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# Indigenous Land and Community Security: A (Radical) Planning Agenda

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Land Tenure Center

AN INSTITUTE FOR  
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RURAL INSTITUTIONS,  
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# **INDIGENOUS LAND AND COMMUNITY SECURITY: A (RADICAL) PLANNING AGENDA**

by

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## **ABSTRACT**

This paper argues that the capacity of indigenous groups to engage effectively in environmental planning activities, at different levels, is crucial to securing land justice and community security. This argument is made against the backdrop of tensions between indigenous peoples residing in post-settler societies and nation states such as Australia, Canada, and New Zealand over questions of resource sovereignty. The paper argues that effective planning is central to (i) successful acquisition of lands through legal land claim processes, (ii) protecting indigenous interests by engaging the planning activities of the state, and (iii) realization of community goals by establishment of effective community-based planning processes.

# **INDIGENOUS LAND AND COMMUNITY SECURITY: A (RADICAL) PLANNING AGENDA**

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## **INTRODUCTION**

Tensions between indigenous peoples and modern nation states take a number of forms, but are as frequent or seemingly intractable as the question of control and access to natural resources (resource sovereignty). Colonial processes of territorial acquisition and state formation had dramatic consequences for the indigenous peoples:

Indigenous peoples' assets, interests and property have been sold, leased, traded, and despoiled; communities have been dispossessed, displaced and impoverished; lands have been submerged, cleared, fenced and degraded; seas, rivers and lakes have been polluted ... and appropriated for private use; sacred sites have been dynamited, excavated, desecrated and damaged in every possible way; cultural knowledge and material has been stolen, displayed, appropriated as national heritage, and commodified as an economic good; and even indigenous peoples themselves have been classified, subjected to repressive legislation, arbitrarily removed from their families by state apparatuses, and most recently, subjected to patenting of their genetic materials. (Howitt, Connell, and Hirsch 1996, p.15)

It is in this context that the claims of the indigenous peoples residing in post-settler societies of Australia, New Zealand, Canada, the United States, and others for self determination and resource sovereignty have been made. These claims pose considerable legal and political challenges for post-settler states since the acquisition of land is a central imperative for colonial state expansion (Perry 1996). It is no exaggeration to observe that state resistance is the central issue constraining indigenous self determination (Dodson 1994).

Dyck (1992) notes that the state has always been centrally involved in the appropriation and exploitation of lands and resources held by indigenous peoples. Second, he highlights the importance of ideological and economic factors in the state's subsequent administration of minority indigenous populations that have been dispossessed. Third, he observes the state to be an assemblage of agencies, institutions and processes, rather than a monolithic, centrally controlled structure (Dyck 1992). The tensions between the state and indigenous peoples of post-settler societies result, Dyck argues, from the fundamental asymmetry between the parties involved. Whereas Aboriginal land claims are viewed by the state in terms of political control

over economically productive resources, indigenous claimants regard them as central to community security, involving cultural, economic, and political dimensions. Indigenous peoples, consisting of small, self-selecting communities bound by ties of kinship, and commitment to place, bear stark contrast to the liberal-democratic state charged with representing the totality of its individual citizens. Indeed, the identification of self with locality is an anathema to the logic of modern political economy (Kemmis 1990).

State responses to the legal, political and moral challenge represented by indigenous claims has been diverse. A common early response to the post-settlement indigenous 'problem' was heavy-handed state control. Indigenous peoples in Canada and Australia became wards of the state and subject to assimilationist policies concerned with Christianizing and civilizing them (Perry 1996). In Norway too, a pattern of economic exploitation of indigenous territories followed by systematic attempts at assimilation can be observed (Dyck 1992). Indigenous cultural identification proved persistent and largely resistant to these efforts (Perry 1996).

