. Nelles' (2009) model augments rational choice theory with historical institutionalism and the concept of civic capital, and her framework divides the variables that influence intermunicipal cooperation into four categories: geographical, institutional, contextual, and civic capital.

The backbone of Nelles' (2009) theoretical model of intermunicipal cooperation is rational choice theory. Early rational choice models of the 1950s were rooted in neoclassical economics and based on the following assumptions: that the decisions actors make are consistent; that these decisions are based on complete access to information, where all alternatives and their outcomes are known; and that actors are self-interested and strive to maximize their own benefits (Ostrom, 2005). Perhaps not surprisingly, while first generation models can predict outcomes in “stable and repetitive settings,” they perform poorly when applied to complex situations where these assumptions are broken (Ostrom, 2005, p. 100). Additionally, simple rational choice models only represent narrow windows of time and cannot account for how cooperation is affected by the memory of and lasting effects of past events (Nelles, 2009). However, because simple rational choice models have proven useful in simple situations, Ostrom (2005) suggests that more robust and nuanced models can perform well in complex situations.

⁴ Nelles' dissertation was published in slightly modified form as a book in 2012. See Nelles (2012).

More complex second generation rational choice models consider additional contextual factors and recognize that actors have bounded rationality, meaning that they do not always have perfect information or the capacity to process that information without error (Ostrom, 2005). Feiock (2007) proposed one such ‘second-generation model’ to explain the emergence of intermunicipal agreements, and it is this model that Nelles (2009) largely draws from to construct the foundation of her theoretical framework. Second generation rational choice models have more predictive power because they consider decisions in a wider context of costs and benefits. They account for not just the benefits of cooperative arrangements themselves, but also the transaction costs of forming these arrangements. Transaction costs capture the costs of negotiating, monitoring, and enforcing agreements (Feiock, 2007). Cooperation is expected to occur when the net benefits of cooperating are greater than the transaction costs (Feiock, 2007). This approach highlights the costs involved in forming and sustaining cooperative arrangements, while simple rational choice models only consider the expected benefit of the outcome of cooperative arrangements. Because historical relationships and institutional structures affect the size of transaction costs and how people perceive costs, second generation models attempt to capture the influence of community characteristics, political institutions, and the social capital generated by regional networks. Still, Nelles (2009) contends that second generation approaches simplify how institutions enable and constrain behaviour and do not adequately account for the role of leadership in the formation of cooperative relationships. In response, Nelles (2009) incorporates a spectrum of institutional and civic capital variables into her theoretical framework to illuminate the factors that influence collective action. These variables are necessary to explain cases where second generation models predict that cooperation will not occur, but real-world examples show that it does (Nelles, 2009).

Particularly important is the concept of civic capital, which Nelles (2009) formulates by merging and building upon the literature of policy networks, civic culture, and social capital. According to Nelles (2009):

Civic capital emerges from interpersonal networks and solidarity and helps establish a community based on a shared identity, expectations or goals and *tied to a specific region or locality*. It comprises formal or informal networks among individual community members, between communities, and/or between community and the local or regional government. (p. 60)

Unlike geographical, institutional, and contextual variables, Nelles (2009) explains that the effect of civic capital on cooperation is always positive, and that regardless of the influence of other variables, cooperation is more likely to emerge in regions with greater stocks of civic capital.

Original Municipal-First Nation Cooperation Framework: Alcantara and Nelles (2009)

Alcantara and Nelles (2009) adapted Nelles' (2009) intermunicipal framework to examine the factors that influence cooperative relations between Aboriginal and municipal governments. Their aim was to understand the relationship between the City of Whitehorse and the Kwanlin Dün First Nation (KDFN), and how this relationship played a role in a treaty negotiation between the Yukon Territory government and the KDFN. The treaty negotiation was expected to fail because it hinged on a contentious land settlement: the Whitehorse municipal government had to agree to sell a waterfront property to the territorial government for inclusion in the KDFN treaty. Although the Whitehorse municipal council eventually agreed to sell the land, the council was opposed to such a deal for many years. Similar to Nelles (2009), the authors concluded that civic capital, and in particular leadership, was the most significant factor in the emergence of a cooperative outcome.

The framework developed by Alcantara and Nelles (2009) is similar to the one first proposed by Nelles (2009), but it is adapted to suit the context of a municipal-First Nation relationship. First,

because the framework examines the relationship between two governments the authors omit Nelles' (2009) geographical category of variables which captured the effects of group size and density on multilateral collective action. Similarly, the effect of regional government structure (e.g single-tier or two-tier) is not included. Second, some categories of variables have different names than in the previous framework. What were termed contextual variables in Nelles' (2009) original framework are now called milieu variables, meaning internal and external opportunities or threats. Third, the effect of local partisan politics are excluded because they are generally not relevant in the Canadian context. The resultant framework is organized according to three categories of variables: institutions, milieu variables, and civic capital. Alcantara and Nelles (2009) define institutions as relatively stable structures or rules that shape decision-making, particularly "the extent to which agendas and abilities align in any given context to produce a co-operative result" (p. 712). Factors that fall within this category include jurisdictional autonomy, fiscal autonomy, power asymmetries between First Nation and municipal governments, and external government involvement. Milieu variables are less stable and predictable factors than institutions, and can be characterized as threats or opportunities. An environmental disaster or economic downturn are both examples of milieu variables; whether these variables deter or encourage cooperation depends on the situation. Alcantara and Nelles (2009) found that the most influential milieu variable in their case study was the opportunity the City saw in the KDFN to develop underutilized land. Finally, the conception of civic capital in this framework is similar to that presented by Nelles (2009), but the factors emphasized are different. When applied to inter-municipal relationships, civic capital highlights the "associational activity within a region, networks between associations, the presence and evolution of key civic leaders, and as an assessment of the history of civic action" (Alcantara & Nelles, 2009, p. 713). Alcantara and Nelles (2009) explain that in terms of municipal-First Nations relationships, the most relevant civic capital variables are "leadership and the state of

bridging networks” (2009, p. 713). These variables relate closely to the concept of bridging capital developed by Robert Putnam (2000), and they describe a type of social capital that “brings people together across social divisions, and links groups to external assets” (Nelles, 2009, p. 58). In their case study of the KDFN treaty negotiations, Alcantara and Nelles (2009) conclude that the leadership of and relationship between the Mayor of Whitehorse and the Chief of the KDFN were the most important factors in the cooperative outcome.

Capacity-Willingness Framework of Municipal-First Nation Cooperation: Nelles & Alcantara (2014)

As with the model discussed above, Nelles and Alcantara’s (2014) developed their most recent framework to examine municipal-First Nation cooperation. The authors argue that this framework improves upon the last through its organisation and conceptualisation of variables. Where the previous framework organized the variables that influence cooperation into three categories – institutions, opportunities and threats, and civic capital – this framework organizes seven variables along a spectrum according to their relative influence on capacity and willingness to cooperate. These variables include institutions, resources, external interventions, history, polarizing events, imperative, and community capital, with institutions most affecting capacity and community capital most affecting willingness. Nelles and Alcantara (2014) argue that the organisation of this framework emphasizes more useful categorical distinctions than the previous framework because the concepts of capacity and willingness capture both the ability of actors to cooperate, as well as their appetite to do so. Capacity broadly refers to “what partners are permitted to do by the structures that govern them as well as what they are able to do with the tools at their disposal” (Nelles & Alcantara, 2014, p. 608). Willingness, on the other hand, is defined as “the degree to which actors are disposed to invoke their capacities to act” (Nelles & Alcantara, 2014, p. 609).

Capacity is a necessary but not sufficient condition for the emergence of collective action; it is the factors that influence willingness that matter most. Even cooperative arrangements that provide benefits to both parties involve sacrificing a degree of resources and autonomy, and both parties must be willing to accept these terms.

Framework Variables

The capacity-willingness framework is formulated to explain cooperation or non-cooperation in situations where both a municipality and Aboriginal government could benefit from collective action (Nelles & Alcantara, 2014). The assumption of mutual gain underpins the framework, and therefore the model should only be applied in cases where “all parties to the partnership have the *potential* to benefit from the relationship” (Nelles and Alcantara, 2014, p. 605). Similarly, Nelles and Alcantara (2014) explain that not all dilemmas are best solved by cooperation – in some cases competition or non-interaction may be more appropriate. Therefore, while some cooperative arrangements may be beneficial, I am not advocating for complete interdependence between First Nations and neighbouring municipalities.

Depending on the specifics of the case, each framework variable will have either a positive, negative, or neutral effect on cooperation. The exception is community capital, which Nelles and Alcantara (2014) theorize will always have a positive effect on the likelihood of cooperation. Some variables will have stronger effects than others.

Institutions

Nelles and Alcantara (2014) define institutions as the “rules and norms that govern the decision-making processes of local government and Aboriginal actors” (p. 610). The authors point out that different political and legal institutional arrangements make it easier or more difficult for local and First Nations governments to enter into cooperative agreements. Variables within this category

include executive autonomy, decision-making processes, jurisdictional autonomy and functions, and treaty status.

Executive autonomy

Executive autonomy is the amount of leeway that politicians or government bureaucrats have to act “on behalf of their constituents without rigorous ratification processes” (Nelles & Alcantara, 2014, pp. 610-611). If autonomy is high, this variable may have a positive or negative influence on cooperation, depending upon the attitudes of those in power. Mayoral autonomy in Canada is typically characterized as weak, at least compared to the United States, but charismatic mayors may still be able to leverage their popularity for greater degrees of power (Urbaniak, 2014). Nelles and Alcantara (2014) contend that for First Nations, “executive autonomy varies from band to band, especially in communities where certain families dominate local band politics’ (p. 611). However, the same could potentially be said of municipal councils in small communities.

Decision-making processes

The processes that guide government decisions are intertwined with executive autonomy. For instance, executive autonomy is dampened where decision-making processes involve a large number of actors (Nelles & Alcantara, 2014; Olson, 1965). Decisions are generally more difficult to arrive at when greater numbers of people are involved.

Jurisdictional autonomy

Nelles and Alcantara (2014) list jurisdictional autonomy as an important institutional factor, but in their article they do not discuss its influence like they do with the other listed institutional variables. Feiock (2007) contends that cooperative arrangements may be more difficult to forge where First Nations or municipalities have narrower spheres of jurisdiction and must rely on the involvement of senior levels of government. First Nations that have decided to participate in the

First Nations Land Management Regime have more jurisdiction over their reserve lands and resources than First Nations that have not done so. To date approximately one hundred First Nations in Canada operate under this regime, which reduces the influence of the Indian Act and allows communities to enact land codes (Aboriginal Affairs and Northern Development Canada, 2013a).

Treaty status

Certainty about jurisdiction is reduced when Aboriginal governments are in the process of negotiating treaties or self-government status (Nelles and Alcantara, 2014). The authors point out that Aboriginal governments in this legal limbo may be more willing to cooperate with neighbouring communities in order to bolster their political resources. On the other hand, the uncertainty of a treaty or land claim negotiation could complicate collective action.

Resources

Cooperative arrangements, whether they are formal or informal, require a commitment of resources, including financial support, staff time, and expertise (Nelles & Alcantara, 2014). Budget restrictions and limited staff time or knowledge make pursuing initiatives difficult (Robinson & Gore, 2005). Therefore it is expected that cooperative agreements will be less likely to emerge when resources are strained (Nelles & Alcantara, 2014). At the same time, financial strain may motivate First Nations and municipal governments to cooperate to achieve economies of scale. However, this motivation has more to do with willingness to cooperate than capacity to cooperate, and is more appropriately classified under the category of imperative. Depending on the community, constituents may be more or less supportive of allocating budgetary resources to cooperative arrangements, but this is more closely related to the concept of civic capital.

External Interventions

The provincial or federal government may directly or indirectly influence municipal-First Nation cooperation. Intervention is categorized as direct when the government is a key player in partnership formation or the partnership itself. External involvement may positively affect cooperation by attracting resources and attention to the partnership (Nelles & Alcantara, 2014). Indirect interventions are more difficult to spot, but could take the form of legislation that affects the resources, power, or priorities of First Nations or municipalities (Nelles & Alcantara, 2014).

History

The effect of past interactions between potential cooperative partners ripples forward to the present and shapes the willingness of First Nations and municipalities to cooperate with each other. Nelles and Alcantara (2014) state that, “[p]artnerships do not emerge in a vacuum—They are the product of, and conditioned by, the historical context in which they were nurtured” (p. 613). A history of positive interactions makes it more likely that parties will be willing to cooperate with each other. Feiock (2007) explains that “a history of cooperation among pairs of local governments leads to the development of reciprocity norms that reduce the costs of joint action and build social capital” (p. 57). From a rational choice perspective, the links and goodwill forged during past interactions reduce the transaction costs of negotiating cooperative arrangements. Just as importantly, negative past interactions can make partners cautious of, or even averse to, cooperating. Past events need not have occurred between current players to influence their willingness to partner with each other. For instance, the ugly legacy of Canada’s colonial past (and present) still shapes settler-Aboriginal relationships (Nelles & Alcantara, 2014). The influence of history can therefore be positive or negative, but as Nelles (2009) found, it does not perfectly predict the future.

Polarizing Events

Sometimes distinct events can suddenly change the willingness of partners to cooperate. Nelles and Alcantara (2014) define polarizing events as “any kind of change that affects the calculus of any of the potential partners” (p. 614). Polarizing events are differentiated from the influence of history in that polarizing events occur near in time to partnership negotiation and formation. While the term ‘polarizing’ has a negative connotation, Nelles and Alcantara (2014) explain that these events can have a positive, negative, or neutral effect on willingness to cooperate. For instance, the authors explain that events like a natural disaster or economic recession could feasibly bring First Nations and municipalities together for collective action. Polarizing events are said to be direct when they are caused by individuals involved in the potential partnership, and indirect when they are the result of external influences.

Imperative

Nelles and Alcantara (2014) explain that while use of the capacity-willingness framework assumes both partners will mutually benefit from cooperative arrangements, sometimes attaining the benefit will be more important, or even crucial, for one partner. This imperative means that if a partner highly values the outcome of the cooperative agreement they may be willing to bear higher transaction costs of negotiating the agreement (Feiock, 2007). In other words, if the outcome of an agreement is critical for a First Nation or local government, they may be more likely to cooperate, even in the face of negotiation delays or setbacks.

Community Capital

Nelles and Alcantara (2014) introduce the concept of ‘community capital’ to the capacity-willingness framework, which is a similar but more narrowly defined version of the ‘civic capital’ variable that was introduced by Nelles (2009) and utilized by Alcantara and Nelles (2009). I

discuss this difference after describing the variables that fall within the category of community capital. The variable here refers to regional characteristics that act in concert to “form a shared civic identity. These are the factors that form a feeling that municipal and Aboriginal communities are ‘in this together’ in the minds of residents, political representatives, and groups within the region” (Nelles & Alcantara, 2014, p. 615). Similar to civic capital, the effect of community capital on cooperation is always positive. Three variables, or proxies, stand in for community capital: social integration, civic intercommunity networks, and community leaders.

Social integration

According to Nelles and Alcantara (2014), social integration between Aboriginal and municipal communities can lead to greater degrees of mutual respect and shared identity. The following are indicators of social integration: the proportion of Aboriginal residents in a municipality, the proportion of Aboriginal children in the municipal school population, shopping and entertainment use patterns, and participation of Aboriginal individuals and families in municipal programs (Nelles & Alcantara, 2014).

Civic intercommunity networks

The strength of intercommunity networks is reflected in Aboriginal and non-Aboriginal participation in joint organisations like charities, churches, business associations, and community groups (Nelles & Alcantara, 2014). When civic organisations have both Aboriginal and non-Aboriginal members, it is “more likely that a shared conception of community and vision have been established” (Nelles & Alcantara, 2014, p. 616).

Community leaders

In the capacity-willingness framework, community leaders who pursue a regional vision are one of the most important indicators of community capital. However Nelles and Alcantara (2014)

apply the concept of community leader more cautiously to the capacity-willingness framework than they did in their previous research. In the most recent framework, community leaders are identified as “active champions of inclusive civic engagement” and “are likely to be reflecting the views of others in the region and be articulating a vision supported by regional collaboration, if not by regional consensus” (Nelles & Alcantara, 2014, p. 616). They add that, “[i]t is important to also get a sense of the level of support for these leaders (and opposition to them) to evaluate whether they are indeed indicators of community capital or vocal outliers” (p. 616). Previously, Alcantara and Nelles (2009) defined leaders as “charismatic and forward-thinking leaders” who “can often effectively bridge different networks (for instance, between municipal and First Nations leaders or bureaucracies) to forge co-operative links” (p. 714). These definitions for the factor of leadership are subtly different, but they differ in the analytical attention given to the agency of community leaders. In the previous 2009 framework, leaders *link* and *leverage* civic capital, while in the most recent 2014 framework they *reflect* community capital.

Community Capital versus Civic Capital

Unlike Alcantara and Nelles’ (2009) conception of civic capital, Nelles and Alcantara’s (2014) conception of community capital excludes political and administrative intercommunity networks. Nelles and Alcantara (2014) are careful to point out that community capital refers to “*community* or *civic* integration, networks, and leaders, rather than existing political ties. Political relationships are excluded from this variable to avoid the trap of tautology, where the presence of political partnerships explains political partnerships” (pp. 616-617). This marks a different approach from Nelles (2009), who included the variables of cooperative history and presence of interorganisational networks under the banner of civic capital. Nelles (2009) defended herself in doing so:

Does arguing that civic capital is a key determinant of cooperative intensity amount to saying that the degree of cooperation in a region determines the degree of cooperation between municipalities (i.e. the argument proves itself)? While on the surface it seems as though it does, this is a mischaracterization of the concept of civic capital. The concept is most accurately characterized in terms of networks of *interaction*, not *cooperation*. (p. 79)

Unfortunately, removing any consideration of intercommunity, political, or administrative ties from the concept of community capital means that the model can no longer explicitly account for the role that relationship building plays in making cooperation more likely between municipal and First Nation governments. I argue that these sorts of ties should be reinserted into the framework. While political agreements themselves should be excluded from this category, the outcome of these agreements – in some cases increased interaction between municipal and First Nation governments - should not be. For instance, two communities could informally agree to communicate more regularly, and this communication could conceivably foster trust, understanding, and a shared identity, and ultimately greater degrees of cooperation. Previously Nelles (2009) argued that including such a network approach illuminates how “cooperation on mundane and often spatially limited issues can lead to more intense forms of collaboration across regions. This dimension of network analysis at the local level is highly underdeveloped and deserves closer attention” (Nelles, 2009, p. 55). As it stands, Nelles and Alcantara’s (2009) most recent framework cannot account for the influence of these types of activities.

Furthermore, I suggest that when Nelles and Alcantara (2014) refer to a tautology, they are actually describing a positive feedback system. Since community capital is a similar concept to social capital, I rely on Adam and Rončević’s (2003) argument concerning the nature of social capital to make this point. The authors state that because social systems are not linear,

explanations should employ the more complex mechanisms of the feedback loop, which can in reality lead to either a vicious or virtuous circle...Claiming that social capital can be studied as only a dependent or independent variable ignores the possibility of complex

causal mechanisms, which are not an exception but the rule. (Adam & Rončević, 2003, p. 167)

In other words, cooperation is not a binary concept (e.g. cooperation or non-cooperation). Instead cooperation is a concept with varying degrees of intensity. Small acts of cooperation in a relationship can lead to greater degrees of cooperation.

Applying Nelles and Alcantara's Work to the Ring Road Research

This thesis research adapts Nelles and Alcantara's (2014) framework of municipal-First Nation cooperation to examine the emergence of cooperative relations between the City and the Nation. The relationship between the City and the Nation is analyzed over the period the Nation was involved in negotiations with the Province of Alberta to strike the terms of a deal that would allow a ring road to run through Nation land. Although negotiations did not occur directly between the City and the Nation, cooperation between the two neighbouring communities was critical in order for a deal to be negotiated. The ring road negotiations, which spanned for nearly 60 years but intensified in the late-90s, publicly highlighted the City-Nation relationship, due in large part to the significant public interest and media attention that the project attracted. The referendum years of 2009 and 2013, where Nation members voted on two distinct ring road agreements, mark interesting points in time to compare cooperative dynamics between the two neighbours. The years 2009 and 2013 also coincide with the terms of Calgary Mayor Dave Bronconnier and Mayor Nenshi, respectively, which allowed me to compare the influence of visionary leadership on the emergence of a cooperative agreement.

Before applying a modified version of Nelles and Alcantara's theoretical framework to my research on the ring road development, it needs to be established that cooperation between municipalities and First Nations can be examined using a theoretical lens that was first developed

to examine intermunicipal cooperation. As described previously, Alcantara and Nelles (2009) modified Nelles' (2009) original framework of intermunicipal cooperation so that it could account for differences between Aboriginal and municipal governments. Additionally, transferring certain aspects of Nelles' (2009) framework of intermunicipal cooperation to a framework of First Nations-municipal cooperation makes sense to me because there are some structural similarities between municipal and First Nations governments; however I recognize that First Nations are not equivalent to municipalities, and that Aboriginal communities in Canada have largely rejected being characterized and treated as pseudo-municipalities (Abele & Prince, 2006). Nelles and Alcantara (2014) also acknowledge this distinction, and state that "Aboriginal governments are not the same as other Canadian local authorities" (p. 606). Unfortunately, some of the structural similarities between Aboriginal and municipal governments arise because the federal government has been slow to relinquish its grip on First Nations governments and recognize the sovereignty of Aboriginal peoples, even though Aboriginal and treaty rights are recognized under the Constitution Act of 1982. Abele and Prince (2006) conclude that "[u]nder the Indian Act, band councils have even fewer powers and less independence than the elected representatives of Canadian towns and cities" (p. 572). Therefore, I argue the framework holds because, at the scale of local matters, there are areas of resemblance between First Nations and municipal governments.

Nelles and Alcantara (2014) describe four structural similarities that are relevant to the capacity-willingness framework. First, both municipalities and First Nations deliver services to their residents. Second, municipalities and First Nations have delegated jurisdiction from senior levels of government, the provincial and federal governments respectively. Third, this jurisdiction, as it relates to land use planning and development, is limited to a geographically defined area. Fourth, municipal council and band councils are roughly analogous in that both are democratically elected and have a fiduciary duty to their residents.

Framework Variables

I have adopted the majority of variables from Nelles and Alcantara's (2014) framework for use with my own research. My research maintains the use of seven variables that are arranged by their relative influence on the capacity or willingness of communities to cooperate, with a few minor changes. First, I use the term 'political institutions' to refer to the previous category of 'institutions'. Second, I define the community capital variable more similarly to Alcantara and Nelles' (2009) definition of civic capital than to Nelles and Alcantara's (2014) definition of the term. Finally, I combine the community capital subvariables of 'social integration' and 'civic intercommunity networks' into one variable, 'social and civic integration'. These decisions are explained in more detail below. The framework categories are now as follows: political institutions, resources, external interventions, history, polarizing events, imperative, and community capital (see Table 2).

Political Institutions

A large part of my research focuses on institutions in a general sense, meaning the rules, norms, and cultural frames which enable and constrain action (Healey, 2006a). To avoid confusion I use the term 'political institutions' to refer to the category that Nelles and Alcantara (2014) termed 'institutions'. They use the term to refer largely to the formal institutions of government, and not in the expansive sense that I use in this thesis research.

Community Capital

My preliminary analysis of data suggested that Nelles and Alcantara's (2014) definition of community capital was not broad enough to capture the influence that relationship building between community leaders and administrators had on the ability of the City and the Nation to cooperate on issues such as a master servicing agreement and guaranteed road access between the

two communities. Previous research has found that face-to-face interaction between government officials can increase social capital and lead to greater cooperation on land use planning and development issues (LeRoux, Brandenburger, & Pandey, 2010; LeRoux & Carr, 2010; Thurmaier & Wood, 2002). Therefore it is predicted that municipalities and First Nations can draw on the capital created through the ‘weak ties’ (Granovetter, 1973) that are formed between politicians, planners, and other officials at in-person meetings and events.

Social and Civic Integration

Nelles and Alcantara (2014) recommend assessing social integration and civic intercommunity networks by measuring aspects of community life such as Aboriginal/non-Aboriginal integration of schools, community programs and civic groups. My review of the social and civic ties between the Tsuut’ina Nation and the city of Calgary was more qualitative in nature, and I assessed community ties in a broad way by reviewing articles, editorials, and letters in Calgary newspapers, as well as interviews. Since my evaluation of community ties was qualitative in nature, I combined the categories of “social integration” and “civic intercommunity networks” into the category of “social and civic integration”.

Table 2. Capacity-willingness framework variables (Adapted from Nelles & Alcantara, 2014).

Variable	Description
Political institutions	Political rules and norms that shape the decision-making authority of municipalities and First Nations
Resources	Availability of revenue, financial support, staff time, and staff expertise
External interventions	Indirect or direct influence of federal or provincial government
History	The effects of past interactions and experiences shape the willingness of municipalities and First Nations to cooperate, and under what terms
Polarizing events	Distinct events that change the willingness of municipalities and First Nations to cooperate. These events occur nearer in time than historical events
Imperative	Occurs when the expected outcome of cooperation is considered crucial to achieve by a municipality, First Nation, or both.
Civic capital	Community ties, forged through social and civic integration, or by community leaders, that help form a shared identity between municipalities and First Nations

Summary

With some modifications, Nelles and Alcantara's (2014) framework of municipal-First Nations cooperation provides a strong vantage point to examine the factors that influenced the relationship between the City and the Nation over the course of ring road negotiations. The framework focuses attention on the factors that affect both the willingness and the capacity of the two communities to cooperate with each other. However, the framework is not well-suited for examining the extent to which the relationship is supported by institutionalized organisational structures. This is because the framework treats each government and its administration as homogeneous units, which makes it impossible to determine how the relationship is supported by individual and departmental efforts, and how the policies and culture within each organisation work to sustain the relationship. The City is a large organisation comprised of multiple business units, some of which interact with the

Nation on planning matters, and it is unlikely that all of these units share a similar relationship with their neighbour. Furthermore, the municipal-First Nation cooperation framework lacks the analytical tools to determine if organisational structures are supportive of not just a cooperative relationship, but a relationship grounded in the principles of reconciliation. This is not necessarily a fault with Nelles and Alcantara's (2014) framework, as it was not designed to perform this type of normative, fine-grained analysis. Instead, in order to determine potential organisational structures within the City that could be improved to better support a stable, positive relationship with the Nation, I turn to a framework of institutional transformation developed by Healey (2004). While both frameworks are new institutionalist approaches, my first research framework is rooted in political science and my second follows a planning approach. By illuminating spaces where institutional transformation could support positive relationships between municipalities and First Nations, I hope that this research, in a small way, will contribute to positive social change.

Section Two: Sustaining and Building upon Municipal-First Nation Relationships

The second purpose of this thesis research is to explore what types of organisational arrangements the City of Calgary might work toward to support and build upon the City-Nation relationship. Relationships built around ad hoc coalitions are inherently less stable than those that resonate with the processes, policies, and cultures of the organisations involved. Working towards more appropriate organisational arrangements is a type of institutional design activity, a concept which refers to “the devising and realization of rules, procedures, and organisational structures that will enable and constrain behavior and action so as to accord with held values, achieve desired objectives, accomplish set purposes or execute given tasks” (Alexander, 2007, p. 49). Institutional design is an integral part of transformative planning practice, which involves the “struggle to

define and shape the good city” (Sandercock, 2003, p. 157). In the context of this research, transformative planning practice encompasses the struggle to define, shape, and sustain a mutually beneficial and mutually respectful relationship between the City and the Nation. However, institutional transformation efforts occur in complex institutional environments and these efforts can have unintended consequences or fail to take hold. Therefore, understanding if an institutional innovation like the cooperative relationship between the City and the Nation is likely to persist requires mapping out its relevant environment. Healey’s framework of institutional innovation provides a robust backdrop for this type of analysis. Drawing on Dyrberg’s (1997) circular conception of power, Healey, de Magalhaes, Madanipour, & Pendlebury (2003) explain that:

One way to identify whether significant and enduring transformations are in the making is to examine how changes on the surface are echoed in the deeper structures and vice versa, establishing a reflexive and ‘circular’ relationship. This means that micro-analysis of governance change needs to identify how much of the struggling is merely ripples on the surface of a settled modality of governance, what is shifting the parameters of established discourses and practice relations, and what is unsettling the whole culture of governance relations (p. 67).

For this thesis research, tracing the transformational potential of the newly cooperative City-Nation relationship required examining the extent to which this relationship has expanded beyond the political leadership of the two communities, and into the routine practices of the planning department and other administration.

Healey (2004) identifies three analytical levels of intertwined governance processes that influence and are influenced by transformation initiatives: specific episodes, governance processes, and governance cultures. Although the term governance has various meanings in the literature, in the case of this research it refers to “the modes and practices of the mobilisation and organisation of collective action” (Coaffee & Healey, 2003). Urban and regional planning and intergovernmental cooperation both fall within the sphere of governance. In terms of Healey’s (2007) three-tiered

conception of governance, the level of specific episodes refers to the ‘visible world’ of “immediate human interaction” (p. 67). The outcome of specific episodes, such as cooperation or non-cooperation, is influenced by how individuals interact and think. The behaviour and thought-processes of individuals are shaped by governance processes, which refer to the networks, discourses, and routines that constrain and enable action. Conversely, specific episodes can lead to the creation of new governance processes. Governance culture underpins both specific episodes and governance processes, and refers to the cultural values that provide actors with appropriate or taken-for-granted ways to act. All three levels are susceptible to change from forces both within and outside their bounds. Healey (2007) explains that,

some of the dynamics...arise from tensions, contradictions, inventions and struggles generated within and between the levels. These may be inhibited or reinforced by external forces, arising from economic dynamics, political changes or environmental pressures, which may affect different levels along different timescales (p. 67).

Healey (2006a) argues that initiatives are truly transformative when they travel from “the level of conscious actor invention and mobilization to that of routinization as accepted practices, and beyond that to broadly accepted cultural norms and values” (p. 304). In the case of a cooperative City-Nation relationship, this means that working in a cooperative, mutually beneficial, and mutually respectful way with the Nation becomes a normal way of doing things for planners and employees in other relevant City departments. For this to happen, lasting transformation requires change to occur at all three organisational levels: specific episodes, governance processes, and governance culture. If the renewed relationship between the City and the Nation is not yet supported by governance processes that resonate with deeper organisational values, the City should adapt and create new organisational arrangements in an effort to do so. The three governance levels are described in more detail below.

Specific episodes

Specific episodes refer to the level of every-day human interaction. The visible aspects of relationships are observed at this level: who is involved, what is said, what happens, and the setting. Healey (2006a) uses the term ‘actor’ to refer to who is involved, and the term ‘arena’ to refer to the setting that interaction takes place in. Episodes of cooperation or relationship building occur in a variety of arenas – in an intergovernmental meeting or City Council chamber, during a phone call, over an informal chat at an event, or through a statement to the media (Healey, 2010). Although this research is particularly interested in how the City and the Nation can build a stronger relationship in the context of land use planning and development, planners make up only one group of individuals who influence this process (Healey, 2010). Planning and community relationships involve numerous actors, including politicians, planners, engineers, lawyers, developers, and community members. All of these actors could influence the relationship between the City and the Nation, although this research focuses on the role of politicians, planners, and other municipal administrators.

The relationship between the City and the Nation is constituted by the practices of actors in specific episodes, and in these episodes actors draw on existing governance processes and culture. Healey (2007) explains that, “through involvement in such episodes, people learn the discourses, practices and values embedded in governance processes” (p. 68). At the same time, individuals are capable of a certain level of self-reflection and have a degree of freedom to bend, break, or try to change the rules. The individuals involved in specific episodes often have quite different roles, interests, and power, and may respond to different governance processes and cultural values. Writing specifically about planning, Innes (1995) argues that planners have the significant ability to “frame

problems, inform, and call attention to one point or another” (p. 186). Healey (2006b) expands on this point, and links structure to agency by arguing that,

in the finegrain of planning practice, planners not only bring power relations into being, as Foucault describes. For Giddens, they also have the choice to change them. Thus the practice of planning, even in the details, involves delicate day-to-day choices about whether to ‘follow the rules’, or whether to change them, to transform the structure (p. 47).

Transformative planning is possible when individuals look for strategic moments to influence organisational structure, and planners have power, albeit bounded power, to take an ethical stance and work towards collaborative relationships with First Nations, even when such an action is not supported by existing policies.

Governance Processes

Governance processes are modes of accepted practice that individuals draw on in their actions and thoughts. Healey (2006a) lists networks and coalitions, participant⁵ selection processes, discourses, practices, and formal laws and rules, as the components that make up governance processes. Processes may be formal or informal; that is, they may exist in a formal policy or they may be informally understood as ‘the way things are done’. Networks and coalitions refer to the connections between different actors and between the various ‘arenas’ that initiatives take place in, such as local government departments or committees (Coaffee & Healey, 2003). Participant selection processes describe the processes which include or exclude individuals and organisations from planning and development activities. The term discourse refers to “an ensemble of ideas, concepts, and categorizations that are produced, reproduced, and transformed in a particular set of practices and through which meaning is given to physical and social realities” (Hajer, 1995, p. 44). Discourses frame how individuals think about issues. Practices are defined as “routines and

⁵ Healey uses the term “stakeholder” in her work. I use the term “participant” instead, since stakeholder is not an appropriate term for referring to Aboriginal peoples.

repertoires for acting” (Coaffee and Healey, 2003, p. 1984), and can describe formal and informal bureaucratic and political procedures. Finally, governance processes also include formal rules like legislation, policies, and plans. Taken together, all of these processes are instruments which ‘mobilise bias’ (Schattschneider, 1975). Coaffee and Healey (2003) explain that “power relations [are] embedded in organised institutional practices and deliberately manipulated by strategic actors” (p. 1982). Even seemingly mundane practices give certain actors power over other actors when they interact in specific episodes. Efforts to decolonize planning shifts the power structures embedded in planning practice toward arrangements that recognize Aboriginal rights to self-determination, and that respect Aboriginal interests. It is important to examine these processes to determine how they affect the City’s efforts to build a stronger relationship with the Nation.

The transformation of governance processes can be brought about by the actions of actors in specific episodes, as well as from shifting cultural forces that shape what types of actions are acceptable and what types are not (Coaffee & Healey, 2003). Often the forces within specific episodes and governance culture work in tandem to change governance processes.

Governance Culture

Healey (2006b) defines culture as “the systems of meaning and frames of reference through which people shape their institutional practices” (p. 37). Governance culture functions “as a kind of moral ‘chorus’ continually assessing the performance of governance practices” (Healey, 2006b, p. 329). Cultural values may or may not be amenable to introducing certain types of organisational change. Actors are subject to numerous and sometimes conflicting cultural influences. For instance, planners might simultaneously identify with a professional culture, an organisational culture, a local culture, and a national culture, to name just a few sources of influence. Cultural assumptions sustain and legitimize both governance processes and the actions of individuals in specific

episodes. At the same time, specific episodes and governance processes can shift cultural values. Healey (2010) explains that “[t]he way governance is conducted, both at the level of episodes and the level of processes, in turn affects the store of cultural understandings about how governance should behave” (p. 330). This means municipal planners who are trying to decolonize planning practice and improve engagement with First Nation communities, can, through their efforts, slowly contribute to cultural change that supports these activities.

Applying Healey’s Framework to the City-Nation Relationship

Exploring how the City can sustain and build upon its relationship with the Nation required an understanding of the institutional structures that enable and constrain this process. Healey (2010) affirms “the importance of relating accounts of emergent collaborative governance practices to the way the opportunities for such practices are shaped...by the institutional design of government systems” (p. 322). Therefore, I situate my analysis of the City-Nation relationship within Healey’s three-tiered conception of governance dynamics (See Table 3 for a summary of this framework), which I have adapted to apply to organisational dynamics. As discussed above, this framework looks at governance dynamics in terms of specific episodes, governance processes, governance cultures, and the external influences that shape all three levels. This research was made more manageable by scoping my case study and targeting my analysis toward the City of Calgary. Exploring how the relationship could be affected by the organisational arrangements of the Nation, as well as by the influence of developers and community associations would be a valuable exercise, but it is beyond the scope of this research. My analysis is not meant to be exhaustive, and as a researcher positioned outside the City organisation, it would be impossible to catalogue all of the current and potential institutional practices that support or constrain relationship building. My analysis of how the City can work towards a stronger relationship with the Nation is both

evaluative and normative. I offer a direction and a broad roadmap toward organisational arrangements that could support the City-Nation relationship, but recognize that ultimately City and the Nation need to engage with each other and chart their own path in partnership (Belanger & Walker, 2009).

The City is a complex organisation with many business units that interface, or could potentially interface, with the Nation. This analysis treats the City as a relatively homogeneous organisation, but I recognize that the organisational arrangements within each business unit could differ. Additionally, City politicians and employees are all embedded within different webs of governance processes and norms, and it will take a comprehensive set of institutional innovations to affect the behaviour of these different actors.

I want to make clear that I am using Healey's governance transformation framework to assess how the City-Nation relationship can be made stronger in a way that is consistent with honouring Aboriginal rights, and am not advocating for a system of 'collaborative governance' as Healey has done in the past. For example, Healey previously utilized her three-tiered conception to examine different facets of city regeneration efforts in Newcastle upon Tyne in North East England (Coaffee & Healey, 2003; González & Healey, 2005; Healey, 2004, 2006a, 2007). These analyses centre on the extent to which governance transformations had resulted in a shift from "rationalist, analytical policy processes to more interactive, deliberate and collaborative modes" (Coaffee & Healey, 2003, p. 1981). Healey's focus on collaborative modes of governance has been criticized by Porter (2010) for failing to adequately account for the "peculiar and specific challenges that Indigeneity, or Indigenous identity rights claims, make to planning" (p. 126). While I am utilizing Healey's theoretical framework, I am not borrowing her focus on collaborative governance as the normative end goal of institutional transformation. Instead, I am interested in the institutional innovations

that will support a relationship between the City and the Nation that is not only stable and cooperative, but built on the principles of “mutual recognition, mutual respect, sharing, and mutual responsibility” (RCAP, 1996, vol I, p. 694).

Table 3. Multi-level organisational transformation framework. Adapted from Healey (2004).

Level	Dimension
Specific episodes	Every-day human interaction (e.g. cooperation or non-cooperation). At this level ‘actors’ interact in different settings, or ‘arenas’.
Organisational processes	Networks – connections between actors and arenas Participant selection processes – how actors are included/excluded Discourses – framing ideas Practices – routines for acting Laws, formal competences, resource flow principles – formal rules
Organisational cultures	Cultural values and norms which provide actors with appropriate or taken-for-granted ways to act.

Conclusion

This chapter set out the two theoretical frameworks that I use in Chapter 6 to analyze two connected aspects of the City-Nation case. Nelles & Alcantara’s (2014) capacity-willingness framework allows me to explain why the City and the Nation had a cooperative relationship in 2013, when the relationship had been strained in 2009. While both communities had to have the capacity to cooperate, the framework emphasizes that their willingness to do so is more important. The effects and remembrance of historical conflict can stymie willingness to cooperate, while factors like imperatives and community capital can potentially sway the relationship towards cooperation. Even though the election of Mayor Nenshi is an obvious turning point in the

relationship between the City and the Nation, the capacity-willingness framework illuminates the influence of other, less obvious factors.

Healey's (2004) theoretical framework of governance transformation allows me to evaluate the extent to which organisational arrangements within the City, such as practices, discourses, and cultural values, support a positive and sustained relationship with the Nation at both the political and administrative level. The multiple tiers of the framework - specific episodes, governance processes, and governance culture - illuminate the various dimensions of institutional structure that can affect the actions of individuals, who in turn influence relationships. The framework is also a convenient way to visualize the interplay between process and culture. For instance, governance processes that do not resonate with cultural values may be ignored by employees. Meaningful organisational change takes time, because initiatives only become routine once they are supported by the various elements of both process and culture. Initiatives that remain only at the level of specific episodes, where they are largely supported through the goodwill of key actors, are not likely to survive.

Chapter 5: A Chronology and History of Two Neighbours

This chapter outlines a history of the Tsuut'ina First Nation and the City of Calgary, communities which have stood as neighbours for over a hundred years. The Tsuut'ina Reserve, home to approximately 2000 members, borders the southwest edge of Calgary, a city of over a million people (Dippel, 2015, June 3) (see Figure 1). The reserve sits across from a number of mid-century suburban Calgary communities, including Glamorgan, Lakeview, and Oakridge. In the summer of 2014 I made a visit to the Tsuut'ina Reserve and the community of Lakeview. I stood at the intersection of 37th Street SW and 66th Avenue, which is flanked by the reserve to the west, and I could not help but notice the dramatic visual difference between the two communities. Looking north, to my right stood the single-detached homes of the Lakeview community, fronted by manicured lawns and mature spruce trees. To my left stood the rolling prairie of the reserve, a landscape relatively untouched by development. While there are homes and businesses on the large reserve, at this vantage point they were not visible. The differences between the two landscapes is representative of how, for most of their history, Calgary and the Nation have existed geographically close, but largely politically and socially apart from one another.

The chronology I present focuses primarily on City-Nation interactions during the period of the ring road negotiations from 1998 to 2013. Narrative accounts are essential in qualitative case study research (Flyvbjerg, 2006), and the goal of this chapter is to provide a rich description of the context and events that have shaped, and continue to shape, relations between the City and the Nation. The narrative presented in this chapter is based on information collected from news articles, interviews, and policy documents. I have attempted to triangulate accounts where

possible, however, this chapter, like all narratives, is built on diverse accounts of history (Mandelbaum, 1991). The accounts I relied on to construct the narrative are interpretations of events, and in some cases these accounts conflicted with each other, with no obvious ‘correct’ interpretation. Therefore, and as space allows, I have endeavoured to present the story of the Nation and the City in its complexity in order to offer a historical context for the ring road negotiations.