In recent decades, in the so-called post-colonial era, indigenous claims and political strategy aimed at land justice, resource sovereignty and community security has necessitated new responses (Howitt, Connell, and Hirsch 1996; Mayberry-Lewis 1992). Following two decades of litigation over native title, the Canadians have pursued regionally negotiated agreements over resource control and access (Richardson, Craig, and Boer 1995). Australian states first sought to resist the recognition of native title in their domains, then sought to develop detailed legal and administrative procedures for assessing the veracity of indigenous claims (Lane, Brown, and Chase 1997). This response has produced a legal and political quagmire that has paralyzed environmental policy and progress towards meaningful reconciliation. In New Zealand, following a failed attempt to reach a comprehensive settlement with the Maori, an integrated resource management approach has been used to ensure Maori participation in the development of regional resource management plans (Howitt, Connell, and Hirsch 1996). These mechanisms are a far cry from the Danish response to Inuit demands in Greenland—the establishment of Home Rule in 1979 (Poynton 1996).

State responses to indigenous claims have been the subject of considerable study by scholars from anthropology, political science, and regional planning (see Perry 1996; Howitt, Connell, and Hirsch 1996; Dyck 1992; Rangan and Lane 2001; Fleras and Elliot 1992; Mayberry-Lewis 1992). Indigenous responses and strategies concerned with creating the political space for recognition of their claims have, however, been insufficiently examined (with the exception of Perry 1996). This paper is concerned with the practice and promise of environmental planning used by indigenous groups to realize their goals in relation to land justice and community security. There are three reasons for taking this approach. First, indigenous agency is often a neglected factor; indigenous peoples are often represented as passive victims of change. The historical and recent record of indigenous resistance shows that indigenous peoples have never been passive victims of imposed change (Perry 1996). Second, nearly all recent attempts to reconcile indigenous land claims with state and private interests have converged on the shared management and co-existence of diverse interests. Co-management of land and natural resources at local and regional scales is now being experimented with in settings as diverse as Canada,



Australia, New Zealand, the United States, Sri Lanka, South Africa, and Thailand (Poffenberger and McGean 1996; Rangan and Lane 2001). Increasingly managing shared or contested spaces is recognized as a problem for the contemporary field of planning (Sandercock 2000). Third, such an approach is likely to yield a more complete understanding of the possibilities of the recent trend to devolution and decentralization in environmental policy and planning. Decentralized planning, including community-based planning and collaborative efforts between the state and non-state groupings, cannot be understood by merely examining state action and strategy; the agency of other groups must also be examined (Leach, Mearns, and Scoones 1999).

The land and resource planning activities of the modern nation state has served indigenous peoples poorly (Sandercock 1998; Jojola 1998). It has largely served majority interests, capital, and the state (Howitt, Connell, and Hirsch 1996; Sandercock 1998). By focusing on the planning work of civil society (in this case indigenous organizations), this paper is concerned with the promise and practice of what Friedmann (1987) called *radical*, and more recently, Sandercock (1999) has called *insurgent* planning. As Sandercock (1999) notes, mainstream planning journals are largely silent on the possibilities of a radical planning practice concerned with social transformation. As Sandercock describes:

Insurgent planning is insurgent by virtue of challenging existing relations of power in some form. Thus it goes beyond 'participation' in a project defined by the state. It operates in some configuration of political power, and must formulate strategies of action. Insurgent planning practices may be stories of resistances, and not always successful ... of resilience ... or of reconstruction. (1999, p. 41)

The capacity of indigenous groups to engage effectively in planning activities, at different scales, is crucial to securing land justice. Effective planning is central to (i) successful acquisition of lands through legal land claim processes, (ii) protecting indigenous interests by engaging the planning activities of the state, and (iii) realization of community goals by establishment of effective community-based planning processes.

## INDIGENOUS PEOPLE AND RESOURCE PLANNING

The struggle of indigenous peoples to have their rights and interests in land and natural resources recognized over a number of decades means that we can draw and reflect on considerable experience of indigenous interaction with land and resource planning. This experience highlights three distinct themes. First, the power of European developmentalism as an ideology in planning processes has a tendency to marginalize Aboriginal perspectives in planning and decision-making (Howitt 1995; Craig and Ehrlich et al., 1996) Second, as a result of the interaction of political, cultural, economic and geographic factors, the capacity of Aboriginal participation in planning and other political processes can be impeded (Lane 1997) although, as O'Faircheallaigh (1996) has shown, with appropriate organizational support and resourcing, indigenous people can be highly effective negotiators. Third, the dominant epistemology of planning—best

encapsulated as the rational-comprehensive paradigm—tends to marginalize Aboriginal cultural perspectives, discarding them as irrational relics of an earlier age (Lane et al., 1997).

The experience of Aboriginal people in relation to a range of cases of resource development highlights the propensity for decision-makers to overlook, ignore or misinterpret Aboriginal perspectives (Lane and Dale 1995). The power of developmentalism as an ideology in planning processes, with its uncritical emphasis on the benefits of development and capital accumulation, is said to affect all aspects of the planning process, from the compilation of impact statements to the final decision (Craig and Ehrlich et al., 1996; Chase 1990). We can therefore understand developmentalism as an ideology shared by planning practitioners, the private sector proponents of resource development and elected officials. The ideology of developmentalism is a powerful factor in the marginalization of Aborigines in planning which, in turn, reveals planning to be a political process, reflecting the ideologies and interests of dominant actors (Jackson 1997; Hillier 1993).

Planning is, of course, an interactive, communicative activity in which the planner engages in discourse with a range of actors (Hillier 1993). The capacity of indigenous people to participate in planning processes is therefore a crucial factor in determining the extent to which planning outcomes reflect, at least in part, indigenous priorities. As a consequence, the factors that influence indigenous participation are important. In general terms, the literature on participation demonstrates that a range of factors may inhibit the efficacy of indigenous participation (Lane 1997). These factors include language and cultural barriers; geographic isolation; a lack of resources; consultation fatigue; cynicism about whether consultative efforts are genuine and a lack of familiarity with mainstream planning and decision-making processes (Dyck 1992; Perry 1996). These impediments to effective Aboriginal participation have led some to argue that planning will only have equitable outcomes if indigenous participation is facilitated by strategies explicitly designed to enhance their capacity to do so. “Empowering” indigenous people to participate is therefore a common theme in the literature (Howitt, Connell, and Hirsch 1996).

And yet, as O’Faircheallaigh (1996) has shown, indigenous groups, carefully organized and appropriately resourced, have repeatedly proven themselves capable of effective participation in planning processes. A range of cases are reported in the literature in which indigenous agency and strategy were the crucial factors in creating innovative solutions to the challenges posed to contemporary states by indigenous claims (e.g., Feit 1992; Paine 1992). Indeed, it might be argued that planners have more to learn from the locally developed outcomes to difficult problems (in which indigenous groups have often played a pivotal role) than vice versa.

There is, finally, an epistemological factor that is important in understanding indigenous experiences with land and resource planning processes which recent postmodern and communicative accounts of planning have revealed (Forester 1989; Hillier 1993). The predominant (and traditional) conception of planning is that of a largely technical activity directed towards the attainment of “self-evident statements of land use goals and objectives” (Hillier 1993, p. 90). The central position of positivist science as the authoritative, legitimate discourse in contemporary society, and the strident claims of planners to scientific rationality,

tends to marginalize and disempower local groups (Tauxe 1995). There are, as Sandercock (1998 p. 76-83) has argued, other “ways of knowing” which are lost in the hegemonic enlightenment discourse which privileges scientific rationality. Enlightenment thinking and rationality (which continue to dominate planning) were particularly hostile to tradition and to authority based on custom or faith (Sandercock 1998; Scott 1998; Young 2001).

Conceptualizing planning in this historical and epistemological context is suggestive of the ways in which indigenous knowledge may be marginalized in land and resource decision-making. There are indeed, a number of examples and analyses of this (Sandercock 1998; Jackson 1997; Lane and Rickson 1996). The interests of other politically marginal communities may also be delegitimized (Sandercock 1998). Tauxe (1995, p. 477) has described the conflict between local (non-indigenous) mores and decision-making thus:

the discursive conflict between local and bureaucratic planning styles reflect[s] the deeper conflict between the sets of cultural values .... In particular, those whose discourse continued to reflect local conventional norms tended to refer to moralistic ethics, whereas those using the bureaucratic style referred to legalistic ethics.