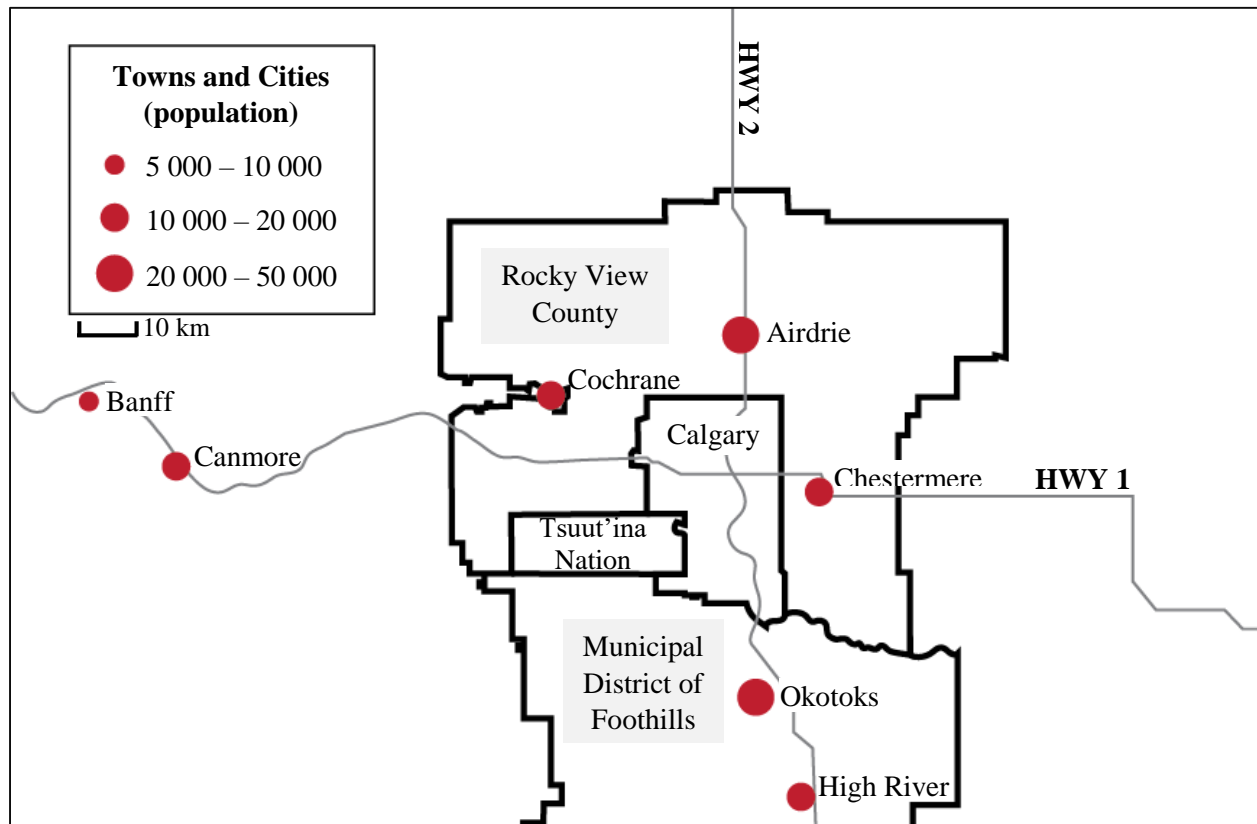


Figure 1. Regional context of the Tsuut'ina Nation Reserve and City of Calgary (Adapted from Google Maps, 2015).

The Calgary area remains the home of various Plains nations, including the Blackfoot Confederacy - the Siksika (Blackfoot), Kainai (Blood), Piikani (Peigan) – as well as the Stoney Nakoda (Stoney), and the Tsuut'ina (Sarcee) (Dempsey, 1987). Historically, the Tsuut'ina Nation traded and relied on the bison hunt, and for a period of about a century they hunted the animals from horseback (Churchill, 2000). Although allied with the Blackfoot Confederacy, the Tsuut'ina originally herald from the Canadian Subarctic and belong to the Athabaskan-speaking language

group (Churchill, 2000). They first began living on the plains about four hundred years ago (Churchill, 2000), and prior to that had settled near Edmonton, before being pushed southwards by the Cree (MacDonald, 2009). In 1875 Fort Calgary was established by the Northwest Mounted Police at the meeting of the Bow and the Elbow rivers (Sandalack & Nicolai, 2006). Settler encroachment increasingly threatened the Tsuut'ina's way of life, and the bison herds declined quickly (Miller, 2009).

In 1877 the Tsuut'ina, alongside the Blackfoot Confederacy and the Stoney Nakoda, signed Treaty Seven at Blackfoot Crossing. Originally the Siksika, Kainai, and the Tsuut'ina shared a reserve at Blackfoot Crossing, located east of Calgary, but shortly after both the Tsuut'ina and the Kainai demanded their own reserve. Although initially the demands for new reserve lands were met with resistance, eventually the federal government agreed to relocate the two nations. In the summer of 1883 the Tsuut'ina signed a new treaty for three townships of land⁶, or about 70 000 acres, west of Fort Calgary (Dempsey, 1987). In the same year construction of the Canadian Pacific Railway station reached Fort Calgary, bringing settlers and agricultural supplies (Sandalack & Nicolai, 2006). In 1884 Calgary was incorporated as a town, and in 1886 it became a city (Sandalack & Nicolai, 2006). The discovery of oil in 1914 in Turner Valley, 50 kilometres south of the city, ignited an oil boom and a population increase in the young province of Alberta. Between the early 1900s and the beginning of World War I, the population of Calgary grew more than tenfold, from 4000 residents to over 50 000 (Sandalack & Nicolai, 2006). The oil and gas industry provided well-paying jobs for Calgarians, and contributed to a car culture in which most people aspired to

⁶ A township is a unit of land, laid out in Western Canada by the Dominion Land Survey, which measures six miles by six miles.

live in the suburbs (Sandalack & Nicolai, 2006). As a result the city sprawled outwards, and by 1956 the Nation and the City shared a border (Salus, 2013, March 19).

Early life on the reserve was difficult for Nation members, as diseases like smallpox, tuberculosis, and influenza ravaged the population, and important cultural practices, such as the Sun Dance, were banned by the federal government (Churchill, 2000). The reserve's proximity to Calgary offered a few benefits, and some members sold goods in town or worked at local ranches, although the reserve pass system unfairly constrained the movements of Tsut'ina members (Churchill, 2000). At the same time, because the Nation was located so close to Calgary, it was under constant pressure to surrender land. Wood (2004) argues that, "[f]rom the moment Calgary was born, it coveted its neighbour's land" (p. 113). After facing intense pressure for over a decade, and even having rations withheld, in 1913 the Nation surrendered 1650 acres of land from the northeast corner of the reserve (Wood, 2004). The surrender of this land, and its eventual return to the Nation, plays an important role in the story of the City and the Nation.

Land Surrender

The surrendered land was not initially sold, as per the condition of the surrender, but was instead leased to the Department of Militia and Defence (DMD) for military training purposes (Wood, 2004). In 1931 the City purchased 593.5 acres of this land for the construction of the Glenmore Reservoir, which became an important source of the city's water supply (Churchill, 2000). The remaining land, known as 'the 940' (for the amount of acres it covered), or alternatively as the Harvey Barracks, continued to be leased by the Canadian military (Wood, 2003) (see Figure 2). In 1952 the military purchased the land, and it was annexed by the City in 1956. In 1982 the Nation disputed the legality of the land surrender to the military and in 1992 the case was settled out of court, although the military retained the option to lease the land until 2050 (Salus, 2012, May 7).

The federal government closed Harvey Barracks in 1997 to cut costs and consolidate military infrastructure, and the long process of clearing the land of spent ammunition and artillery began (Bergen, 1996, September 1). The land, which borders the community of Lakeview, was finally returned to the Nation in 2006.

The land surrender is a significant part of the ring road story because Calgary politicians and planners had assumed since the late 1950s that a ring road would eventually run through the 940 (Salus, 2012, May 7). The community of Lakeview was constructed adjacent to the 940 with the understanding that the road would run to the west of the community and then south through the Weaselhead natural area, by way of an agreement between the military and the City (Salus, 2012, May 7). The return of land to the Nation, in concert with citizen protest at the idea of running a freeway through a natural area, brought the City and the Nation together in negotiations to run the road through what was now Nation land. Matters became more complicated when the Nation introduced plans to construct a casino on a portion of the land, a move opposed by the City. The casino, and its links to the ring road negotiations, is discussed later in this chapter.

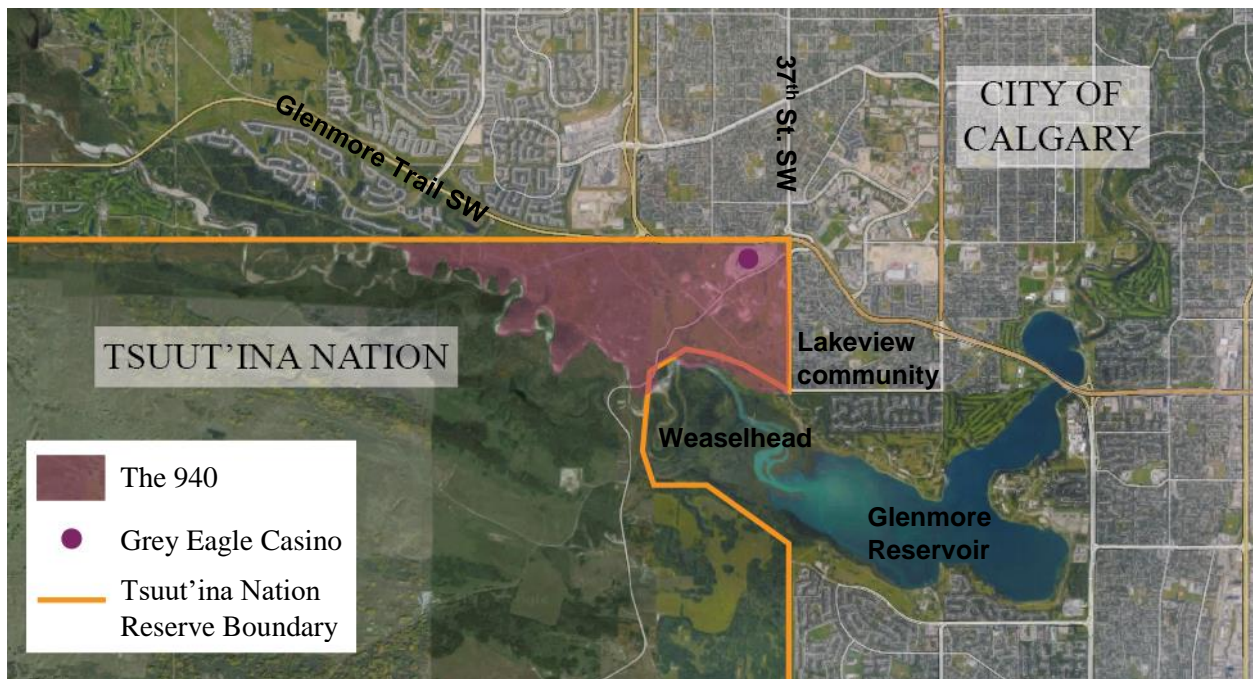


Figure 2. Location of the 940 (Adapted from Google Maps, 2015; “Harvey Barracks remediation”, 2005).

Ring road negotiations begin

Traffic congestion in southwestern Calgary became acute in the late 1990s and politicians and the public increasingly called for the construction of a ring road. The southwest portion of the proposed freeway was at first referred to as the Sarcee Trail extension, but later came to be known as the southwest Calgary ring road. In this research I often refer to the freeway as the ‘ring road’. Because southwest communities lacked adequate north-south access, development was stalled until traffic movement could be improved, and most people assumed that a freeway would reduce congestion. Neighbourhoods in the southwest were attractive for home buyers due to nearby amenities and low home prices compared to other parts of the city (Lau, 2000, February 13).

The key political players at the time - City Mayor Al Duerr, Nation Chief Roy Whitney, and Alberta Premier Ralph Klein - all supported the idea of a highway through the reserve (Collins, 1998, October 8). This proposal was supported by the City’s 30 year transportation plan, the Go Plan (1995), as it avoided the ecologically sensitive Weaselhead natural area and Glenmore Reservoir. Although the ring road eventually became a Nation-provincial negotiation, at the time the funding structure for the road was uncertain, and all three parties were officially involved (Collins, 1998, October 8). Chief Roy Whitney expressed support for a toll road, with funds to be transferred to the Nation by the Province or City as a form of long-term revenue (“Band hoping to”, 1999, June 29). Some City aldermen and administrators supported the idea of a toll, but to cover construction costs, and not as a revenue stream for the Nation (Ketcham, 1998, October 13). In the summer of 1999 Nation members voted in a referendum and approved the commencement of ring road talks with the City and Province (“Band hoping to”, 1999, June 29). At the time the

Nation had three negotiation requirements: (1) the Nation would decide the route of the road, (2) environmental protection would be assured, and, (3) land for the road would be leased, not surrendered (“Band hoping to”, 1999, June 29). Soon after the referendum, the Chief and Mayor met with Alberta Infrastructure Minister Ed Stelmach to draft a memorandum of understanding (MOU) for the project (Heyman, 2000, February 9). Public meetings were held in southwest Calgary after the release of the document, and in response to citizen input City Council attempted to insert amendments into the draft MOU, including that development would need to be approved by all three parties, and that steps would be taken to minimize the impact of roadway development on Calgary residential communities (Heyman, 2000, June 13). These insertions were rejected by the Nation, who argued that it was not appropriate for Calgary to have control over development. Chief Whitney pointed out that Nation members could not “recall Calgary ever offering Tsuu T’ina control over its development plans along our borders” (Whitney, 2000, August 5, p. O8). Despite the Nation’s rejection of the amendment, City Council voted to continue with negotiations (Heyman, 2000, June 13). Significantly Alderman⁷ Dave Bronconnier, who would become Calgary’s mayor in 2001, was one of three dissidents (City of Calgary, 2000, June 12). Eventually the Nation signed the MOU in September 2000 and it became an official document (Heyman, 2000, September 12).

As the events in the following years will demonstrate, the relationship between the City and the Nation soon became strained after the election of Mayor Bronconnier in October 2001, and it remained poor until the election of Mayor Nenshi in October 2010. The City-Nation relationship was shaped in large part by the approach each mayor took to communicating and working with the Nation. Additionally, the length of the ring road negotiations indicate the importance of the road

⁷ In 2013 the title of Aldermen was changed to Councillor.

to the Nation and the City, but especially to the City. Even though negotiations were plagued by delays, the City remained committed to pursuing a road through Nation land.

2001

Ring road talks were slow to start and in September Chief Roy Whitney resigned due to a family matter, further delaying negotiations (Crowson, 2001, September 30). The lack of progress frustrated some City Aldermen, who voiced their opinion to the media that the City should proceed with an alternate plan that did not involve Nation land: these plans involved crossing the Weaselhead natural area with a bridge or a tunnel (Braid, 2001, September 26; Wilton, 2001, November 3). Ring road plans that avoided Nation land became known as 'Plan B' in the media. During the 2001 municipal election traffic congestion and the Sarcee Trail extension became a hot topic (Crowson, 2001, October 3), and Dave Bronconnier emerged victorious as mayor. Sanford Big Plume was elected as Nation Chief in December later that year and he pledged to continue the ring road conversation with the City (Summerfield & Williamson, 2001, December 18).

2002

Talks were slow to resume in 2002 and in June the MOU expired. In July the City Transportation Committee, not wanting the road to be built on leased land, voted in favour of halting ring road talks if the Nation refused to surrender the land required for the road. Alderman Ric McIver, Alberta's future Transportation Minister, backed this proposal, although Mayor Bronconnier did not (Semmens, 2002, July 17). City Council later voted on the Transportation Committee's recommendation and rejected it. The alternative to a road on Nation land was a contentious route through the city which would destroy hundreds of Calgary homes and compromise the Weaselhead natural area (Wilton, 2002, July 20). Before the vote, Chief Big Plume reminded City Council that

the Weaselhead was not an attractive option, as it was the subject of a land claim filed by the Nation over the sale of land surrendered in 1931 (Wilton, 2002, July 20).

While the ring road negotiations were taking place, a different but related issue was taking shape – in late 2001 the Nation had announced its intention to open a casino on the northeast corner of the reserve, near 37th Street and Glenmore Trail SW, across from the Lakeview community. Alderman Barry Erskine strongly opposed the plan, as did many city residents, citing traffic concerns in an already congested area of the city (Wilton, 2002, January 18). Although the City had no jurisdiction over Nation development, they had the option to appeal to the Alberta Gaming and Liquor Commission to deny the Nation’s request for a gaming licence. Mayor Bronconnier suggested that the City would be more cooperative with the casino if the Nation cooperated with the ring road (Wilton, 2002, September 4). Not unexpectedly, relations between the Chief and the Mayor became tense. Mayor Bronconnier set a firm deadline for negotiations, and said it was time for the Nation to “fish or cut bait” (Wilton, 2002, September 14, p. B1). Chief Big Plume responded that the Nation would not negotiate “with a gun to its head” (Wilton, 2002, September 14, p. B1).

2003

Despite the poor relationship between the Chief and the Mayor, ring road negotiations seemed to progress in early 2003. In January the Nation released a preliminary plan showing the route of the Sarcee Trail extension across the reserve. The Nation met with City Aldermen to show them the plan, marking only the second time in ten years that members of each council had met with each other (Wilton, 2003, January 23). By this time the Nation had given up on the idea of a toll road (Wilton, 2002, September 14). In 2003 the Province became more involved in the ring road talks because the extension could act as a crucial part of a transportation corridor from Canada to Mexico (Wilton, 2003, January 23). In January Bronconnier’s attitude seemed somewhat improved, and

he was optimistic that a deal could be worked out by May of the same year, although he warned that the City would pursue Plan B after the deadline (Wilton, 2003, January 24). In fact it would be ten more years before the southwest portion of the ring road was approved by the Nation. Although the May 2003 deadline came and went, Mayor Bronconnier maintained that talks were going in the right direction, and that the City was working closely with the Nation and Alberta Infrastructure Minister Ed Stelmach (Semmens, 2003, May 6). Bronconnier's willingness to continue negotiations with the Nation was probably related to the promise of provincial funding for a road through the reserve. At the time provincial funding was not in place for the Plan B option, and the City did not have the funds to pursue construction on its own (Semmens, 2003, October 2).

Although at this point in time there was a lot of media coverage on the road, little of it concerned the point of view of Nation members. In late 2003 a member wrote to the *Calgary Herald* and indicated that Nation members were split on wanting the road or not. The member wrote:

Many Tsuu T'ina members feel the extension of Sarcee Trail through the reserve shouldn't happen. After all, we stand to lose a piece of our culture and our community that can never be returned. And yet, many nation members feel this roadway needs to be built, not only for the city of Calgary, but also for the livelihood of the Tsuu T'ina people. (Simeon, 2003, December 5, p. A23).

By improving access to the Nation, the ring road would increase the feasibility of commercial development on the reserve, and potentially provide increased financial independence, employment opportunities, trades, businesses, and funding for cultural programs, education, training, and housing (Simeon, December 5, 2003). Nation members had a very difficult decision to make.

2004

In 2004 there were further hints that the City-Nation relationship was strained. Peter Manywounds, spokesperson for the Nation, was reported saying the City “hasn’t been as responsive as we would have liked” with regards to ring road talks (Derworiz, 2004, April 9, p. B1). A few weeks later Chief Big Plume wrote a letter to the *Calgary Herald* and indicated that the Nation had done their “very best to kick-start the lagging and overdue conversation with the city of Calgary” (Big Plume, 2004, April 17, p. A17). Mayor Bronconnier struck back with a letter sent to the Nation and City aldermen, and which was leaked to the media. The letter stated that “Given the level of city involvement over the past year, I find it very difficult to understand how our conversation can be characterized as 'lagging' or 'overdue’” (Braid, 2004, April 25). The questions remains: was the City dragging its heels or was the Nation pressuring the City as a negotiating tactic? It is impossible to know from an outsider’s perspective, as the standpoints are fundamentally different, but the stark contrast in positions would indicate that communication between the two neighbours was not ideal.

A few weeks after the Chief and Mayor exchanged words through the media, the Province and the Nation signed an agreement in principle to pursue the ring road. The ring road became a provincial project, and the City was excluded from official negotiations (Semmens, 2004, May 1). In a reversal of its initial stance, the Nation agreed to transfer the land the road would be built on to the Province, in return for compensation of some kind, an act possible under Section 35 of the Indian Act (Semmens, 2004, May 1). Like the previous memorandum of understanding, the agreement in principle was a general document, with specific details to be worked out in negotiations.

A few weeks after the agreement was signed, the City formed a working group to discuss casino access issues with the Nation (Derworiz, 2004, May 18). The mayor alleged that if negotiations

were not successful, the City would be forced to upgrade 37th Street SW, and that these upgrades would make it difficult to access the casino. Bronconnier said:

The message hasn't changed. Can you imagine having a commercial development, and a casino and entertainment establishment and hotel, accessing a road that may not be available in the future if the only other option for the city is to build 37th Street as the north-south connector? (Wilton, 2004, July 21, p. B1)

Chief Big Plume accused the mayor of holding up the casino project, as the application process required the City to acknowledge the present roadway access (Wilton, 2004, July 21). Communication between the Nation and the City was poor, and the mayor commented that there was no point in him meeting with the Chief until other important issues had been worked out (Wilton, 2004, July 21).

The Nation was not willing to delay the casino development until the ring road was complete, as the casino was a key part of the Nation's economic strategy. Nation spokesperson Peter Manywounds explained that "[t]he casino's been on track for some time. It has to go first" (Slobodian, 2004, October 14, p. B7). This stance was met with resistance by some City politicians. Ward 6 Alderman Craig Burrows, whose ward bordered the Nation, vowed "I'll fight tooth and nail to make sure the road is built first. Once that's done, they can build anything on their land they want," (Slobodian, 2004, October 14, p. B7). Chief Big Plume was frustrated with the City's lack of communication, and he stated that "We want the city to come to the table and put all the issues on it so that we can deal with them" (McCormick, 2004, November 6, p. J3). In an interview with the *Calgary Herald* in December, the Chief described the relationship between the City and the Nation in very negative terms:

It's totally political. It's all politics. We are walking on thin ice here, and we have to tread lightly. Good business sense is good business sense. Let's leave the politics out of it. I've learned to play the game, so I push some buttons, I raise some eyebrows and so forth. Now, if they want to come back and start talking the door is right there, it's open.

We are not in a kiss-ass mode anymore. We are driving the agenda and the future. I don't need them to do it, we are doing it ourselves. I don't trust them, they don't trust me. We have never worked together before. We will never trust each other. But good business sense should take precedent. (Williamson, 2004, December 12, p. A3)

At this point in time it looked unlikely that the City and the Nation would ever have a positive relationship, at least with Bronconnier serving as Mayor.