Communicative accounts of planning show how planning practice can be understood by examining the structuring and control of knowledge, together with the rhetorical deployment of ideology (Hillier 1993; Throgmorton 1993). The tools, data sets and models used by rational-comprehensive planners “are not neutral media which convey ideas independently formed; they are an institutionalised structure of meanings which channel thought and action in certain directions” (Hillier 1993, p. 92). In Australian indigenous contexts, Chase (1990) has shown how this can work to disempower indigenous groups in resource planning. His discussion of resource development in north Queensland and the objections of traditional owners (based on ancient dreaming stories) powerfully demonstrates the importance of epistemology in explaining indigenous marginality in resource planning. Jackson (1997) shows how the construction of planners as rational actors pursuing the public interest delegitimizes and marginalizes Aboriginal rights and interests.

The following sections describe the elements of an effective radical planning agenda for indigenous organizations: (1) protect indigenous interests by intervening in the planning activities of the state, (2) create planning capability to assist acquisition of lands through legal land claim processes, and (3) understand and realize community goals by establishing effective community-based planning processes.

## **INDIGENOUS INTERVENTION IN STATE PLANNING PROCESSES**

The allocation, use and management of natural resources are tasks largely carried out by the planning apparatus of the modern nation state. Institutional arrangements and management processes for differing resource sectors—forestry, fisheries or agriculture for instance—are largely a product of resource-specific legislation which prescribe allocation regimes, the role, power, and function of government-appointed managers and management requirements or, in the

case of industry-enforced approaches, performance standards and monitoring requirements (such as water quality). Importantly, the nature of the institutional arrangements and approach to management and planning varies from resource to resource. The legislative and institutional arrangements for forest management are distinct from, say, the agricultural sector, and from mining and fisheries.

The land and resource planning activities of the State therefore are of critical importance to indigenous peoples hoping to protect their interests on both public lands and also private lands alienated from indigenous ownership. But a focus on other actors is also required. A significant non-government sector—comprising private sector firms, industry associations and lobby groups—maintains a close and ongoing relationship with the state bureaucracy. The nature of indigenous interaction with this non-government sector is also important in terms of the capacity to influence policy.

Rational approaches to planning dominate the practice of the profession in western liberal democracies. Rational planning essentially involves the application of science and scientific methods to the task of plan and policymaking (Sandercock 1998). The use here of the concept of rational planning is not meant to connote “top-down” planning. Contrary to popular rhetoric that equates rational planning with top-down planning, early observers of state policymaking recognized that negotiations between major policy actors were common to policy making approaches that sought nevertheless to be rational (Lindblom 1959; 1979).

The concept of rational planning has been severely criticized. Some of these criticisms have centered on the fallibility of science in terms of predicting change in complex and dynamic environmental systems, while others have argued that rational planning is undemocratic, leaving questions about resource use and management up to a technocratic elite. Others (Lake 1993; Syme 1992) have argued that such approaches misunderstand the social and political context of resource use and management. They argue that while there are indeed technical questions involved in forest or fisheries management (what will be the impact on the resource if we increase the rate of extraction?), there are also distributional questions (who benefits from the extraction and management of public resources?) and ideological questions (some groups have differing values associated with these resources, regarding them as other than of economic importance).

This final point is of crucial importance for indigenous peoples. Rational or technical approaches to resource assessment tend to privilege Eurocentric values about both the resource and approaches to decision-making. “Rationality” is a culturally bounded concept and one that has not been readily extended to include the values and concerns of non-Europeans, particularly indigenous peoples (Healey 1997). Rational approaches to resource planning have a tendency to marginalize indigenous peoples (Sandercock 1998). In part, this problem with rational planning has been exacerbated by the concept of the “public interest.” Planners have long claimed that they work in the “public interest,” invoking this idea to help them rationalize the fact there are both “winners and losers” in any decision made about resource allocation and use. The notion of the “public interest” has been used to mask the highly political nature of planning which privileges some and marginalizes others by denying multiple interests in favor of a dominant,

unitary interest (Kiernan 1983). In so doing, this notion has reinforced rational planning by referring to the dominance of Western rationality and ignoring other forms of knowledge (such as indigenous knowledge), which might inform resource decisions (Sandercock 1998).

While the technocratic approach continues to dominate public sector institutions, it is now commonplace, even mandatory, that opportunities be afforded interested publics to comment. While there remain a number of problems with the way in which these opportunities have been made available, particularly for indigenous people who face financial, geographic and organizational constraints, a participatory element in plan and policy making can be observed. Moreover, what Beck (1992) called the changes in the political culture of western democracies, has ensured increased scope for negotiation or bargaining in plan and policy making (Dorsey 1986). The more widespread collaborative mode of planning represents an opportunity for indigenous people to escape some of the constraints imposed by the purely rational model and for them to advocate and actively prosecute their interests in planning.

Opportunities for indigenous intervention in state planning processes are now commonplace. In part, this has resulted from legal recognition of indigenous rights in land, including common law native title recognition in Canada and Australia, and legislative recognition in countries such as New Zealand (Perry 1995). These legal imperatives aside, western democracies have also undergone significant political changes over the past three decades (Beck 1992; Benhabib 1996). The politics of difference played an important role in the creation of this new political culture and in the debates concerned with reconfiguring the public sphere in liberal democracies (Benhabib 1996). The politics of difference, which dominated Western liberal democracies throughout the 1970s and 1980s signaled a shift from political concerns being fundamentally characterized by struggles over class, wealth, and political position, to the politics of racial and ethnic pride, environmental quality and struggles over gay and lesbian rights (among others). In turn, the emergence of the politics of difference created a new set of political actors: social movements of activists focused on common ethnic, gender, or environmental concerns (Benhabib 1996).

The question of indigenous land rights in the western democracies is, I argue, no longer a question of indigenous legitimacy or recognition. Instead, it is a question of how, in a practical sense, productive resources and lands might be shared by indigenous claimants and others. In a host of jurisdictions, place-specific claims by indigenous groups have been settled through careful negotiation and plan making. Co-management of land and natural resources, in a variety of forms, has been the preferred negotiated solution (Rangan and Lane 2001; Poffenberger and McGean 1996; Howitt, Connell, and Hirsch 1996; Gedicks 1993).

Consider these two examples. A community-based indigenous organization in Australia's Gulf of Carpentaria was confronted, in the mid- to late-1990s, with a proposal to develop the world's largest zinc mine on custodial lands (see Lane and Cowell, in press; Lane and Cowell 1995). Over a five-year period, the Carpentaria Land Council employed a planner, an economist, a biologist, as well as legal and other expertise to intervene in the environmental assessment and development approval processes of the state. While this process was, at times, frustrating and acrimonious, it served to substantially alter the character of environmental protection

arrangements and financial compensation to indigenous groups. Further east, in Cape York Peninsula, another indigenous organization, the Cape York Land Council has successfully appropriated and refined social impact assessment as a means to deriving an improved compensatory and environmental management arrangements in relation to mining projects (O’Faircheallaigh 1999). In both of these instances, managing the shared coexistence of indigenous and non-indigenous interests was achieved through indigenous agencies and participation in state planning processes.

These success stories show that resource planning activities of the state can be made accountable to indigenous concerns (O’Faircheallaigh 1996; Feit 1992; Paine 1992) and that radical planning can be achieved through (rather than in spite of) state agencies (Rangan 1999). What is required however, is a diligent approach by indigenous organizations to take up opportunities to participate, to harass resource planners about their concerns and to demand a certain standard of acknowledgment of indigenous interests. There will continue to be disappointments but the importance of constant, considered participation lies in its potential to change forever the conventions that underpin planning *practice*. Herein lies, of course, the transformative potential of a deliberative democracy (Forester 1999).

To achieve this, indigenous organizations require knowledgeable staff and an organizational capacity capable of understanding the:

- diverse state apparatus of resource planning and management;
- important planning processes over public lands and resources which might have implications for indigenous interests;
- range of non-government stakeholders who have the potential to influence planning outcomes and policy; and
- how to effectively participate in planning processes to support the indigenous agenda.