2005

In March of 2005, Alberta Infrastructure and Transportation Minister Lyle Oberg announced that the Province and the Nation were “very, very close” to striking an agreement (Williamson, 2005, March 9, p. B1). A few days later the two parties signed a framework agreement to build the road across the reserve, from the south end of Sarcee Trail to Highway 22X. The agreement did not offer details regarding the design of the road or compensation for the land that would need to be transferred from the Nation to the Province (Dohy, 2005, March 12). The agreement did contain two deadlines: November 1, 2005 for a draft final agreement, and September 1, 2006 for the agreement to be ratified (Braid, 2005, March 12). Like many of the previous ring road deadlines, the Nation and the Province were unable to meet the November deadline (Fekete, 2005, October 25).

The draft ring road agreement was released to the public in the summer of 2005, and showed 90th Avenue SW, a relatively quiet local road that runs across the north edge of the Oakridge neighbourhood, being extended west and connected to the ring road and Nation land (see Figure 3). Some Calgary residents were angered by this, as well as by plans that showed Southland Drive SW, which forms the southern edge of the Oakridge neighbourhood, being extended northward from its westernmost edge to connect with 90th Avenue SW. Hundreds of people attended community meetings, many of them angry and worried about the traffic these connections would



Figure 3. Approximate alignment of the Southwest Calgary ring road (Adapted from Alberta Transportation, n.d.; Google Maps, 2015).

bring (Myers, 2005, July 5). The 90th Avenue connector was particularly important to the development plans of the Nation because it would lead to a 160 hectare portion of the reserve that the ring road would block from the rest of the reserve. The Nation maintained that it intended to develop the land, and that connections to and from the city were essential for these plans (Williamson, 2005, October 20).

Meanwhile, some city politicians were still creating controversy over the Nation's proposed casino development. Alderman Craig Burrows threatened that the City would "cut service off" to the development or, "shut the access so that you wouldn't be able to get there off our road. It's our roadway" (Derworiz, 2005, August 25, p. B1). Some Aldermen were alarmed by this approach, including Diane Colley-Urquhart, Alderman of Ward 13, who commented that "[p]utting up firewalls around Tsuu T'ina Nation is just not something that is at all desirable. It's a bit reckless" (Williamson, 2005, October 6, p. B1). She went on to say that the City should not use the casino access as a way to negotiate with the Nation for the road (Williamson, 2005, October 6). Mayor Bronconnier continued to maintain that the 37th Street SW access to the reserve and proposed casino development was considered 'temporary' (Braid, 2005, March 12). In fact the roadway had existed as a footpath prior to the existence of Calgary, and it is unclear why Mayor Bronconnier deemed it a temporary access point (Salus, October 2, 2013).

Later in the fall of 2005 the relationship between the City and the Nation hit a new low when a City committee raised controversy over roadway connections between the city and the reserve. It is important to understand that negotiations between the Province and the Nation involved not just the transfer of land for the freeway itself, but also for the corresponding utility corridor and connector roadways from the city. As part of the information required by the Province for these

negotiations, City administration prepared a report identifying the land that would be required for connections from the city to the ring road and to the Nation. The Province would include this land in negotiations with the Nation, in addition to the land required for the roadway itself. This report was presented to the City Planning and Transportation Committee at a December 14 meeting for approval. Overall, land was identified at four locations for the Province to secure as part of the negotiations: (1) 37 Street SW and Glenmore Trail, (2) widening of Glenmore Trail from 37 Street SW to Sarcee Trail SW, (3) 90 Avenue SW, and, (4) Southland Drive SW (City of Calgary, 2005, December 14).

At the meeting Alderman Erskine distributed the results of a survey in which his constituents had overwhelmingly indicated they did not support the 90th Avenue SW and Southland Drive SW connectors. Representatives from the Oakridge Community Association and Cedarbrae neighbourhood also made presentations pleading for the committee to abandon the connectors. During the meeting Alderman Erskine moved for a 10 year moratorium to be placed on the 90th Avenue SW and Southland Drive SW connections. Three Aldermen voted for the motion, and five voted against, and the motion was lost. Next Erskine introduced the following motion:

That Administration consider, in consultation with the affected communities, to study the feasibility of a single, separate direct connection to the South West Ring Road from the communities of Oakridge/Cedarbrae/Braeside/Palliser/Bayview/Pumphill, with all the traffic generated on the 360-acre Employment Centre being directed to the South West Ring Road only, to return to the 2006 October 26 Regular Meeting of the S.P.C. on Land Use, Planning and Transportation. (City of Calgary, 2005, December 14, p. 14).

This option meant that the Nation's commercial development on the 160 hectares would only be accessible from the ring road at access points to the north or south, and not from a direct connection from the City. This would make it much more difficult for employees and customers to travel between Calgary and the Nation development. Five Aldermen voted in favour of the amendment,

while three voted against it (City of Calgary, 2005, December 14). This meant the Aldermen supported the study of such an option, not that it was the only option. The committee's decision was subject to a Council vote on January 16, 2006 (Derworiz, 2005, December 15).

An important question to ask is if politicians and residents were right to be fearful of the connectors. Although the connections would increase traffic along 90th Avenue SW and Southland Drive SW, City planners noted that the roads were designed for these volumes, and that it would relieve pressure on other city roadways. It was estimated that traffic on 90th Avenue would triple, from 5000 vehicles per day to 15, 900, and Southland Drive would almost double, from 6, 700 vehicles to 11, 400. Yet the roads were designed for 30, 000 vehicles and would be well under capacity (Derworiz, 2005, December 15). The committee vote greatly angered the Nation and further opened the rift between the two communities. In a letter to the *Calgary Herald*, Chief Big Plume wrote:

The unbelievable motion, put forward by an aldermanic subcommittee, that the ring road should be built on Tsuu T'ina, be connected to the city through, but that Tsuu T'ina people be prevented or blocked from accessing the city on its connectors, has produced tremendous hurt and anger. (Big Plume, 2005, December 24, p. A25).

The Nation framed opposition to the connections in a much different way than did the politicians and Calgarians who did not support the connections. Opponents of the connections argued, in the media at least, that the benefits from the connections were not worth the increase in traffic through suburban communities. The Nation, on the other hand, characterized the move as an attempt to maintain segregation between the two communities. Because City Council had to vote on the committee's recommendation in January 2006, the connection controversy continued into the next year.

2006

The committee vote to study the option of a ring road without connections from 90th Avenue SW and Southland Drive SW to the Nation put the entire ring road into jeopardy. The Nation warned the City that negotiations would only proceed if the connections remained. Morten Paulsen, spokesperson for the Tsuut'ina, commented that, "[t]he Tsuu T'ina has been very clear from the outset why it was entering into this negotiation: Tsuu T'ina wants to embark on unprecedented economic development to improve the lives of its citizens". (Derworiz, 2006, January 14, p. B1). According to *Calgary Herald* journalist Don Braid, the committee vote was taken as a racial insult by some Nation members (Braid, 2006, January 20). Alderman Erskine argued his opposition to the connectors was not racially motivated, but based on the amount of traffic flow that access to commercial development would bring through quiet neighbourhoods (Braid, 2006, January 20).

In late January City Council rejected the committee vote, and voted to secure land for connections at 90th Avenue SW and Southland Drive SW. Unfortunately, the relationship between the two communities was already damaged. Nation spokesperson Peter Manywounds said that "[q]uite frankly, the process created animosity and hard feelings. There were deliberate distortions about what our aspirations were. It has been characterized here as almost racist" (Poole, 2006, January 25, p. B1).

The media reported little about the ring road over the summer of 2006. The Nation's casino plans progressed one step further when the 940 land was finally returned in usable condition by the federal government. The site's location close to Glenmore Trail and 37th Street SW made it ideal for Nation's casino and future retail and hotel development (Chin, 2006, July 30). In September the Nation held a ceremony to mark the start of construction for the 84 000 square foot casino, which was expected to produce 500 permanent jobs (Myers, 2006, September 15).

2007

Ring road negotiations were delayed until an appraisal was completed for the land the Nation had to surrender to the Province for the roadway. The City became impatient and Mayor Bronconnier threatened that, “[w]e're approaching the point where we have to make some decisions -- 37th and Glenmore is at failure” (“Ring road’s endless”, 2007, January 4, p. A12). The appraisal was expected in January but was not received until December (Seskus, 2007, December 20). Meanwhile, the casino was almost complete, and the promise of future revenues allowed the Nation to embark on a project to build 300 new homes in five years (Komarnicki, 2007, December 6).

2008

The casino opened in 2008, although it lacked a contract for fire protection or ambulance services from the City, even though the Nation had an existing contract for the rest of the community (Guttormson, 2008, February 16). Mayor Bronconnier said that the City lacked the capacity to take on new contracts and that it was reconsidering its contracts with all of its surrounding communities. This meant that the Calgary Fire Department and Emergency Services would respond as a ‘good neighbour’ if trucks were available, but was not contractually obligated to do so, and could be held up by calls in the city (Guttormson, 2008, February 16). At the time some accused the mayor of “punishing” the Nation for building the casino before the ring road deal was complete (Rath, 2008, February 24, p. A15). In response the Nation started its own fire department, hiring a chief, building a hall, and training crew members (Guttormson, 2008, October 12). There was little information released to the public in 2008 regarding the negotiations, except the occasional statement from a representative saying that an agreement was close (Fekete, 2008, July 10).

2009

In late March it was announced that Chief and Council had voted in favour of a draft ring road agreement with the Province, which would allow land to be transferred to the Province for construction of the ring road. The specifics of the deal were only made available to Nation members, and not members of the Calgary public. However, it is now known that the deal would compensate the Nation \$275 million for the 400 hectares of surrendered land, of which \$240 million would be held in trust by the federal government (Komarnicki, 2009, May 25). The province would also make 'best efforts' to secure 2000 hectares of Crown land just west of the reserve for the Nation. Members were to vote in a binding June referendum, and Calgary citizens waited in anticipation (Guttormson, 2009, March 25). However, Nation members did not pass the referendum, and 60.5% of voters voted 'no' to the ring road deal (Tetley & Cuthbertson, 2009, July 1).

Chief Big Plume asserted that negotiations should not stop despite the results of the referendum, and that the Nation had only voted down the agreement presented to them. Big Plume asserted that two issues in particular had caused Nation members to reject the agreement: the Province had not guaranteed that it would transfer the 2000 hectares of Crown land to the Nation, and roadway connections from Calgary to the reserve were also not guaranteed (Komarnicki, 2009, July 11). Still, the Province decided to abandon talks with the Nation and instead looked to fund the Plan B road, which would run through the city. Immediately after the referendum the City began to construct a traffic circle south of Glenmore Trail and 37th Street SW to improve traffic flow (Guttormson, 2009, September 10). The Plan B road, which would involve converting 37th Street SW into a highway and routing it overtop the Weaselhead, was unpopular with Lakeview residents because it required the demolition of hundreds of neighbourhood homes (Ferguson, 2009, July 5).

Journalist Don Braid (2009) contended that the route “has the potential to be the most contentious building project in the city’s history” (July 7). The estimated cost of the Plan B route was similar to the route through the Nation, but was technically inferior. The City maintained that a 37th Street SW route could only achieve speeds of 90 km/hour, while the province wanted a road that could be posted at 110 km/hour. The road through the Nation would have been posted at freeway speed, 110 km/hour.

In October Chief Big Plume sent a letter to the City which threatened legal action over construction of the traffic circle and a future interchange project at Glenmore Trail and 37th Street SW. Both of the construction projects were located near the entrance to the casino. Chief Big Plume wrote, “[a]ny interference by the City of Calgary of Tsuu T’ina Nation's rights to enter and leave its lands at any point along Tsuu T’ina Nation boundaries constitutes a breach of our rights under Treaty No. 7” (Komarnicki, 2009, October 26, p. B1). The letter was leaked to two major Calgary newspapers, the *Calgary Herald* and *Calgary Sun*. Mayor Bronconnier responded that, “[t]he infrastructure that's proposed to be built is on land owned by the citizens of Calgary, it's under the control of the citizens of Calgary, and it's in the interest of the City of Calgary to have an intersection built and improved on” (Komarnicki, 2009, October 26, p. B1). Bronconnier maintained that City representatives had met with Nation members and taken their concerns into consideration. He explained that the City would continue to provide access to the Nation at Anderson Road and 37th Street SW, although it is unclear why Bronconnier thought that the Nation had only one legal access point (Komarnicki, 2009, October 26). Bronconnier added that:

We're not asking our neighbours for approval. We're happy to consult but it doesn't require consent. The people of Tsuu T'ina Nation, like the people in Lakeview, Glamorgan or any other community, can go to the public open houses. The neighbours to our west are well served by a road at Anderson and 37 Street. (Bell, 2009, October 25, n.p)

Although the mayor implied that access to the casino might be removed due to the configuration required for the new interchange, in an interview with the *Calgary Herald*, the City's Director of Transportation Planning maintained that "[w]e will be providing access one way [sic] or another...The city will never block access to the casino. It will be in the vicinity of where it is today" ("Road access to", 2009, October 29, p. A14).

A few months later Chief Big Plume wrote a letter to the *Calgary Herald*, clarifying the results of the earlier referendum. He said that he voted 'yes' thinking it was "an opportunity to transform Tsuu T'ina into an economic tiger" (Big Plume, 2009, November 17, p. A13). He identified two main reasons for the 'no' vote, saying that "We were prepared to transfer land only if government would promise that the ring road would be built, that we would have permanent access to that road and that we could enforce those promises. Again, the government said: trust us." (Big Plume, 2009, November 17, p. A13). The poor relationship between the City and the Nation likely did not boost the confidence of Nation members.

In early December the City and the Province signed an agreement to identify a route for the southwest leg of the ring road through city land. They gave themselves a two-year timeframe to complete public consultation and finalize a route (Fekete, 2009, December 2).

2010

The ring road became a major issue during the 2010 Calgary civic election and a few candidates, including Naheed Nenshi, supported reopening communication with the Nation (Cryderman, 2010, October 15). Nenshi emerged victorious as the mayor and the dynamics of the relationship between the City and the Nation soon changed. One of Mayor Nenshi's immediate priorities was to build a stronger relationship with the Nation (Senior City representative, interview, February

17, 2015). Although the City was not an official partner to negotiations, the mayor and his team “worked really hard to convince the Minister [of Transportation] that there needed to be a change of approach, from the Provincial perspective, on how to move this thing forward. And that what the Nation was asking for was certainty” (Senior City representative, interview, February 17, 2015). The new Deputy Minister of Transportation, Tim Grant, who was primarily responsible for the Provincial side of negotiations, took this approach seriously (Senior City representative, interview, February 17, 2015).

Significant strides were taken by City Council towards guaranteeing roadway connections between the city and the reserve, and in providing water and wastewater services to Nation commercial development. A senior City of Calgary administrator commented that:

It was very important for the Tsuut’ina that those connections be guaranteed. That those would happen. And the previous administration here wouldn’t guarantee it because it’d tied up those connections with resolution of a whole series of land claims issues between the City and the Tsuut’ina...The Mayor convinced Council that it would be impossible for us to move forward in building a relationship with the Tsuut’ina if we have to resolve all the issues at the same time. (Senior City representative, interview, February 17, 2015)

As a result, Council policy was changed in order for the City to begin negotiating a master services agreement with the Nation, independent of land claims issues and the ring road negotiations (Senior City representative, interview, February 17, 2015).

2011

While the Mayor and the Chief worked to build a relationship, provincially-led public consultation for the Plan B road commenced in early 2011. Many people in southwest Calgary communities were in favour of proceeding with the Plan B option as it would shorten time spent commuting (Ferguson, 2011, February 16). However, not all residents in the southwest were happy with the plan. Over a thousand people attended one of the open houses, many of them angry about the

demolition of homes and the environmentally sensitive route (Zickefoose, 2011, February 23). Provincial MLA Alison Redford, whose riding included Lakeview, was open to restarting talks with the Nation but stated that the Nation had to come forward first (Ferguson, 2011, February 16).

On March 2 Premier Ed Stelmach and Chief Big Plume announced that they would be open to restarting talks, although the Province maintained that they would not renegotiate the terms of the deal. The Chief made it clear that three sticking points would have to be addressed, and that they would have to be legally guaranteed: (1) the land transfer from the Province, (2) guaranteed connections between the reserve and the city, and (3) the reversion of land to the Nation if the land would not be used for a road (Fekete, 2011, March 3). On June 29th, 68% of Nation voters said yes to re-opening negotiations with the province (Ho, 2011, July 2).

Publicly, Mayor Nenshi was optimistic about renewed negotiations and he said “I think we can get that win-win solution that helps [the Nation] with the economic development they need and helps southwest Calgary with the transportation we need” (Ho, 2011, July 2, p. B1). He also spoke in positive terms about the land transfer, and maintained that the Province could legally guarantee the land, beyond best efforts (Ho, 2011, July 2). Nenshi also made a number of symbolic gestures, including attending a pow wow and Christmas feast at the Nation, and he attended a Nation meeting where he spoke to members face-to-face about the ring road (Braid, 2011, July 13).

Unfortunately, the tempers of some Calgary citizens flared during the Stampede Parade, which the Tsuut’ina take part in annually. Some members of the crowd booed and shouted ‘Give us our ring road’ when the Nation passed, and at one point a cabbage was thrown towards the Nation members

(Eagletail, 2011, July 16). It is an ugly thought, but it is difficult to imagine Calgarians treating members of a non-Aboriginal municipality in such a way.

2012

In 2012 the Province approved expansion of the Nation's casino development, making way for a hotel and 300 more slot machines (Stephenson, 2012). The mayor indicated that the City was working closely with the Nation to provide servicing for the casino, rather than the Nation have to expand its own infrastructure at a high cost ("Calgary, Tsuu T'ina", 2012, September 19). Under Mayor Bronconnier the City had refused to provide servicing to the casino, forcing the Nation to construct its own small water treatment plant.

Later in the year Nation members elected Roy Whitney as Chief. Whitney replaced Sandford Big Plume, who had served since 2001. Whitney had stepped down in 2001 for personal reasons, but had previously served from 1985 to 2001 (Ferguson, 2012, November 28).

2013

On September 5th, the Nation and the Province announced that they had reached a new ring road agreement. Nation members were set to vote on the agreement on the 24th of October (McMurray, 2013, September 18). In the meantime, the Nation sent approximately 25 Tsuut'ina members to visit the Salt River Pima-Maricopa Indian Community (SRPMIC). The SRPMIC had gone through a similar ring road experience with the Arizona Department of Transportation and the Loop 101 Freeway, and hosted commercial development on their reservation, including the Arizona Diamondbacks spring training facility. In an article that ran in the SRPMIC newspaper, Tsuut'ina Councillor Lyle Dodginghorse commented that:

The province approached us again to reopen negotiations, so that brings us where we are today. This time around, we are engaging more council members, more [tribal] members, and more subcommittees to look at different components of the deal to get more networking within the community. (Silverthorn, 2013, September 19, p. 1)

The councillor's comment indicates that Nation Council was working diligently to convince Nation members of the potential benefit of a ring road. As with the last vote, members were split on the benefits of the road. The SRPMIC newspaper reported that older members of the Nation were generally against the highway, while younger members tended to support it (Silverthorn, 2013, September 19).

While the Nation would not comment publicly in the days leading up to the vote, an anonymous senior Nation source spoke to the *Calgary Herald* and said that "Mayor Nenshi has improved relations between the nation and the city a hundred-fold, actually, a thousand-fold" (Komarnicki, 2013, September 20, p. A4). The source also noted that the symbolic gestures the Mayor had undertaken were meaningful to the Nation (Komarnicki, 2013, September 20). Leading up to the vote Nenshi commented that:

The thing that's different this time is that the last time around the Tsuu T'ina people were asked to vote on a deal where there was still quite a bit of uncertainty. And I think from the city's perspective we've tried to eliminate that uncertainty. (Wood, 2013, September 20, p. A4)

On October 24, 2013 the members of the Nation approved the ring road, with 644 members casting a 'yes' vote, and 280 saying 'no' (Komarnicki & Varcoe, 2013, October 26). The terms of the agreement include the following:

- The Nation will transfer 400 hectares of land to the Province. In exchange they will receive \$275 million as well as a guaranteed exchange of 2000 hectares of Crown land from the Province.
- \$65 million from the Province towards the relocation of affected Nation homes and businesses.

- The Province has seven years to build the road once the land transfer is approved by Ottawa, or the land will revert back to the Nation.
- Road connections are guaranteed between the City and the Nation.

After the vote was announced Mayor Nenshi stated that “I’m really hopeful, as Chief Whitney is, that this road will not serve as a wall, but it will actually serve as the ability for us to think of our communities as intertwined more than we have in the past” (Klingbeil, 2013, October 26, p. A5). Chief Whitney did not make a statement to the media, and a Nation spokesperson explained that given the years of tense negotiations leading to the referendum, instead the Chief was spending time with community members to begin the healing process after the referendum (Klingbeil, 2013, October 26).

Conclusion

As this chronology and historical account demonstrate, while the Nation and the City have existed as geographic neighbours for over a hundred years, for the majority of these years the two communities have existed largely apart. The relationship between the City and the Nation seemed to reach a turning point with the election of Mayor Nenshi in 2010. After Mayor Nenshi was elected, the City and the Nation were able to reopen lines of communication and work toward solutions to longstanding issues, such as the provision of water and wastewater services to the Nation’s proposed commercial development. The ring road negotiations brought the City and the Nation together in greater interaction, and without the impetus of the negotiations it is unclear if a similarly positive relationship would exist today. The road was important to the leaders of each community, including Mayor Bronconnier, although his approach to interacting with the Nation did not result in a cooperative relationship.

In the following chapter I use the two theoretical frameworks described in Chapter 3 to explore the case of the City-Nation relationship more closely. Although leadership appears to have been an important factor in the emergence of a cooperative relationship, I examine what other factors enabled or constrained cooperation. While the emergence of a cooperative relationship is obviously an important step, there is no guarantee that the relationship will remain positive - politicians leave office, conflicts can arise, and relationship-building momentum can peter out. First Nation-municipal relationships that last must become a part of routine practice for employees. In the next chapter I explore the types of organisational arrangements the City might work toward to sustain and build upon its relationship with the Nation.