## **THE IMPORTANCE OF PLANNING TO INDIGENOUS LAND CLAIMS**

Effective land and resource planning by indigenous communities is important to reaching resolution with other parties involved in indigenous land claim processes and is, in turn, crucial to the success of land claims. This is true of land claims being pursued in Australia following the High Court’s recognition of native title (Lane, Brown, and Chase 1997), efforts to give expression to Maori rights in land and resource management as afforded by the Treaty of Waitangi and following the passage of the *Resource Management Act 1991 (NZ)* (Howitt, Connell, and Hirsch 1996), and Canada following the rulings of the Supreme Court of Canada in the case of *R. v. Sparrow* which, among other things, confirmed Aboriginal rights to involvement in decisions about environmental management (Wolfe-Keddie 1995). There are a number of dimensions to this.

First, in all of the above cases recognition of indigenous usufructory rights<sup>1</sup> in public lands and resources necessitates a process aimed at brokering agreements of co-existence of the rights of diverse parties. Resolving the different interests in land by providing for diverse rights to use land and resources in different ways is essentially a land use planning exercise. Co-existence is, in important ways, a planning challenge.

Recognition of indigenous usufructory rights represents a fundamental challenge to how nation states such as Australia and Canada manage “the Commons,” i.e., unalienated public land. In the absence of recognition of indigenous rights, these states were solely responsible for the allocation rights to land, minerals, forests and other resources. Recognition of indigenous rights not only complicates the way states perform their land management tasks; it also disturbs the traditional beneficiaries of publicly owned natural resources such as miners, pastoralists and irrigators. A central task in resolving indigenous claims in these countries therefore is to creatively fashion new land and resource management regimes that give practical expression to and allow enjoyment of native title while also providing for the co-existence of other interests and uses of land (Lane, Brown, and Chase 1997; Stuart 1992; Wolfe-Keddie 1995). Developing such a management regime therefore involves three tasks that are central to the work of planners: creating a framework and forum for the expression of diverse views, mediating or facilitating negotiations among diverse interests, and giving expression to the final agreement in the shape of a land and resource plan (Stuart 1992; Lane, Brown, and Chase 1997).

Since this is a new planning problem and one created by indigenous legal action and political agitation, indigenous agency and strategy is crucial in developing models of co-existence that will reconcile competing interests and uses. Currently, groups are negotiating and working towards the development of arrangements that provide for co-existence on a case-by-case basis. While there are variables that make different cases unique, there are also a range of common variables and circumstances. The development of more general models or templates is therefore an important agenda. This would enable groups to negotiate on the basis of having an approach to co-existence that has proved successful elsewhere. In addition, having a template or model of what the final agreement may look like can expedite both data collection, consultation and negotiations over agreements. This is likely to save both time and resources.

To some extent this is underway. Australian indigenous groups have looked carefully at the Canadian regional agreement model (see Richardson 1995) and indigenous comanagement of fisheries in New Zealand has apparently been influential in Papua New Guinea. These are however significant planning challenges. Brokering agreements and developing plans in the context of indigenous land claims is a new planning context. There are important cross-cultural dimensions to this work that render top-down, technocratic approaches to planning inappropriate.

A second important dimension to using planning to resolve indigenous land claims relates to the importance of knowledge about land and resource planning and management to the substance

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<sup>1</sup> Usufructory rights are rights to enjoy the “fruits of land, in other words to hunt and to gather on land which is owned by another (see Rogers 1995).

of negotiations conducted. While one significant discourse will inevitably be concerned with validating indigenous claims to continuing cultural affiliation with the lands in question, it is likely that the majority of discussions will be concerned with the degree to which the various interests and land uses are compatible. If indigenous claimants are to be effective negotiators, they will require knowledge of resource management principles, an understanding of the management issues in the area subject to claim, and contingent strategies for reconciling competing land uses during negotiations. This requires that claimants have engaged in land and resource planning activities prior to entering into negotiations in order that this knowledge and contingent strategies are in place.