Chapter 6: Analysis

This chapter is divided into two sections. In the first section I apply the capacity-willingness framework developed in Chapter 4 to analyze the factors that led to the emergence of a cooperative relationship between the City of Calgary and the Tsuut'ina Nation. In the second section I apply the governance transformation framework developed in Chapter 4 to explore what types of organisational processes and culture might allow the City and the Nation to sustain and build upon their current relationship.

Section 1: Emergence of a Cooperative Relationship

When Naheed Nenshi became the mayor of Calgary in 2010, evidence suggests that the City and the Nation entered a new era of cooperative relations. A year after Nenshi's election, Chief Big Plume declared that, as two communities, the City and the Nation were "making strides that we have never done in the past" (Komarnicki, 2011, November 9, p. B8). Several interviewees characterized the current relationship as being built on a 'win-win' approach to issues (Nation representative, interview, December 12, 2014; Nation representative, interview, December 19, 2014; Senior City representative, interview, February 17, 2015). Recent interactions between the City and the Nation support this analysis. For example, once in office, Mayor Nenshi effectively communicated that the City would guarantee roadway connections between the City and the Nation. Looking back, it is arguably unlikely that the previous Mayor and Council would have blocked access at 90th Avenue SW and Southland Drive, particularly once the Province built the associated interchanges (City employee, interview, March 18, 2015), although the Nation was nervous about the possibility. The Nation's unease was aggravated by the lack of clear communication from Mayor Bronconnier, and by the City Transportation Committee's vote to

study the 90th Avenue SW and Southland Drive SW connections. As further evidence of a newly cooperative relationship, the City and the Nation are strengthening formal ties. In 2014 the two communities signed a master services agreement, with the City providing water and wastewater services to the eastern third of the reserve for a fee, something that was not accomplished while Bronconnier was mayor. According to a Nation official, the agreement was “a really clear signal that Nenshi would follow through on his commitments” (Nation representative, interview, December 12, 2014). Finally, the ‘yes’ vote for the road by Nation members in 2013, compared to the ‘no’ vote in 2009, is perhaps an indicator that relations had improved between the City and the Nation. While of course Nation members considered a number of factors while voting on the road, it is feasible that the Nation’s relationship with the City influenced the vote in some way. This analysis is supported by the comments of a Nation official, who described the conditions of the 2009 vote:

In the opinion of the majority of the membership – a small majority, but nevertheless a majority – [best efforts language] wasn’t good enough. So, the language wasn’t strong enough, the guarantees to transfer the land weren’t strong enough, the fact that we couldn’t get a commitment from Bronconnier and the City to provide services, the fact that access at all of those interchanges were not guaranteed...Our members are voting in that kind of atmosphere and going, ‘Well, if you’re not going to guarantee us access, why would we give you the ring road? Because that’s what’s going to benefit us’ (Nation representative, interview, December 12, 2014).

Although it is difficult to know to what extent the City’s relationship with the Nation influenced the results of the referendums, it is just as difficult to imagine members of the Nation approving the road if the once-strained relations between the two neighbours had not eased.

Before proceeding with analysis of the factors that enabled or constrained cooperation, it is important to point out that the capacity-willingness framework is meant for application in cases where cooperation between municipalities and Aboriginal governments provides the possibility of mutual benefit (Nelles & Alcantara, 2014). In using this framework, I am sensitive to the fact that

not all Calgarians or Nation members support the routing of the ring road through Nation land. The ring road will displace several Nation families, and construction will potentially disturb burial sites. Additionally, some southwest Calgary neighbourhoods are unhappy about the extra traffic that the 90th Avenue SW and Southland Drive connections will bring through their communities. However, whether or not the Nation and the City would cooperate over the course of negotiations was largely influenced by opinions and actions of the chief and mayor. Furthermore, Chief Big Plume, Chief Whitney, Mayor Bronconnier, and Mayor Nenshi had expressed support for a ring road through Nation land. Such a route was only feasible if the two sides collaborated, and thus, this case meets the assumption of mutual benefit.

The focus of this analysis is to understand why a cooperative relationship developed between the City and the Nation, particularly when relations had been strained for so long. Upon first glance the election of Mayor Nenshi in 2010 marks an obvious turning point in the relationship. In order to examine the factors that influenced the emergence of a cooperative relationship, it then makes sense to compare the period of the first ring road negotiations, which roughly coincides with Mayor Bronconnier's term, to the period of the second ring road negotiations, which coincides with Mayor Nenshi's term. I argue that ultimately Nenshi's leadership tipped the relationship in a more positive direction. However, narrowing in only on the role of the mayor misses the influence of other factors that constrained or enabled the building of a relationship. While I argue that the leadership of Mayor Nenshi was essential, so was the leadership of the Nation's two chiefs. I also examine the effect of other factors, including political institutions, resources, external interventions, history, polarizing events, imperative, and community capital, on the relationship between the Nation and the City.

Political Institutions

The City and the Nation are situated in political institutional contexts that shape their decision-making authority. The scope of this authority affects the ability of each partner to commit to collaboration. Overall, the limits placed on each government's decision-making authority appears to have dampened, although certainly not eliminated, the ability of the Nation and the City to cooperate. This section examines the influence of executive autonomy, decision-making processes, jurisdictional autonomy, and treaty status on cooperation between the two communities.

Executive autonomy

The influence of executive autonomy is not always a strong predictor of cooperation since powerful executives can choose to support or oppose collaboration (Nelles & Alcantara, 2014). Executive autonomy did not have a clear effect on cooperation between the City and the Nation. In the case of mayoral power, both Calgary mayors enjoyed approximately equal levels of autonomy, and only Mayor Nenshi used that power to forge stronger connections with the Nation. Much of the power enjoyed by the mayors flowed from their ability to communicate, or not, with the Nation's Chief, and as well from their ability to shape the public's perception of the ring road debate through comments in the media. Although formally each mayor only had one vote on City Council decisions, it is unclear how much sway each had over council members. In the case of Mayor Nenshi, it appears that he was able to move forward on the guarantee of roadway connections between the city and the reserve by convincing council to separate the issues of the roadway connections and Nation land claims (Senior City representative, interview, February 17, 2015).

The executive autonomy of both Chief Big Plume and Chief Whitney was constrained because they had to abide by the decisions of their members during the 2009 and 2013 referendums,

respectively. Land surrenders under Section 39 of the *Indian Act* require approval by the majority of a Nation's electors. Nation referendums introduced more uncertainty and time involved in coming to an agreement, and thereby increased the transaction costs the City faced when collaborating with the Nation. Ultimately for the City, the benefits of a ring road through Nation land outweighed the costs of the extra time spent in negotiation.

Decision-making processes

Some politicians and Calgarians were not comfortable with certain aspects of the Nation's referendum process. For instance, before the 2009 vote, the details of the agreement were known to Nation members but not Calgarians, which a Liberal transportation critic deemed "frustrating" (D'Aliesio & Komarnicki, 2009, May 23, p. B1). However, while the referendum process may have reduced political support for cooperation from some Calgary residents, it likely improved support for cooperation from Nation members since it gave them greater control over the terms of the agreement.

Jurisdictional autonomy

The Calgary Southwest ring road negotiations and discussions were complex and involved four government bodies, including the Nation, the Alberta government, the federal government, and the City. Because many aspects of First Nations governance fall under the federal government, the Nation had to contend with federal bureaucracy on a number of issues related to the ring road. For instance, environmental matters required the Nation to navigate six federal departments (Braid, 2007, July 4). At times the Nation had to remind impatient Calgary politicians that delays were due to this bureaucracy, and not inaction on the part of the Nation (Braid, 2007, July 4).

According to a Provincial official familiar with the negotiations, the federal government, at times, frustrated ring road negotiations:

The Indian Act, of course, gives certain powers to the Minister, and the bureaucracy in Ottawa is complex. An example would be, after the agreement was reached, Canada was still in a position to say, ‘Well, we may or may not accept it. We may or may not rewrite it’. So it was somewhat frustrating for the two parties to say, ‘Yes, but we've agreed to it. We want this to happen’. (Provincial official, interview, March 2, 2015).

Ultimately the Nation and the Province held firm, and the federal team acknowledged that acceptance of the agreement was contingent on the original wording. (Provincial official, interview, March 2, 2015). While Calgary was not officially a part of the negotiations, the federal government’s involvement in the process increased the uncertainty associated with the ring road agreement, and meant that investing City resources toward working with the Nation was more risky.

Treaty and legal status

In 1996 the Tsuut’ina Nation filed a claim on the City-owned Weaselhead, alleging that the Nation had received insufficient payment from the federal government in exchange for the surrendered land (Heyman, 2000, June 16). The claim was resolved in 2013 and the Nation was awarded \$20.8 million under the Specific Claims Process (Aboriginal Affairs and Northern Development Canada, 2013b). This claim likely increased the uncertainty associated with the City pursuing the Plan B ring road route, as this route would have run across the land involved in the claim.

Resources

Participation in formal negotiations and informal discussions concerning the ring road and master services agreement required the input of substantial resources. According to a Nation official, the Nation spent “millions” on the ring road negotiations and related activities (Nation representative, interview, December 12, 2014). While some of these costs were ultimately recoverable, the Nation could only recoup costs when and if negotiations were complete and the ring road was approved through Nation land. According to a Nation official, it meant that the Nation “had to have the

wherewithal to spend – and it was millions” (Nation representative, interview, December 12, 2014).

The Nation was able to participate in ring road discussions because it has relatively considerable resources available. The Nation’s current operating budget sits at \$160 million, and 90% of that figure comes from the Nation’s own source funding (Nation representative, interview, December 12, 2014). Without revenue from existing Nation businesses, participation in ring road discussions would have been difficult. At the same time, compared to Calgary, the Tsuut’ina Nation has a much smaller population, and a smaller administration. The City is such a larger organisation than the Nation that City bureaucrats outnumber the entire population of the Nation⁸ (McMurray, 2013, August 19). The Nation’s smaller staff size may have meant that the considerable number of meetings with federal, provincial, and City officials about the ring road strained staff resources, although it’s unclear if this was the case.

Resource expenditure was likely less of a significant factor for the City than the Nation, since the City has a large administration and was committed to building a ring road, whether it went through Nation land or the city. Additionally, because the ring road was an important issue for both the Nation and the City, it is likely that resources were prioritized towards it.

External Interventions

According to a Nation official, the actions of the federal government indirectly influenced the opinion of some Nation members when it came to decide whether or not to allow the road to proceed through Nation land:

⁸ Approximately 2400 people work at Calgary City Hall and the attached Municipal Building, while the Nation’s entire population is approximately 2000 people.

There was the issue with the Government of Canada, Bill C-45 [the Conservative omnibus bill], which you have probably heard about and seen about, was very prominent in 2012. And...you know, again, the Prime Minister's riding is immediately adjacent to us, it's right here. And people are going, 'Why are we giving him a ring road when he's doing this stuff to us?'. (Nation representative, interview, December 12, 2014)

Prime Minister Stephen Harper's association with the city of Calgary potentially influenced the way some Nation members weighed the costs and benefits of the ring road. Over time, however, the same Nation official explained, "the perception became, 'it isn't about them – it's about us. What do we need?'" (Nation representative, interview, December 12, 2014). Although it's impossible to know how much of an influence Nation members' unhappiness with the federal government had on the vote, this story illustrates that during both referendums Nation members were voting on more than the monetary compensation provided in each ring road agreement.

Interestingly, the fact that part of Calgary is the Prime Minister's constituency may have increased the speed with which the file passed through the federal bureaucracy. Describing this potential influence, a provincial official familiar with the negotiations commented:

One of the three options for the road went right through the middle of the Prime Minister's constituency and would have required the acquisition, expropriation, and demolition of hundreds of buildings. So, did that get peoples' attention, did people in Ottawa know that? Yes. Was it ever overtly part of the discussion? No, it never was. But did it influence peoples' willingness to sit down and speak about these issues in Ottawa? It probably did. (Provincial official, interview, March 2, 2015)

Although federal approval of the agreement was not directly tied to cooperation between the Nation and the City, a greater chance for speedy federal approval would have been attractive to the City. However, in the context of the other factors that influenced the emergence of a cooperative relationship, external interventions from the federal government likely had a relatively weak effect. The influence of the provincial government, which played a more important role, is discussed under the category of imperative.

History

Canada's colonial legacy is paved on a trail of broken promises to First Nations, and the Tsuut'ina are no stranger to this legacy. According to a Nation official, "[t]here had always been, not just in our [Tsuut'ina] community, but I think First Nations in general, a distrust of government" (Nation representative, interview, December 12, 2014). At the time of the ring road negotiations the Nation had filed numerous land claims for land they had surrendered and received insufficient compensation for. This explains why the Nation maintained early on in negotiations that they would agree to a ring road, but only if they continued to own the land. Additionally, the results of the 2009 referendum show that the Nation membership was not prepared to accept ambiguous terms in the ring road agreement or to rely on the goodwill of the Province and the City to fulfill their promises. This analysis is supported by a Nation official, who asserted that, "[a]nd just so we're clear...it wasn't about money that our members voted against [the 2009 agreement]. It was about certainty. And we've been burned so many times historically, our members weren't prepared to accept best efforts language" (Nation representative, interview, December 12, 2014). This claim, that the Nation required certainty, is supported by the comments of another Nation official. Referring to the 2009 agreement and the failure to guarantee roadway connections, he said that, "in the previous agreement in '09 Alberta went as far as, if I can get the words correct, I believe it was similar to, 'They will encourage the City to talk to us'. Well, doesn't mean [anything]" (Nation representative, interview, December 19, 2014).

In order to move forward with an agreement that was satisfactory to Nation members, both the City and the Province had to come to understand the importance of certainty to the Nation. In particular, Nation members wanted to be sure that the Province would transfer 2000 hectares of Crown land to the Nation, and that roadway connections between the reserve and the city would

be guaranteed. Mayor Bronconnier apparently did not understand the importance of these guarantees, and after the 2009 referendum he stated that, in his opinion, Nation members had turned down “probably the most favourable agreement I’ve ever seen in my entire political career” (Komarnicki & Braid, 2009, July 2, p. A1). In contrast, Mayor Nenshi’s team did understand the importance of certainty to the Nation, and the City played a role in convincing the Province of the fact. A senior City representative described the situation:

We worked really hard to convince the [Provincial] Minister that there needed to be a change of approach, from the Provincial perspective, on how to move this thing forward. And that what the Nation was asking for was certainty, and they wanted a deal that was certain. And, that [the Province] needed to understand that you can't go into a negotiation with a First Nation and have all these things up in the air. (Senior City representative, interview, February 17, 2015)

Unlike Mayor Bronconnier, who appeared to have a very hands off approach to the negotiations, the City under Mayor Nenshi had a far more active role in swaying the Province. The City understood that relationships between the Nation, the City, and the Province were conditioned by a historical context, and that the effects of this context needed to be understood and addressed. This is a lesson that all municipalities need to understand in order to build relationships with their First Nation neighbours.

At the time of the 2013 referendum the players on the Provincial side had changed, and the Province displayed a much better understanding of what the Nation required. The comments of a provincial official familiar with the negotiations demonstrate this new approach:

I think if you look at the ...agreement, the reason it’s 87 pages in total...is all based on the fact that [the Nation] felt they had been burned in the past and they didn’t want to be burned in the future. (Provincial official, interview, March 2, 2015)

The long length of the final agreement is a physical manifestation of the certainty demanded by the Nation after a long history of broken promises and unacceptable deals. The City had to understand this history in order to build a relationship with the Nation. Therefore, while history

was an important factor in the development of a relationship, the leadership of Mayor Nenshi in understanding the effect of this history was more important, as will be discussed later in the chapter.

Polarizing Events

Polarizing events are changes in circumstance that make partners either less willing or more willing to cooperate than they were before (Nelles & Alcantara, 2014). The return of the 940, or Harvey Barracks land, was a polarizing event for both the City and the Nation. The land was returned to the Nation in 2006 after its use by the Canadian military, and the result was that both the City and the Nation were more willing to cooperate than before.

In the eyes of the Nation, the 940 was an excellent location for commercial development, as it sits adjacent to the city of Calgary at a convenient access point for customers. This land is where the Nation constructed the Grey Eagle Casino, a development that provides the Nation with a considerable steady income. Before the 940 was returned, the construction of a ring road through the reserve did not make long-term economic sense to the Nation, as a Nation official explained:

Up until the late '90s, I was not in support of the ring road because we hadn't regained control of the 940 acres – former Harvey Barracks site. So without that, there was no benefit to the Nation. It wasn't possible to gain the benefit with just the southern parts [of the reserve being developed]. We needed that quadrant back. (Nation representative, interview, December 12, 2014)

Not only did the casino development provide the Nation with a substantial economic return, but it demonstrated to members how development along the ring road could benefit the Nation. A Nation official explained:

It was critical for people to see that benefit, the economic benefit [from the casino], flowing out to the community. So they knew if we did this and took the next step, we have a system and a process where it is going into the community and it is an investment in the future. (Nation representative, interview, December 12, 2014)

Even though the casino and future developments on the 940 were not directly tied to the ring road negotiation, they were certainly linked. It was critical for the Nation to sign a master servicing agreement with the City since the Nation's future commercial development would require significant water and wastewater servicing. Bronconnier's insistence on making a servicing agreement and access to the casino contingent on the Nation's approval of the ring road stalled negotiations.

The return of the land also meant that the City was forced to work with the Nation if they hoped to avoid routing the road through the established Lakeview neighbourhood. Lakeview sits adjacent to the 940, and when the neighbourhood was constructed in the 1960s the land still belonged to the Canadian military, and had been annexed by the City of Calgary (Salus, 2012, May 7). The return of the land left the City with essentially two options: negotiate with the Nation to run the road through the reserve, or run it through Lakeview which would require the expropriation and demolition of hundreds of homes. Clearly the road through Nation land was the preferred route since it allowed the City to avoid the outrage it would have faced if the ring road was to run through an established city neighbourhood. The return of the 940 increased the willingness of the City, under both Mayor Bronconnier and Mayor Nenshi, to negotiate with the Nation.

Imperative

The southwest Calgary ring road is an important project to both the Nation and the City, and if either side had not felt it was imperative to complete the project then discussions and negotiations would not have dragged on for the length that they did.

The City has long considered the construction of the ring road to be an essential project in order to relieve congestion on busy north-south arteries like Deerfoot Trail and Macleod Trail. Traffic

jams were common in the city's southwest, and the development of new neighbourhoods was stalled until traffic movement could be improved. As Alderman Diane Colley-Urquhart described the situation, "[a] lot of people want to come to the south, and the developers have invested in the land a long time ago and want to build people homes. They've watched development all around them, and it's unfair" (McCormick, 2001, February 24, p. HS11). Although the merits of suburban-style development and freeways are debatable, many Calgary politicians and citizens felt a ring road would bring considerable benefits. A road that ran through Nation land, versus one that cut through the city, was also preferable for a number of reasons: the route would avoid the scenic and environmentally-sensitive Weaselhead, it could accommodate more lanes of traffic (Connery, 2005, October 10), and it could have a higher posted speed limit (Braid, 2009, July 7).

Prior to the 2009 referendum, the Province had only committed to funding a ring road through Nation land. It was only after the 'no' vote by Nation members that the Province announced funding for a road through the city. Mayor Bronconnier defended the City's reluctance to pursue Plan B, explaining that, "[f]or the naysayers who say just go it alone, I say that if we aren't building a provincial ring road, the province won't participate. And without the province, we don't have the financial capacity to build this road" (Braid, 2003, October 13). The promise of provincial funds for a Nation route meant that Bronconnier was likely more patient to wait through the drawn-out negotiations than he would otherwise have been.

The broad economic benefits associated with the ring road meant that the project was also an imperative for the Nation, provided that the final agreement was acceptable to its members. As discussed in the previous chapter, the ring road and the connection to the city at 90th Avenue SW will provide crucial access to future commercial development on the reserve for both outside

customers and employees. These developments would not be economically feasible without the access provided by the road.

Community Capital

The factors discussed previously – political institutions, resources, external interventions, history, polarizing events, and imperative – do not adequately explain the emergence of a positive relationship between the City and the Nation. For the most part these factors remained constant over the course of the ring road negotiations, and therefore they cannot be drawn from to explain the more positive relationship. As a reminder, the emergence of this relationship was signalled not only by the words of the City and Nation representatives in the media, but also by their actions, including the guaranteed roadway connections, a master servicing agreement, and a ‘yes’ vote on the ring road by Nation members. The leadership displayed by Mayor Nenshi, in conjunction with the leadership of Chief Big Plume and Chief Whitney, best explains why the Nation and the City achieved better relations. Within the capacity-willingness framework, both leadership and social and civic integration fall under the variable of community capital. Despite weak social and civic integration, Mayor Nenshi, Chief Big Plume, and Chief Whitney were able to move the relationship forward.

Social and civic integration

Although most Nation members visit the city of Calgary often, it cannot be said that most Calgarians regularly visit the reserve. A Lakeview community member explained that:

I think the First Nation is seen as something of a mystery or something as an ‘other’. It’s seen as something different - ‘we don’t go there, we don’t know them, they’re different’. And I think that there’s a reluctance ...for Calgarians...to understand or make contact. And I think the Nation has seemed relatively closed off too some of the time. (Lakeview community member, interview, January 2, 2015)

In an interview with the *Calgary Herald*, Chief Big Plume made it clear that the relationship between the two communities was lopsided. He stated:

We need the services from the city. That's where we buy our groceries, that's where our kids go to school. They have friends in town. But for . . . Calgarians, I don't think they really know we're here. . . . They know Grey Eagle the casino is here, so we're on the map a bit. But in general, they don't know we're here. . . . They know us through this ring road discussion. We've come on the map, on the radar from that. I wish more Calgarians would come to our events. They see us at Calgary Stampede, but in the fourth week of July, when we host our annual powwow and celebration, rodeo and golf, we have approximately 8,000 to 10,000 people that come out there for the weekend, but they're all First Nations, the majority. (Komarnicki, 2011, November 9, p. B8)

Although not typical of the behaviour of all Calgarians, some city residents have overtly expressed a racist attitude towards Nation members. As described in the previous chapter, at the 2011 Calgary Stampede parade some attendees yelled insults and even threw a cabbage at Nation members walking in the parade. After the Nation turned down the agreement in the 2009 referendum, columnist Rick Bell characterized the reaction of some Calgarians as “vile outrage coated with a layer of racism” (2013, October 25, n.p.). It seems unlikely that Calgarians would have reacted with the same outrage had a non-Aboriginal community voted down the agreement. This is not to say that that all, or even the majority of Calgarians felt this way, but that these reactions tainted the ring road negotiations.

Community leaders

According to a Nation official, when Nenshi became Mayor, “the relationship turned around one hundred percent” (Nation representative, interview, December 19, 2014). As chronicled in the previous chapter, once Nenshi entered office he took deliberate strides to build trust with the Nation leadership and the Nation membership. Nenshi extended symbolic gestures of friendship by attending events like the Tsuut’ina Nation Christmas feast, and the Nation’s summer rodeo and

pow wow (Komarnicki, 2011, November 8). According to Nation elders, Nenshi was the first Calgary mayor in memory to make it to a Christmas gathering (Komarnicki, 2011, November 9, p. B8). Nenshi also recognized the value that the Nation placed on face-to-face interaction. Before the second ring road referendum he spoke with the Nation membership about the need for the ring road to provide mutual benefit (Nation representative, interview, December 12, 2014). This visit impressed Nation membership, according to a Nation official who explained, “I think it went a long way because people weren’t hearing it through the media or translated through the Chief and Council or officials from the reserve. He came out and talked. And that made a big difference” (Nation representative, interview, December 12, 2014). Mayor Nenshi was also able to convince City Council that the City should change its approach and disaggregate Nation land claims from ring road and master servicing negotiations (Senior City representative, interview, February 17, 2015). Finally, he opened lines of communication with Chief Big Plume. Whereas Mayor Bronconnier had largely avoided talking to the Chief until most aspects of the negotiation were worked out, Nenshi met with the Chief to discuss guaranteed access to the city and the services the Nation required for their future developments (Komarnicki, 2011, November 8). By verbally offering these assurances, Nenshi kick-started the ring road discussion even though the City was not a part of the official negotiations (Nation representative, interview, December 12, 2014).

Both Chief Big Plume and Chief Roy Whitney showed leadership in building a relationship with the City. Serving as chief from 2001 to 2012, Chief Big Plume was praised by the Province and the City for his leadership in getting the Nation to the point where it signed an agreement in principle with the Province in 2004 (Heyman, 2004, May 1). He was elected for five consecutive two year terms, indicating that he was respected by the Nation membership. Chief Big Plume also extended symbolic gestures of friendship to Calgary residents. Even though the relationship

between himself and the mayor were obviously strained at the time, the Chief wrote a Christmas message to the *Calgary Herald* readership in 2004 (Big Plume, 2004, December 10). The year before the Nation had placed Christmas greeting advertisements on bus benches in a few southwest neighbourhoods (Braid, 2003, January 24). However, Chief Big Plume lacked a willing partner in Mayor Bronconnier, and his efforts to build a relationship with the City were stymied. Big Plume reflected on how his efforts to improve relations with the City:

Unfortunately, some of the higher-ups felt it unnecessary at that time. It kind of gave me a bad taste in my mouth. I tried to stick my hand out, shake hands and be a good neighbour and, unfortunately, it didn't happen that way. (Komarnicki, 2011, November 9, p. B8).

Despite the leadership displayed by Chief Big Plume, cooperation was only possible once the approach of the Calgary mayor and the Nation chief were aligned.

The final individual who displayed leadership in building cooperation was Chief Roy Whitney. Once elected he expressed his support to continue the ring road negotiations so that the Nation could pursue economic development opportunities to ensure long-term prosperity. A provincial official spoke highly of the Chief and Council, explaining that “[t]he success for this negotiation...rests almost entirely with the First Nation” (Provincial official, interview, March 2, 2015). The Chief initiated two significant actions before the 2013 referendum (Provincial official, interview, March 2, 2015). First, the Nation sent members to the Salt River Pima-Maricopa Indian Community (SRPMIC), to talk to the community about its experience with a similar ring road and development situation. Second, Councillors were assigned a component of the draft to agreement, such as the guarantee of interchanges, to explain and sell to the Nation membership. Both actions likely increased the confidence of Nation members in evaluating the costs and benefits of approving the agreement. Today the Chief and the Mayor enjoy a strong relationship (Senior City representative, interview, February 17, 2015).

Conclusion

In summary, the emergence of a cooperative relationship hinged on leadership from Mayor Nenshi, Chief Big Plume, and Chief Whitney. The mayor and chiefs displayed leadership by opening up lines of communication and forging political links between the City and the Nation. This political bridge made cooperation possible in spite of weak social and civic ties between the communities. Most significantly, Nenshi understood that the Nation demanded open communication and certainty because of the broken promises they had suffered from in the past. However, if both sides had not shared an imperative to construct the ring road, it is unclear if they would have remained as geographically-close, but politically-distant neighbours. The question of what finally defined the cooperative relationship is impossible to answer, but it can be said that the ring road negotiations brought the two neighbours together in a context of mutual benefit. Additionally, the Nation possessed the resources necessary to engage in the lengthy ring road negotiations and discussions.

Since leadership was identified as the precipitating factor in the emergence of a cooperative relationship, it is valid to question how the idea of a renewed relationship resonates with the employees of the Nation and the City. Continued collaboration depends on positive interaction between the administrations of the two communities, not just goodwill between politicians. The next section explores the extent to which the cooperative relationship has filtered down to these municipal and Nation-associated employees, and suggests organisational processes and cultural values that the City can work towards in order to sustain and build upon the relationship it has with the Tsuut'ina Nation.

Section 2: Sustaining and Building upon the City-Nation Relationship

In this section of the chapter I apply the governance transformation framework developed in Chapter 4 to explore the types of organisational arrangements that will allow the City of Calgary and the Tsuut'ina Nation to sustain and build upon their newly-developed cooperative relationship. I suggest what it will take for interaction and collaboration with the Nation to become mainstream practice for City administration. In this section my analysis shifts from the factors that constrained or enabled the emergence of a cooperative relationship, to potential organisational arrangements within the City that will aid in moving the relationship from a potentially fleeting 'episode of cooperation' to an institutionalized way of operating.

My analysis focuses primarily on the City's organisational processes and cultural values instead of the Nation's, because I interviewed more City employees than Nation employees and thus had a stronger understanding of the City's organisational structure and practices. Additionally, municipalities should actively pursue reconciliation with their Aboriginal neighbours, and adopting supportive organisational arrangements is a way for them to do so. This section is structured as follows: First I outline the relationship between the Nation and the City as it stands today, approximately two years after the second ring road referendum of 2013. This outline provides an idea of what the City is doing well and where it could improve. Second, I describe the key characteristics of an ideal relationship between the Nation and the City. These characteristics are based on the responses of interview participants. Third, I translate the characteristics of an ideal relationship between the City and the Nation into the governance transformation framework, and consider what types of specific episodes, governance processes, and governance cultures would reflect the characteristics of a strong relationship. Finally, I discuss the opportunities and

challenges that the City is experiencing or potentially will experience in sustaining and building upon the cooperative relationship it has with the Nation.

The Current Relationship

The first section of this chapter established that a cooperative relationship has emerged between the City and the Nation. This is particularly evident when the current relationship is compared to the relationship that existed when Bronconnier was mayor. In the current era, the Mayor and the Chief regularly communicate (Senior City representative, interview, February 17, 2015). Symbolic change in how the City respects its First Nation neighbours and community members is also underway. Mayor Nenshi recently announced that the City is considering renaming the Langevin Bridge, which was named after one of the founders of the Canadian residential school system (“Nenshi says renaming”, 2015, June 15). Renaming the bridge supports the call for reconciliatory action raised by the *Report of the Truth and Reconciliation Commission of Canada* (2015). The City also proclaimed a Year of Reconciliation from March 2014 to March 2015, marking the first time that the city had done so (Chrapko, 2014, May 1). These actions are certainly a step forward. However, interviews with employees from four City municipal departments reveal that administrative practices can be improved to support relationship building between Calgary employees and their Nation counterparts. One employee in the City Wide Policy and Integration department described the relationship between the City and the Nation in the following way:

I guess I could characterize [the relationship between the City and the Nation] as issue-specific. So, if there's an issue and a need to, we'll engage. So whether it's water supply or, you know, road maintenance, or whatever the issue happens to be, there's an engagement. The part that's always been missing for me is sort of the longer relationship building, networking, getting to know each other, figuring each other out, pieces. Because we do a lot of that intermunicipally, so with Rocky View County, M.D. of Foothills, and the Town of Chestermere, which are our three immediate neighbours. But it's always been weird to

me that we don't have sort of that framework with Tsuut'ina. (City employee, interview, February 19, 2015)

Similarly, an employee in the Transportation Department revealed that they personally had not worked with the Nation and had a hard time picturing what types of collaboration were possible today, given the absence of a current relationship (City employee, interview, March 18, 2015). Both employees mentioned that the relationship their departments share with the Nation is far different than the relationship their departments have with Calgary's other neighbours - the city of Chestermere, Rocky View County, and the Municipal District of Foothills. For instance, the City has intermunicipal development plans (IDPs) with Rocky View and Foothills, which describe how the communities will work together to address growth and development at their shared borders. Planners and City representatives regularly meet with Rocky View, Foothills, and Chestermere through scheduled committee meetings (City employee, interview, February 19, 2015). These meetings allow administration to build relationships with their counterparts in the other communities. A Calgary employee explains the importance of the relationships built at these meetings:

We also have a lot of informal staff discussions. We just know who to call at the other municipality. Or if there's an issue we can call so-and-so and they might not be the person to talk to, but they know the person to talk to. So there's a fairly strong network of informal relationships as well, that really lets us get our work done. (City employee, interview, February 19, 2015)

This type of informal interaction is not yet present between most City departments and their Nation counterparts. A lack of communication means that opportunities for collaboration may be missed. Additionally, the relationship is more vulnerable because it is largely built on networks of politicians as opposed to networks of administration. Politicians may not run for re-election or may fail to get re-elected, thus removing a key connection from the relationship. This vulnerability was alluded to by a senior City representative:

I think what you've seen is the development of a more positive relationship through very conscious relationship building on the part of the Tsuut'ina and on the part of the City. But of course that has been subject to who the players are at the table. (Senior City representative, interview, February 17, 2015)

Currently the City does not have a standard protocol for working with First Nation communities to guide staff on when and how to communicate and work with Nation administration (Senior City representative, interview, February 17, 2015; City employee, interview, February 17, 2015; City employee, interview, February 19, 2015). Despite the lack of a standard protocol, the approach of the key City players has likely influenced the approach that other employees take. A senior City representative explained:

I think the senior administration clearly understands the approach, and I think we're seeing it in a whole bunch of other stuff, where it's much more collaborative, cooperative, rather than trying to be competitive. So I think it's kind of filtered through the organisation...But has it been organized as a cohesive strategy? Not really. But it's a consistent approach. (Senior City representative, interview, February 17, 2015)

Some City departments have made strides forward in engaging Aboriginal communities. For instance, the Planning Department recognized that there was an archaeologically significant site on a proposed development and they went out and engaged Siksika Elders at their own initiative (Senior City representative, interview, February 17, 2015). However, Healey (2004) argues that long-term governance transformation, of the type required to sustain and build on the relationship, needs to affect governance processes and governance culture. Before it is possible to decide what these organisational arrangements would look like, there needs to be an understanding of what type of relationship these structures should support. The following section looks at how participants from the City region and the Nation have defined a positive relationship.

Characteristics of a Positive Relationship

Interview participants identified three broad signifiers of a positive relationship: mutual benefit, communication, and a long-term approach. In addition, I suggest that the City and the Nation strive for a relationship characterized by mutual recognition, mutual respect, sharing, and mutual responsibility (RCAP, 1996, vol. I).

Mutual Benefit

Positive relationships require that both partners understand that collaboration should result in mutual benefit. Multiple interview participants talked about the importance of mutual benefit and how the City and Nation now had a ‘win-win’ approach to solving issues (Nation representative, interview, December 12, 2014; Nation representative, interview, December 19, 2014; Senior City representative, interview, February 17, 2015). For both sides to work toward a mutually beneficial solution, there needs to be an understanding of what the other side sees as a benefit. A Calgary employee described the importance of this understanding:

If I was going to summarize I think it’s important for both sides to understand mutual interest. So I don’t think the City ever really understood what the interests of the Nation were, as much as we’ve done in the last few years. (City employee, interview, March 30, 2015)

Related to this understanding is the recognition that the worldviews of non-Aboriginal and Aboriginal people may differ. For instance, for a long time the City did not realize the importance of land or certainty to the Nation. According to one senior Nation administrator, “[e]verybody thought, 'Yeah, we'll just offer them a bunch of money and they'll give us the land'. We never did, and we never would, and it took that long for them to realize that” (Nation representative, interview, December 12, 2014). Municipal employees working with First Nations must have a degree of cultural capacity and a willingness to learn from First Nations individuals (Howitt et al., 2013).

Beyond understanding mutual interest, coordinating planning and development actively works toward the achievement of mutual benefit for municipalities and First Nations. This is occurring to an extent between the City and the Nation, according to a Nation official:

Well one of the things that we have done with the new Mayor and their staff, including their transportation people, including their water works people, is looking at planning and making sure what we're planning is going to work with the City of Calgary. Because I mean, we can plan all we want, and if we crash the road system, well it doesn't work for us, and it doesn't work for the City. (Nation representative, interview, December 19, 2014)

Moving from competition to coordination maintains goodwill and reduces perceived borders around communities. A City representative also agreed that working toward mutual benefit was in the interests of the Nation and the City, but that this approach has only recently emerged at the City:

I think there was a thought that all development was happening in the city, because if it doesn't happen in the city we're going to lose property tax, revenue, and that'll be that. And our thinking has really quite evolved....Our approach has really been to be kind of collaborative....There is nothing wrong with the Tsuut'ina having economic development on their land, and for them to develop a successful base for their people. (Senior City representative, interview, February 17, 2015)

One interpretation for why the City is collaborating is not just out of a feeling of goodwill, but because an economically successful Nation means more customers and employees for the city of Calgary.

Importantly, collaboration needs to respect the rights of each community to develop for the benefit of its citizens. This was recognized by a City planner, who when thinking about a positive relationship admitted that, "I was going to say harmonious land-use but that might be a bit of an overstatement, but land use that considers each other's needs" (City employee, interview, February 19, 2015). The City needs to respect the jurisdiction of the Nation, and recognize that the Tsuut'ina have inherent rights and title emanating from original occupancy. Bronconnier sometimes lacked respect for the Nation's jurisdiction, to the annoyance of the Nation. In the opinion of a Nation official, Bronconnier, "essentially said that he wanted to approve [Nation] plans before they

provided [the Nation] anything” (Nation representative, interview, December 19, 2014). Understanding what each partner considers mutually beneficial requires regular communication between community leaders and administration.

Regular Communication

Positive relationships between communities depend on communication. Multiple interview participants talked about the importance of communication (Nation representative, interview, December 12, 2014; Nation representative, interview, December 19, 2014; Senior City representative, interview, February 17, 2015; City employee, interview, February 19, 2015; City employee, interview, March 30, 2015; County planner, interview, April 1, 2015). According to a City staff member, “on-going, regular communication between elected officials, and between administration” is essential for strong relationships between communities (City employee, interview, February 19, 2015). The interview participant added that, “so much of what I do with other municipalities is communication-based and having ongoing regular communication” (City employee, interview, February 19, 2015). Joint or cooperative decision-making requires communication to “build the important things like trust, confidence in decision-making” (County planner, interview, April 1, 2015). Formal agreements and high stakes decisions cannot proceed before “getting to know everybody” (Nation representative, interview, December 19, 2014). A former planner from Rocky View County reflected on how the relationship between the county and the Nation could have been improved:

I think what we needed to do, if I was to look back, would be to create a better relationship where there’s better communication on a more regular basis, and those face-to-face meetings to understand what some of those issues the Tsuut’ina were facing. And, you know, what we were facing. And share those, and then, really work to collaborate on solutions (County planner, interview, April 1, 2015).

This comment supports the findings of Belanger and Walker (2009), who argue that Aboriginal and municipal governments should collaborate proactively on issue identification and strategy formation, although often municipalities only engage with First Nations during the implementation of strategies and plans.

In addition to communication between politicians and staff, community leaders send a strong message when they attend the community events of their neighbour. Mayor Nenshi was praised by Nation members for attending the Nation's Christmas feast and pow wow (Nation representative, interview, December 12, 2014; City employee, interview, February 17, 2015). These gestures communicate to citizens that the relationship is strong.

Long-term Approach

Successful relationships stand the test of time. Even the best relationships - personal and political – will not escape periods of conflict, and partners must find approaches to work through times of disagreement or misaligned goals. A long-term framework to decision-making can shift the calculus of partners toward compromise and mutual benefit, instead of acrimony and competition. Long-term thinking may convince partners to work through issues, rather than abandon the relationship. The Nation and City are bound to each other through geography, and community leaders of both sides understand it is important to cooperate when circumstances allow, as noted by a Nation official involved in the 2013 negotiations:

I think at the end of the day we are neighbours, whether people like it or not. We've been here, you know, long before the City of Calgary was even established as a city, and neither one of us are going anywhere. So I think that's the whole approach that the new mayor has taken is, 'You know what, we are neighbours and we have to work together, right'. (Nation representative, interview, December 19, 2014)

Working toward cooperation does not mean that partners will cooperate on all issues. In some cases competition or working separately may be the rational choice (Nelles, 2009). A long-term

approach is helpful however because it shifts thinking from isolated incidents to the overall trend of a relationship. Sometimes partners will have to walk away from issues that are too thorny to solve, and instead focus on areas of mutual benefit. The City took this approach when it disaggregated the roadway connections and master servicing agreement from Nation land claims and other issues. A senior City representative compared the new approach to the one taken by the previous mayor and council:

I think we came in with a very different approach, which was like, ‘we can't solve them all at the same time - it'll never work. Let's try to break it down and solve it piece by piece and get Council to agree to that’. Which we did. (Senior City representative, interview, February 17, 2015)

The Mayor’s approach broke the long-standing political stalemate. Since the Nation and the City cannot expect to avoid future conflict, ideally they will need to find a process to work through disputes (Belanger & Walker, 2009). According to a City planner, all inter-community relationships need “ways to deal with when you don’t get along” (City employee, interview, February 19, 2015). This view was supported by a former planner from Rocky View County (County planner, interview, April 1, 2015), who supported the inclusion of dispute resolution protocols in formal agreements.

Principles of a Renewed Relationship

The *Report of the Royal Commission on Aboriginal Peoples* (1996) proposed that Aboriginal and non-Aboriginal people and governments should strive for relationships built on mutual recognition, mutual respect, sharing and mutual responsibility. Municipal politicians and employees need to recognize First Nations’ right to self-determination, and reject the principles of “assimilation, control, intrusion and coercion” (RCAP, 1996, vol. I, p. 584). By acknowledging the importance of these principles, municipalities recognize the legacy of colonialism and commit to a shared future with First Nations. The principles of a renewed relationship augment the

previously discussed signifiers of a positive relationship – mutual benefit, regular communication, and a long-term approach – and indicate that municipal-First Nation relationships will be similar, but not identical, to intermunicipal relationships.

A Multi-level Approach to Organisational Transformation

What types of organisational changes should the City work towards to support a relationship with the Nation that is defined by the previously discussed characteristics? In order to answer this question, it is useful to adopt Healey's (2004) governance transformation framework as elaborated upon in Chapter 4 of this thesis and to conceive of the City of Calgary as a governance institution represented by specific episodes, governance processes, and governance culture. Interaction between the Nation and the City is not only subject to the characteristics of actors in specific episodes (e.g. the Mayor and Chief), but the informal and formal processes and norms that guide their behaviour. In everyday life these governance levels are intertwined but analytically the distinctions are useful since each level is characterized by a different speed of action. For instance, the actors within specific episodes are liable to change much more quickly than cultural values will shift. Healey (2006a) argues that for lasting transformation to occur, "initiatives would have to move from the level of an episode to the level of processes, and in some way find resonances with cultural assumptions to have any capacity to be seen as legitimate and to endure, that it, to 'institutionalize'" (p. 306). This means that for the relationship between the City and the Nation to endure, even if key players like Mayor Nenshi or Chief Whitney retire from their posts, the City's processes and culture have to allow and encourage employees to support the relationship as part of a normalized, everyday practice.

The following analysis is broad and treats the City of Calgary as one organisation, although in reality the context for each department and each employee will be unique. This analysis suggests

general directions that the City of Calgary should work toward, and these suggestions can be tailored for more specific applications. First I discuss the level of specific episodes, or day-to-day interaction. The actions and thoughts of individuals in specific episodes are influenced by governance processes and governance culture. Second I discuss governance processes, which include networks, participant selection, discourses, practices, and laws, formal competences and resource flows. Governance culture encompasses the values and overall principles from which governance processes emerge.

Specific Episodes

Specific episodes refer to the level of every-day human interaction. The visible aspects of relationships are observed at this level: who is involved, what is said, what happens, and the settings that interaction takes place in. Currently the City-Nation relationship is supported largely by politicians, and less so by City administration. In the case of the City, both politicians and City staff need to feel comfortable interacting in a collaborative manner with the Nation, and they need governance processes to draw on that will allow them to do so. As discussed above, interview participants felt that positive relationships were characterized by mutual benefit, communication, and a long-term approach. To build this type of a relationship requires that individuals from the Nation and the City draw on governance processes and culture that support these characteristics. The more individuals from the City that embrace working with the Nation means that the relationship is less likely to fizzle out due to political turnover or disputes. Belanger & Walker (2009) argue that there is “value in good processes for engaging with Aboriginal communities that, arguably, will have longevity beyond any single executive, administration or budget year” (p. 121). Below I suggest processes and culture that align with a collaborative City-Nation relationship.

Governance Processes

The following processes may be formal or informal. That is, not all of the processes need to exist in a protocol or policy, they just need to be understood and acted out by employees. Since acting on written policy involves interpretation, formulating written policy documents does not guarantee that the actions of employees will embody the goals of the document.

Networks

City staff should have some type of connection with their Nation counterparts. Having a direct connection avoids the “challenge of having to liaise with the Mayor’s Office who has all the relationships, and then bringing it down to the staff-level” (City employee, interview, February 19, 2015). Holding regular meetings, even if they are only yearly or semi-yearly, builds these types of connections. Similarly, having an established point of contact and contact information facilitates connection building (City employee, interview, March 30, 2015). Since the Nation administration is smaller than the City administration, individuals will have to be mindful in how networks are forged so that Nation staff are not inundated with meeting and communication requests.

Participant selection processes

City engagement and consultation practices should include the Nation in a way that recognizes the Nation’s Aboriginal rights, title, and culture. Currently, many City plans are ‘developer-funded plans’ that come “with a fairly prescribed timeline, and it’s very difficult to shoehorn First Nations engagement into this set out timeline” (City employee, interview, February 19, 2015). The City should work with the Nation to develop more appropriate engagement processes. This change may be slow to implement since developers will likely push back against a longer consultation process.

Discourses

Discourses frame how issues are perceived (Hajer, 1995). City discourse needs to reflect the recognition that First Nations, including the Tsuut'ina Nation, have both a historically and currently important role in the Calgary region (City employee, interview, February 17, 2015). Recognition of the history and continued presence of the Tsuut'ina Nation is an essential step in supporting the principles of the *Report of the Royal Commission on Aboriginal Peoples* (1996, vol. I). In terms of relationship building, framing interactions between the City and the Nation in the context of a long-term relationship shifts the way that individuals perceive costs and benefits. Compromise is a rational solution in a long-term relationship, but may not be so in a short-term relationship. At least at the political level, leaders of both communities seem to recognize that a long-term approach shifts relationships from competing for things like increased tax bases, to compromise and finding win-win solutions for long-term mutual benefit. A long-term approach resonates with some of the principles of a renewed relationship, including sharing and mutual responsibility.

Practices

The City needs to think about supporting practices that enable staff to communicate and build relationships with their Nation counterparts. While there is appetite to do so, some employees are unsure of how to appropriately proceed without more explicit guidance. One planner explained that when working with First Nations, he felt that, “There’s always a fear, a lot of it is sort of fear-based, it’s like, ‘oh god, if I go in and do something wrong I’m completely going to screw everything up, forever’” (City employee, interview, February 19, 2015). Policy directions and protocols may give staff the confidence they need to respectfully engage with the Nation.

Employees should consider culturally appropriate ways of interacting with First Nations communities before they make assumptions, according to one Aboriginal City employee:

We, the First Nation community, we operate from our set of protocols. So I think we need to understand that entirely, before we begin to engage, or before we come to some kind of, I guess a meeting place. And I think that's the hardest thing for our staff at the City to realize. Because we need to know how to develop the relationships...And so when the City's engaging we need to operationalize these protocols. And I think most City staff are really open to understanding how we operationalize those protocols. (City employee, interview, February 17, 2015).

Examples of these culturally appropriate protocols include offering tobacco when engaging with Elders, and understanding that knowledge is being shared out of respect (City employee, interview, February 17, 2015). Employees need to focus on learning from individual First Nation communities, because each has a unique history and traditions (Provincial official, interview, March 2, 2015).

Employees also need more guidance on when to engage with First Nations, and how to know when formal consultation is required. At the moment, employees are unlikely to proceed without explicit direction:

Do we need to do [engagement] on every plan based on historical use of the land, or do you just need to do it when you have a clear interface, like with the treated Nation? And you know, I think there's sort of the fear that if you crack open the door on the historical usage of the land, it could add a lot of time to projects. (City employee, interview, February 19, 2015)

Attempts at collaboration are more likely if City employees have the confidence to initiate discussion with their Nation counterparts, assuming that is appropriate to do so. Policy that specifies appropriate practices removes some of the barriers to cooperation. Otherwise, "without those structures in place there's going to be a tendency to go, 'hmm, that's really hard to do'" (City employee, interview, February 19, 2015).

Laws, formal competences, and resource flow principles

Formal rules should work to “ensure fair treatment between individuals and to maintain collectively agreed standards of one kind or another” (Healey, 2004, p. 97). Rules should be crafted and interpreted in such a way that they encourage cooperation, and don’t become a barrier to it (Healey, 2004). For instance, although the City may not have an explicit duty to consult with the Nation, it could formulate policy to specify engagement procedures as part of good practice. A City employee explained that, “sometimes we feel as a municipality that the legislation doesn’t apply because we rarely see Crown land in a city, but I think there are areas in which sometimes it’s just the right thing to do as well” (City employee, interview, February 17, 2015).

Governance Culture

Governance culture shapes the types of processes and actions that individuals feel are appropriate in different situations. Working with the Nation toward cooperation and reconciliation requires placing value on a shared existence, and reshaping narratives about the past through education is one way to do this. Sandercock (2003) explains that “stories about the past have power and bestow power” (p. 37). In the Calgary region, the Moh’kinsstis story reminds non-Aboriginal people that First Nations lived in the region long before settlers. According to a City employee:

It’s a shared story of every Calgarian. So it’s not just my story, but if you reside in Calgary it’s also your story and your history. And I think if you come from that shared story experience, I think it makes a huge huge difference in Calgarians, for example, understanding the need to incorporate First Nations history, culture, and all the things that are really important in, I guess, it really impacts how we do land use planning, how we plan roads, streets, how we incorporate environmental designs. It becomes a huge factor in all of that. (City employee, interview, February 17, 2015)

City employees need to have respect for Aboriginal culture, history, and continued presence before they can begin to understand the interests of the Nation.

Challenges and Opportunities in Sustaining a Cooperative Relationship

The objective of the above analysis was to suggest organisational arrangements that the City of Calgary should work toward to support a cooperative, mutually respectful, and mutually beneficial relationship with the Tsuut'ina Nation. These directions are not exhaustive, but are based on the findings of this research, drawing heavily on my interpretations of the interview respondents. Organisational change is key to determining the future of the relationship between the City and the Nation. Organisational change will “challenge established governance processes,” and cannot be expected to happen quickly (Healey, 2006a, p. 301). In the following section I discuss some of the opportunities and difficulties that the City is likely to face as it endeavours to sustain and build upon its relationship with the Nation.

Implementing change can be difficult in the face of organisational inertia. Inertia refers to the tendency for people to become attached to doing things in a certain way, and being resistant to adopting new behaviour (Wong-Mingji & Millette, 2002). Working collaboratively with the Nation will require that the City introduce new policies and practices, and some employees may resist these changes. A senior City representative found that even minor policy changes can run into resistance:

The City of Calgary did not have one single person from the Tsuut'ina Nation working as an employee. And so one of the things that we did, is we went to our HR department and worked with their HR department and see if we can start recruiting, and let people know of job opportunities in the City of Calgary. Simple, simple, simple type of thing. Well theoretically simple, simple, simple. But there's a lot of organisational inertia, like ‘we don't normally do that’. (Senior City representative, interview, February 17, 2015)

Resistance to organisational change does not necessarily mean that employees are not in support of the impetus behind the change, and sometimes resistance is related more to the process of

change itself (Wong-Mingji & Millette, 2002). Additionally, employees may not feel like they have the authority, the time, or the skills to work with First Nations, as this City planner explains:

[The City and the Nation have] a politically-driven relationship as opposed to an administratively-driven relationship. And you know, my sense is that there's just always been, um, I don't know how to really characterize it, but it's just sort of like, there's no one who is responsible for doing it. Like, there's no one whose job it is to do that. And the skill-set isn't there. Planners aren't coming out of planning school with the skill-set of how to do First Nations engagement. So when you sort of bring up the subject of 'well you're probably going to have to engage with the Tsuut'ina,' you get a deer-in-the-headlights look. (City employee, interview, February 19, 2015)

Employees will have varying levels of comfort and confidence in working with the Nation, and without training and encouragement from senior administration, many employees are unlikely to proactively engage the Nation.

In some cases, working in cooperation with the Nation will bring together competing cultural values. For instance, it can be difficult for some non-Aboriginal people to reconcile inherent Aboriginal rights with the Western values of liberalism and equality (Belanger & Walker, 2009; Turner, 2006). Education is needed so that individuals realize that Aboriginal rights are not related to race but flow from Aboriginal peoples being the original occupants of Canada and historic treaties that still apply today.

The Nation and the City also must navigate how to balance a desire to collaborate with respect for autonomy. All communities "want to be able to chart their own future and their own direction", but coordinating development and resource-use saves considerable resources (City employee, interview, February 19, 2015). Related to this idea is the choice in any situation of whether to compete or collaborate. Competition can offer benefits, such as an increased tax base, but may destroy some of the goodwill necessary to cooperate on projects of mutual benefit.

Finally, the worldview of non-Aboriginal and Aboriginal people may differ. Wood (2003) explains that the Nation's "attachment to their land is powerful and central to their identity" (p. 465). This value can be difficult to align with a Western notion of property rights and an economic basis for valuing land (Wood, 2003). These competing cultural values are not necessarily barriers to cooperation, but they are issues that the Nation and the City will have to put thought into.

Moving forward, the Nation and the City may want to consider developing an accord or memorandum of understanding, similar to an intermunicipal development plan (IDP), to provide a formal foundation for the two to sustain and build upon their relationship. Several interview participants welcomed this idea, as the City has existing IDPs with Rocky View County and the M. D. of Foothills (City employee, interview, February 17, 2015; City employee, interview, February 19, 2015; County planner, interview, April 1, 2015). One of the challenges in moving toward more formalized relations is that, under current provincial legislation, IDPs can only be forged between two or more municipalities. However, a similar type of agreement would communicate to City employees that the City values its relationship with the Nation. As explained by one employee, policy direction would increase the confidence of employees to collaborate with the Nation:

I think there's so much opportunity in [collaboration with the Nation], and it's just missing. Right now it relies on, almost goodwill or being forced into it right. And it would be nice if there was sort of, more incentives around doing it. And I'm not talking financial incentives, but just more will to do it, right. It'd almost be nice if it was just sort of expected that it happened in a planning project. (City employee, interview, February 19, 2015)

When collaboration with the Nation becomes a normal part of Calgary's planning process, it can said to have become institutionalized. Although this has not happened yet, evidence indicates that the City is slowly working towards organisational arrangements that support the process of institutionalization.

Conclusion

This thesis explores the dynamics that enable and constrain municipal-First Nation collaboration. In order for cooperation to emerge two broad conditions must be met: 1) municipalities and First Nations must have the capacity and willingness to cooperate, and 2) the expected outcome of cooperation must be mutually beneficial (Nelles & Alcantara, 2014). The assumption that the emergence of cooperation is contingent on mutual benefit aligns with Belanger and Walker's (2009) argument that municipalities tend to collaborate with First Nations in times of interest convergence. However, in order for municipal-First Nation relationships to last, they, like all inter-governmental relationships, must weather times of disagreement, budget constraints, and shifting political priorities. Since I was interested in both how cooperative relationships emerge, and how they can persist by becoming embedded in institutional structures, I utilized two theoretical frameworks to explore these temporal aspects of cooperative relationships. Nelles and Alcantara's (2014) capacity-willingness framework and Healey's (2004) governance transformation framework, taken together, provide the analytical tools to examine both the emergence of municipal-First Nation relations, and their persistence.

In this chapter I first applied the capacity-willingness framework to examine the factors that led to the emergence of a cooperative relationship between the City and the Nation over the course of the southwest Calgary ring road negotiations. It was assumed that the City and the Nation not only had to have the ability and the resources to cooperate – the capacity – but that they also needed the inclination to cooperate – the willingness. The capacity-willingness framework incorporates seven variables, arranged on a spectrum based on their relative influence on capacity or willingness, and which include the following: political institutions, resources, external interventions, history, polarizing events, imperative, and community capital. I applied the framework to the City-Nation

case and compared the dynamics that led to a non-cooperative relationship in 2009, when the ring road referendum did not pass and Dave Bronconnier was the mayor of Calgary, to the cooperative relationship in 2013, when the ring road referendum did pass and Naheed Nenshi was the mayor of Calgary. I argued that imperative and community capital, and in particular leadership, were the most important factors in the development of a cooperative City-Nation relationship.

Political institutions shaped the decision-making authority of the City and the Nation, and affected their ability of community leaders to cooperate on certain issues. For instance, although the Chief and Council supported the 2009 ring road agreement, the agreement was rejected in a referendum by Nation members. Removing direct decision-making authority from community leaders introduces more uncertainty and time into coming to an agreement, and increases the transaction costs of collaboration. However, this is only an observation and not an argument against the referendum system. Referendums provide Nation members with an important forum to express their opinion and to exert power over issues that are important to them. Overall I argue that the political institutional environment constrained but did not eliminate the ability of the Nation and the City to cooperate.

Both the Nation and the City had to devote significant resources to communication, relationship building, and meeting the technical requirements of the ring road negotiations. These resources include money, staff time, and staff expertise. Cooperation would have been more difficult had either the City or the Nation lacked the necessary resources.

External interventions had a less clear influence on cooperation. In 2012 Prime Minister Stephen Harper's Conservative government introduced Bill C-45, legislation that was unpopular with many Nation members. A Nation official suggested that this had a negative effect on Nation support for the road, since the Prime Minister's electoral riding is in southwest Calgary, adjacent to the

Tsuut'ina Nation (Nation representative, interview, December 12, 2014). However, compared to the influence of other factors that affected both the City and the Nation, the influence of external interventions appears relatively minor.

History shaped the type of agreement that Nation members would agree to, and in turn the conditions that the City would have to fulfill. Due to a history of broken promises between governments and First Nations, Nation members were not prepared to accept an agreement that contained 'best efforts' clauses. This meant that the City first had to understand the Nation's viewpoint on the importance of certainty, and then strongly commit to providing certainty where possible. I argued that history understandably had a negative influence on the Nation's willingness to cooperate, but that leadership from Mayor Nenshi, Chief Big Plume, and Chief Whitney was able to overcome this influence.

The return of the unfairly surrendered 940 lands from the federal government to the Nation changed the circumstances of the Nation and the City, and had a positive influence on their willingness to cooperate. The return of the land meant that the Nation could capitalize on the road by undertaking economic development opportunities, and that the City either had to negotiate with the Nation, or run the road through mature Calgary neighbourhoods. The imperative of the ring road project, to both the City and the Nation, had a similarly positive effect on the emergence of cooperation. I argue that discussions and negotiations between the City and the Nation were unlikely to have continued for as long as they did, had the leadership of both communities not considered the road to be crucial project. Once complete, the ring road will improve access to Nation economic developments, and these developments will provide the Nation with a stable economic base. The ring road will improve traffic circulation in southwest Calgary, and allow for the construction of new neighbourhood development to proceed. Yet polarizing events and

imperative do not sufficiently explain the presence of a cooperative relationship in 2013, when one did not exist in 2009, because the conditions created by imperative and polarizing events were approximately the same in both years. Instead, community capital, and in particular visionary leadership, best explain the emergence of cooperation. Interview accounts and newspaper articles indicate that Mayor Nenshi reopened communication with Chief Big Plume, allowing the two leaders to build trust and understanding, identify issues, and find ‘win-win’ solutions. However, I argue that the leadership displayed by Mayor Nenshi would not have led to a cooperative relationship had it not resonated with the leadership displayed by Chief Big Plume and Chief Whitney. In this case, social and civic integration, the other component of community capital, was not identified as existing strongly between Calgarians and Nation members, and does not seem to have had a positive effect on the emergence of cooperation. Because the variable community capital encompasses both social and civic integration, and leadership, this finding is in some ways not consistent with Alcantara and Nelles’ (2009) finding and Nelles and Alcantara’s (2014) claim that community capital most powerfully explains cooperation or non-cooperation. In the case of the City and the Nation, leadership was a much more important factor in cooperation, and may have even overcome weak community ties. Therefore, researchers using the capacity-willingness framework in the future may want to disaggregate the community capital variable, and consider the influence of leadership and community ties separately.

The emergence of a cooperative relationship between the City and the Nation is a positive development. However, it is impossible to know if the relationship will remain cooperative into the future. Political turnover, changing priorities, and conflict can all threaten the persistence of cooperative relationships between municipalities and First Nations (Belanger & Walker, 2009). However, Healey (2004) suggests that governance innovations, in this case a cooperative relationship, are more likely to persist when they are supported by governance processes and

governance culture. Governance innovations that become embedded within the components of governance processes and culture, such as practices, discourses, and values, become a routine way of doing things. Looking at the City-Nation relationship from a municipal point of view, this means that the relationship is more likely to persist if it is supported by organizational arrangements within the City of Calgary, and not just by the actions of key actors, such as the mayor.

I approached my second research question from a municipal perspective because non-Aboriginal organizations and people have an important role to play in reconciliation and decolonizing planning (RCAP, 1996, vol. I). While my analysis is targeted towards the City-Nation relationship in the context of land use planning and development, my analysis extends beyond the City planning department because numerous actors shape land use decisions (Healey, 2010). I explored how the City can work toward supportive organizational arrangements from a new institutionalist perspective because it emphasizes how lasting transformation depends on changes to discourses and values, and not just formal rules and procedures (Healey, 2007).

Healey's (2004) governance transformation framework is both analytical and normative. My second research question is explicitly normative because I assume that a positive City-Nation relationship should be not only cooperative, but also embody the principles of a renewed relationship as identified by the *Report of the Royal Commission on Aboriginal Peoples* (1996). These principles are mutual recognition, mutual respect, sharing, and mutual responsibility. Interview participants also identified mutual benefit, communication, and a long-term approach as characteristics of strong inter-governmental relationships, and these characteristics resonate in many instances with the principles of a renewed relationship. Keeping these characteristics in mind, I suggested governance processes and values the City might work toward in order to sustain

and build upon its relationship with the Nation. My analysis is not exhaustive, and is meant as a potential starting point for City-Nation policy discussions.

Interview participants indicated that the City-Nation relationship remains largely at the political-level, and has not yet filtered down to the administration-level. City planners and other officials enjoy positive relationships with their counterparts at Calgary's neighbouring municipalities - Rocky View County, the M. D. of Foothills, and the City of Chestermere - but most of the employees I interviewed had little or no interaction with Nation administration. City employees were generally receptive of forging stronger relationships, but did not have the confidence or policy-direction to do so. This indicates that there is room for the City as an organization to work toward processes and culture that will enable staff to work collaboratively with the Nation. Relevant processes and culture will vary depending on the City department, and even the person, but it was beyond the scope of this thesis to suggest department-specific strategies. Instead I have identified general governance processes and culture that would align with a collaborative City-Nation relationship. Governance processes refer to the formal and informal modes of accepted practice that individuals draw on in their actions and thought-processes (Healey, 2006a). They include networks, participant selection processes, discourses, practices, and formal laws, competences, and resource flow principles. Governance culture refers to the values and principles from which governance processes emerge.

In terms of networks, I suggest that City administration and their Nation counterparts should be more connected through meetings (even if they are only yearly), and have an administrative point of contact. This would improve mutual understanding of issues and opportunities, and allow staff to identify projects of mutual interest. Participant selection processes, such as City engagement protocols, may have to evolve in order to accommodate meaningful Nation participation. My

interviews suggest that, at least at the political level, the discourse in regards to working with the Nation has shifted. The two neighbours are bound by geography, and leaders of both communities seem to recognize that a long-term approach to the relationship is called for. This type of discourse shifts solutions from the short-term benefits gained from competition, to the long-term benefits gained by compromise and finding win-win solutions. In this way a long-term approach resonates with the principles of mutual benefit and sharing. Regarding practices, City employees need policies that will give them the confidence to know *when* to engage or consult with the Nation, and policies that, at least in a general way, direct them on *how* to do so. Appropriate policies, designed with the principles of a renewed relationship in mind, can increase the likelihood of proactive, positive relationship building at the administration-level. Finally, formal rules and their interpretation should ensure fairness between the City and the Nation, but should not add burdensome bureaucratic requirements that stymie relationship building.

Governance culture influences how people judge the appropriateness of governance processes. If the two do not align, people are less likely to follow formal governance processes. Therefore, the City should try to cultivate organizational values that support working proactively and respectfully with the Nation. One way to accomplish this is to emphasize the importance of Aboriginal history, culture, and continued presence, as well as Calgary and the Nation's shared history. Education, art, individual action, and policy statements can all support the transformation of governance culture.

Working toward organizational processes and culture that will allow the City and the Nation to sustain and build upon their relationship is not a process that can be accomplished in a matter of months, or even years. New ways of doing things challenge established practices, and “[m]anagement change’ only becomes *institutional change* through a contested and dynamic

process of embedding new rules and disembedding old rules” (Lowndes, 2001, p. 1965). In some cases, working in cooperation with First Nations will challenge long-held Western cultural values held by municipal officials, particularly by people who do not yet understand Aboriginal sovereignty and the right to self-determination.

Municipalities should work toward the recommendations in this thesis with caution because even well-intentioned strategies of transformative planning can lead to unintended consequences. Municipal governments, planners, and other officials need to approach change-making with forethought and reflection, and be willing to take a dynamic approach and adapt their strategies when conditions change or when the current approach is no longer appropriate. Ultimately, sustaining and building strong relationships is a process without an end goal, and it is not an easy or predictable task. At the same time, meaningful change is made attainable when those pursuing transformative practice have an appreciation for what one Nation official characterized as the “art of the possible” (Nation representative, interview, December 12, 2014)

Chapter 7. Conclusion

This thesis research set out to examine the factors that influence the emergence of cooperative municipal-First Nation relationships, and to explore how these relationships can be sustained and built upon so that they are based on the principles of mutual recognition, mutual respect, sharing and mutual responsibility. I approached the research using a case study of the relationship between the City of Calgary and the Tsuut'ina Nation, where cooperation emerged over the course of the southwest Calgary ring road negotiations.

My research pointed to the importance of visionary community leadership in building trust and respect between First Nations and local governments, and in arriving at mutually beneficial outcomes. This finding is consistent with the findings of Alcantara and Nelles (2009) and the predictions of Nelles and Alcantara (2014). I argue that the imperative of completing the ring road project for both the City and the Nation also made cooperation between the two neighbours more likely, although imperative was not a sufficient explanation for the emergence of cooperation.

Until engaging and working collaboratively with the Nation becomes routine practice for City planes and other officials, I suggest that, like the findings of other studies, the City-Nation relationship is vulnerable and could be dissolved by political turnover, shifting priorities, or disagreements (Belanger & Walker, 2009; Healey, 2004). Healey's (2004) governance transformation framework emphasizes the complexity involved in working toward organizational change, and how governance processes and culture both enable and constrain the actions of individuals. In turn, individual and collective action can, in time and in sometimes unexpected ways, shape governance processes and culture. There are pragmatic and normative reasons why the City should work toward organizational arrangements that will support a strong relationship

with the Nation. There are already promising changes within the organization, but of course there are further opportunities to improve communication, consultation, and planning practices.

Contribution to Planning Practice and Theory

Although municipalities and First Nations are increasingly collaborating on land use planning, development, and services provision, municipal-First Nations relations is still an emerging area of academic planning research (Nelles & Alcantara 2014, Walker, 2008). This thesis adds to the discussion by considering how cooperative municipal-First Nations relations emerge and can be sustained. Specifically, this research builds on the work of Alcantara and Nelles (2009) and Nelles and Alcantara (2014) by qualitatively assessing the factors that influenced municipal-First Nation cooperation in the context of a provincial ring road negotiation. My finding that leadership was the most important factor in establishing cooperation supports the findings of Alcantara and Nelles (2009). However, in contrast to the predictions of Nelles and Alcantara (2014), I did not find evidence that social or civic integration between the two communities was an important factor for the emergence of cooperation. My findings suggest that community ties between Calgary and the Tsuut'ina were not particularly strong, and it appears that visionary leadership overcame community divisions. This may be a significant finding and should be tested through future case study research.

In terms of municipal-First Nation cooperation, my research provides a bridge between Nelles and Alcantara's (2014) capacity-willingness framework and Healey's (2004) governance transformation framework. The emergence of a cooperative relationship can be understood, in the language of Healey's (2004) work, as a governance innovation. When governance innovations become institutionalized, and supported by governance processes and culture, they become a routine way of doing things and are likely to persist. Thus this research offers a potential theoretical

roadmap for researchers studying the emergence and persistence of cooperative municipal-First Nation relations.

Finally, this thesis applies Healey's (2004) governance transformation framework to a much different context than Healey has previously applied it. Healey is well-known for her work on collaborative planning, an approach which has been criticized by Porter (2010) for failing to take into consideration Indigenous rights, knowledge, and interests. However, the governance transformation framework is an approach to studying governance innovations, and is suitable for examining all types of governance innovations. Healey has applied the framework to examine collaborative innovations, while I have applied it to cooperative municipal-First Nation relations. Thus while the conclusions of Healey's research do not align with decolonizing research, I argue that her governance transformation framework is a useful evaluative tool for planning researchers.

This research also contributes to understandings of improved municipal and planning practice in a number of ways. First, this case study provides an example of cooperation between a large city and a First Nation, and points to the importance of communication in building mutual understanding and trust. At the same time, municipal planners and other staff may not feel comfortable building relationships with First Nations without explicit policy direction from senior management or Mayor and Council. Therefore, municipal politicians and senior officials should not assume that positive municipal-First Nation relationships will 'trickle down'. My research points to the need for comprehensive strategy development, in partnership with neighbouring First Nations.

This research could also assist municipal employees, and in particular planners, in redefining how they interact with First Nations. In some cases municipal employees have no interaction with First Nation neighbours, even though they have strong relationships with other neighbouring

municipalities. This research suggests a model for municipal-First Nation relationships; where relationships are cooperative, but most importantly, also characterized by mutual recognition, mutual respect, sharing, and mutual responsibility. At the same time, the suggestions I offer in this research for stronger organizational arrangements are intended only as starting points for joint discussions with potential First Nation partners because the strongest strategies emerge from co-production, not just co-implementation (Belanger & Walker, 2009). I want to bring municipal planners to a point where they can begin to figure out how to move into building stronger relationships with First Nations; that is, to not simply to *think* about the importance of doing so, but to take *action*.

Limitations

This research is not without limitations. First, my conclusions are drawn from a single case study, as it was beyond the scope of this research to do a comparative case study. This meant that I was unable to make systematic comparisons between different cases. However, I compared cooperation between the City and the Nation at two points of time, 2009 and 2013. This allowed me to draw within-case comparisons. Additionally, my case adds to an existing literature of municipal-Indigenous relations, and the collective knowledge of the field (Flyvberg, 2006). Second, I interviewed ten people for this research, and only five participants were City employees. Interviewing more participants would likely have yielded new insights on how the cooperative relationship has been or could be supported by organizational arrangements within the City. Finally, my research was qualitative and involved interpretation of interview accounts, policy documents, and newspaper articles. Personal biases, or subjectivity, influence interpretation, but I attempted to mitigate subjectivity by drawing on multiple methods and multiple sources of

information (Yin, 2014). Similarly I practiced critical reflexivity, and attempted to confront my biases, particularly as a non-Aboriginal person involved in cross-cultural work (Kovach, 2009).

Areas for Future Research

As previously discussed, the topic of municipal-First Nation relationships is an emerging area of academic study, and there are significant directions for future research to be undertaken.

First, this study concludes that political leadership is an important factor in the emergence of cooperative municipal-First Nation relationships, and that political turnover may threaten the persistence of these relationships. Further planning case studies are needed of relationships that have survived the political turnover of key individuals, such as a mayor or chief. Future researchers might ask: What explains the persistence of relationships even when key players are no longer present? How are these relationships supported by governance processes and/or governance culture?

Second, while this research is interested in municipal-First Nation cooperation in the context of land use planning, development, and service provision, I extended the case study beyond the planning department because numerous municipal officials and employees are involved in planning-type activities, including politicians, engineers, environmental scientists, and lawyers. Planning consultants and developers also play a key role in planning, and could act as intermediaries between municipalities and First Nations. Future research could explore the role of non-municipal and non-First Nation organizations and companies, such as consulting firms, in enabling or constraining cooperation and mutually respectful relationships in planning contexts.

Third, while this research was already well underway when the *Final Report of the Truth and Reconciliation Commission of Canada* was released on June 2, 2015, future research should

incorporate the relevant calls to action in the report. The *Truth and Reconciliation* report (2015) calls on the federal, provincial, territorial, municipal, and Aboriginal governments, as well as non-Aboriginal and Aboriginal Canadians, to work toward reconciliation and “restore what must be restored, repair what must be repaired, and return what must be returned” (p. 6).

Fourth, researchers could develop indicators of cooperative and equitable municipal-First Nation relationships. While positive relationships should not be reduced to checklists of best practices (Dorries, 2012; Porter, 2010), broad, qualitative indicators, designed to spark discussion and collaboration between partnering municipalities and First Nations, could keep relationships on track even in times of conflict and shifting priorities.

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Appendix I: Research Ethics Approval



OFFICE OF THE CHIEF EXECUTIVE OFFICER

9911 Chiila Boulevard
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Phone: 403-281-4455 Fax: 403-251-6061

November 6, 2014

Randi Newton
MPL Candidate 2015 | Queen's University
School of Urban and Regional Planning
(Tel) 780-974-9516
Rand.newton@queensu.ca

Dear Ms. Newton,

We appreciate your interest in conducting research on the topic of "Obstacles and opportunities for cooperative and equitable land use planning between First Nations and municipalities in Alberta". We understand that you are seeking ethics approval and are requesting confirmation of Tsuu T'ina Nation's support and participation in the research.

Based on our discussion, I have carefully considered your proposed research and am fully supportive of the project. We will participate in the research and will provide leadership in recruiting interview participants. I look forward to meeting with you in the near future and wish you good luck as you launch your research.

Sincerely,

Peter K. Manyounds
CEO, Tsuu T'ina Nation



November 18, 2014

Ms. Randi Newton
Master's Student
School of Urban and Regional Planning
Queen's University
Kingston, ON, K7L 3N6

GREB Ref #: GSURP-190-14; Romeo # 6014059

Title: "GSURP-190-14 Opportunities and Obstacles for Cooperative and Equitable Land Use Planning between First Nations and Municipalities in Alberta"

Dear Ms. Newton:

The General Research Ethics Board (GREB), by means of a delegated board review, has cleared your proposal entitled "**GSURP-190-14 Opportunities and Obstacles for Cooperative and Equitable Land Use Planning between First Nations and Municipalities in Alberta**" for ethical compliance with the Tri-Council Guidelines (TCPS) and Queen's ethics policies. In accordance with the Tri-Council Guidelines (article D.1.6) and Senate Terms of Reference (article G), your project has been cleared for one year. At the end of each year, the GREB will ask if your project has been completed and if not, what changes have occurred or will occur in the next year.

You are reminded of your obligation to advise the GREB, with a copy to your unit REB, of any adverse event(s) that occur during this one year period (access this form at https://eservices.queensu.ca/romeo_researcher/ and click Events - GREB Adverse Event Report). An adverse event includes, but is not limited to, a complaint, a change or unexpected event that alters the level of risk for the researcher or participants or situation that requires a substantial change in approach to a participant(s). You are also advised that all adverse events must be reported to the GREB within 48 hours.

You are also reminded that all changes that might affect human participants must be cleared by the GREB. For example you must report changes to the level of risk, applicant characteristics, and implementation of new procedures. To make an amendment, access the application at https://eservices.queensu.ca/romeo_researcher/ and click Events - GREB Amendment to Approved Study Form. These changes will automatically be sent to the Ethics Coordinator, Gail Irving, at the Office of Research Services or irvingg@queensu.ca for further review and clearance by the GREB or GREB Chair.

On behalf of the General Research Ethics Board, I wish you continued success in your

research. Yours sincerely,

A handwritten signature in black ink that reads "Joan Stevenson".

Joan Stevenson,
Ph.D. Chair
General Research Ethics Board

c: Dr. Leela Viswanathan and Dr. Graham Whitelaw, Supervisors
Dr. Patricia Collins, Chair, Unit REB

Appendix II: Letter of Information and Consent Forms

Letter of Information – Key Informant Interviews

Title of Project: Opportunities and Obstacles for Cooperative and Equitable Land Use Planning between First Nations and Municipalities in Alberta

This research project is being conducted by Randi Newton, a student at the School of Urban and Regional Planning at Queen's University in Kingston, Ontario. Dr. Leela Viswanathan, a professor at the School of Urban and Regional Planning, will be supervising the project.

What is this study about?

This study is about the factors that influence cooperative and equitable land use planning between municipalities and First Nation communities. This research will focus on negotiations and planning for the Calgary Southwest Ring Road, and the role that the City of Calgary and Tsuu T'ina First Nation played in these events. The primary goal of the interviews will be to identify the opportunities and obstacles for cooperation between municipalities and First Nations. This research will highlight lessons that other communities can draw from to improve municipal-First Nation relations. I will ask you to participate in an interview which will last about 30 to 45 minutes.

Is my participation voluntary?

Yes, your participation is voluntary. Although it would be greatly appreciated if you would answer all material as frankly as possible, you do not have to answer any material that you find objectionable or that makes you feel uncomfortable. You may also withdraw your information and end your involvement at any time during the research process, including after the interview has concluded.

What are the benefits to participating?

Ideally, the findings and conclusions drawn from this report will inform relationship building and collaborative planning efforts by Albertan municipalities and First Nations. The responses gathered from interviews will help give the researcher a better understanding of current and past relations between the City of Calgary and Tsuu T'ina First Nation, and will allow for opportunities and obstacles for equitable relations to be identified and documented. The recommendations from this report may also be useful to other Canadian communities.

What will happen to my responses?

The researcher will first ask for your consent to use a digital audio recorder to record your interview responses. If you decline the use of a digital recorder then the researcher will take written notes only. Your responses will be kept confidential and only the researcher will have direct access to this information. The names of participants will not be used in any written reports and instead coding (example: "Participant A") will be used in references to the participants throughout the final thesis. The data may also be published in professional journals or presented at academic conferences, but any such presentations will be of general findings and will never breach individual confidentiality.

How do I find out about the results of the study?

The final report will be made available to all participants interested in the findings. The completed report will also be available on the School of Urban and Regional Planning’s website once it has been through the School’s review process.

Will I be compensated for my participation?

No.

What if I have concerns?

Any questions or concerns about the research or questions being asked may be directed to myself, Randi Newton, or to my research supervisor, Dr. Leela Viswanathan. Any ethical concerns about the study may be directed to the Chair of the General Research Ethics Board at chair.GREB@queensu.ca or 613-533-6081.

Randi Newton

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Dr. Leela Viswanathan

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This study has been granted clearance according to the recommended principles of Canadian ethics guidelines, and Queen's policies.

Again, thank you. Your interest in participating in this research study is greatly appreciated.

Sincerely,

Randi Newton

Consent Form

Name (please print clearly): _____

1. I have read the Letter of Information and have had any questions answered to my satisfaction.
2. I understand that I will be participating in the study called "Opportunities and Obstacles for Cooperative and Equitable Land Use Planning between First Nations and Municipalities in Alberta". I understand that this means that I will be asked to participate in a 30 to 45-minute interview.
3. I understand that my participation in this study is voluntary and I may withdraw at any time.
4. I understand that every effort will be made to maintain the confidentiality of the data now and in the future. Only the researchers, Randi Newton, Dr. Viswanathan, and Dr. Whitelaw, will have access to this data. The data may also be published in professional journals or presented at academic conferences, but any such presentations will be of general findings and will never breach individual confidentiality. I understand that I may request a copy of the findings.
5. I understand that written notes will be taken during my interview. If I am interviewed I will indicate whether or not I will provide consent for audio taping of the interview by initialing the relevant box below my signature.
6. I understand that my words will be verified for accuracy of transcription and interpretation before inclusion in written work.
7. I am aware that if I have any questions, concerns, or complaints, I may contact project's principal investigator, Randi Newton at 780-974-9516, or her supervisor Dr. Leela Viswanathan at 613-533-6000 ext. 75038. I may also contact the Chair of the General Research Ethics Board (613-533-6081) at Queen's University.

I have read the above statements and freely consent to participate in this research:

Signature: _____ Date: _____

I give the researchers permission to digitally audio record my interview.

Initial here:

I do not give the researchers my consent to digitally audio record my interview.

Initial here:

Consent Form (verbal)

Name (please print clearly): _____

1. Would you prefer to provide verbal or written consent? [If verbal consent preferred, continue]. Great. I will now remind you of my commitment to you. Having read the LOI, you now know what the project is about *Opportunities and Obstacles for Cooperative and Equitable Land Use Planning between First Nations and Municipalities in Alberta*. This interview will take 45 minutes. Do you have any questions so far? [Await answer]. I am required to remind you of a few things.
2. Do you understand that your participation in this study is voluntary and that you may withdraw at any time?
3. Do you understand that every effort will be made to maintain the confidentiality of the data you provide now and in the future? Only the researchers, Randi Newton, Dr. Viswanathan, and Dr. Whitelaw, will have access to this data. Do you understand that the data may also be published in professional journals or presented at academic or professional planning conferences, but any such presentations will be of general findings and will never breach your confidentiality. Should you be interested, you may request a copy of the findings.
4. If your words are included in written work they will be verified with you for accuracy.
5. During this interview I can either take written notes or audio record our conversation, which do you prefer? If you are being interviewed we will request your permission to digitally audio record the interview.
6. Please be aware that if you have any questions, concerns, or complaints, that you may contact project's principal investigator, Randi Newton, or her supervisor Dr. Leela Viswanathan. You may also contact the Chair of the General Research Ethics Board at Queen's University. Contact information is provided in the LOI.

Do you freely provide your verbal consent to participate in this research?

Yes _____ (and so you agree to participate in the interview)

No _____(and so you will immediately withdraw from the interview)

If "Yes":

- I consent to having my interview digitally audio recorded by the researchers.
(Researcher initials indicating verbal consent was received).
- I do not give the researchers my consent to digitally audio record my interview.
(Researcher initials indicating that verbal consent was not received and therefore the interview does not proceed.).

Signature of Researcher: _____

Verbal consent obtained by the researcher on date: _____

Appendix III: Sample Interview Guides

Tsuut'ina Nation Representatives

1. Could you tell me about your position and work with the Nation?
 - b. How long have you worked for the Nation?
2. In your opinion, what were the key reasons for the 2013 agreement, as opposed to the stalled negotiations following the 2009 referendum?
3. Were there key individuals who facilitated cooperation during negotiations? These could be politicians, negotiators, planners, etc. How did they do so?
4. Conversely, were there individuals who made cooperation difficult during the negotiations? How did they do so?
5. Did negotiations require a significant commitment of money, time, and/or staff?
6. How would you characterize the historical relationship between the City and the Nation?
- 7(a). It appeared that the City of Calgary was more cooperative under Mayor Nenshi than when under Mayor Bronconnier. Is this a fair assessment?
 - (b). If so, in what ways did the City demonstrate a cooperative attitude.
 - (c). Could you speculate why the City became more cooperative?
8. What are the next steps with the road? Federal approval, construction, etc?
9. Currently municipalities in Alberta do not have an explicit legal duty to consult. Would extending this Crown duty to municipalities be beneficial to the Nation? How so? What would an effective consultation and accommodation process look like?
10. In your opinion, how well has the City of Calgary accommodated Nation rights, claims, concerns, and/or knowledge into its planning and development process?
11. What would an effective relationship between the City of Calgary and the Nation look like?
12. Is the Nation interested in participating in formal or informal regional planning approaches?
13. Is there anything else you would like to add?

Provincial Official

1. Could you tell me about your position with the Province and your duties in that role, in general?
2. Can you tell me about your involvement with the ring road negotiations?
3. In your opinion, what negotiating approaches or resolved key issues led to successful negotiations in 2013 as opposed to 2009?
 - b. Was it a logistical or political challenge to resolve key issues?
4. Were there actions taken by the City of Calgary that led to successful negotiations in 2013 as opposed to 2009?
5. When you entered negotiations, how would you characterize the relationship between the Province and the Nation? Did relationship-building activities have to occur?
5. Were there key individuals who facilitated reaching a cooperative outcome? How did they do so? These could be individuals from the Province, Nation, or the City.
6. Conversely, were there individuals who made cooperation difficult during the negotiations? How did they do so?
7. In your opinion and experience, are there practical, cultural, or logistical differences when consulting or working with a First Nation community as opposed to a municipality?
8. Are there actions the Province could take to improve future consultation and negotiations between the Province and First Nations?
9. Is there anything else you would like to add?

Municipal Staff

Questions:

1. Can you tell me about your position and work with the City of Calgary?
 - b. How long have you worked for the City?
2. How would you characterize the City's relationship with the Tsuut'ina Nation?
 - b. How does this relationship compare to the relationship the City has with other communities or rural municipalities like Rocky View County and the Municipal District of Foothills?
3. Is there a standard protocol for all departments and employees conducting consultation with First Nations? Or is it the responsibility of each department to establish a relationship with neighbouring First Nations?

4. In your opinion, are there practical, cultural, or logistical differences when consulting or working with a First Nation community as opposed to one of the other surrounding municipalities or counties?
5. In your opinion, will the City benefit from Nation-driven development along the ring road corridor?
6. What would the best possible relationship between the City and the Tsuut'ina First Nation look like? In other words, what are signifiers of a positive relationship?
 - b. If the relationship is not at this stage already, what actions are needed to reach this type of relationship?
 - c. Calgary has Intermunicipal Development Plans with Rocky View and Foothills: Is that a future possibility with the Tsuut'ina First Nation? Or are there barriers to such a comprehensive joint agreement?
7. In your opinion, what are the greatest advantages of regional planning, both in general and in the Calgary region?
8. In your opinion, what are the greatest challenges facing regional planning, both in general and in the Calgary region?
 - b. Do less populated municipalities face capacity challenges, such as having the staff or resources to commit to regional planning?
9. Is there anything else you'd like to add?

Community Resident

1. Before the 2009 Nation referendum, were Lakeview residents worried that a road might go through their community if negotiations were not successful? Can you tell me at what point in time you first learned of the five alternate routes? How did you hear about this option? (Media, word of mouth?).
2. Was there consultation with Calgary residents? If so, was this a meaningful process?
3. What were reactions in the community like when it was proposed that the road would be routed through Lakeview? What were the primary concerns?
4. In your opinion, will the ring road alleviate some of the city's traffic problems? Will the ring road be a positive thing for yourself? For other Lakeview residents?
5. What is the community's relationship like with the Tsuut'ina Nation?
6. Is there anything else you would like to add?