A third reason for considering this planning agenda in relation to indigenous land claims relates to community aspirations for the use of land following successful acquisition. While the acquisition of land is clearly of fundamental importance, there is also a need to ensure that, following the claim process, the successful claimants have the capability to access the land and to use it for community, cultural or economic objectives (Lane, Brown, and Chase 1997). The extent to which claimants are able to fulfill their objectives in relation to these matters depends, in part, on establishing a planning 'platform' comprising community values and aspirations, land management information and strategies for achieving local aspirations. If claimant groups are to derive benefit from land acquisition in concrete terms immediately following the successful claim of land, the development of the information base, workshopping of community objectives, and development of strategies needs to be a process that occurs concurrently with claims processes.

In addition, the development of an initial planning platform can provide the foundation for further planning by indigenous claimants. The information and strategy development that occurs during land claim processes can be built upon to facilitate more specific and sophisticated planning activities by indigenous groups. Traditional landowners wishing, for instance, to develop ecotourism enterprises, will be able to build on the information base and knowledge already in place as a result of an early commitment to planning for the use of land and resources.

Finally, planning processes of the kind described here have the potential to contribute positively to relations between the parties with co-existent interests. Planning for co-existence necessarily entails learning about the knowledge, interests, concerns and objectives of other parties. By bringing the parties together in a constructive planning enterprise and sharing information, the process also has the potential to provide a forum for mutual, social learning (after Friedmann, 1973). This surely is fundamental to the notion of co-existent interests in land and resource use.

The story of the creation of Wendabon Stewardship Authority in Ontario, Canada, is an apposite example of the importance of planning in the resolution of the complex and rancorous issues that often surround indigenous claims to land (see Bray and Thompson 1990; Black 1990; Laronde 1993; Wolfe-Keddie 1995). In 1990, the forest known as Temagami was described as:

the most contested piece of land in North America. We are now into the 112<sup>th</sup> year of the Teme-Augama Anishnabai struggle to regain their homeland. In the past five years



alone Temagami has been the subject of seven court decisions, three road blockades, and at least 124 arrests on the ... blockade of the Red Squirrel Road. (Black 1990, p. 141)

After years of bitter and protracted conflict, the provincial government and the Teme-Augama Anishnabai signed a Memorandum of Understanding that committed the province to (1) a treaty of coexistence, (2) the creation of a Native/non-Native stewardship council, and (3) rights of indigenous participation in environmental planning processes (Wolfe-Keddie 1995). Shortly thereafter, the Wendaban Stewardship Authority was created as a mechanism for co-management of forested lands. Over the course of the next year, indigenous groups and non-indigenous claimants represented by the Authority developed timber management plans, cultural heritage plans, wetlands policies, and an overall stewardship plan (Laronde 1993). The process of plan making re-franchised the Teme-Augama Anishnabai with their custodial lands, substantially ameliorated stakeholder conflict, and created the basis for sustainable relationships among key actors (Laronde 1993; Wolfe-Keddie 1995).

## COMMUNITY-BASED PLANNING TO MEET COMMUNITY ASPIRATIONS

Community-based planning is an approach designed to overcome the problems of Aboriginal marginalization and misinterpretation of Aboriginal perspectives and aspirations (Dale 1993). Community-based planning is a planning process that facilitates community development through community **control** of the planning activity (ATSIC 1994). The central characteristic of community-based planning is that planning activity is instigated, controlled, and conducted at the local community level (Lane and Dale, 1995). The premise is that community control will help overcome the difficulties of imposed planning and meet locally derived goals for community development.

For a number of reasons, community-based planning (ATSIC 1994) is becoming an important agenda among indigenous organizations. The disenfranchisement of indigenous people from mainstream planning processes, particularly in the highly political field of resource planning, combined with the difficulty of understanding and reconciling the nature of indigenous perspectives, has led some to argue that local **control** is central to making planning effective and relevant in indigenous domains (Ross 1992). There are some contexts, such as the management of indigenous owned land, and planning for the management of an indigenous township where community-based planning approaches are likely to be appropriate. In these circumstances, facilitating a community-based process of setting visions, identifying strategies and achieving goals is more likely to ensure that land management or township administration is sensitive to local indigenous interests.

Community-based planning could be used in the context of indigenous land claims to establish community objectives, identify ways in which other land users can be accommodated, and to develop an approach to management which will be responsive to local (indigenous) needs and interests (Lane, Brown, and Chase 1997). An important benefit of commencing community-

based planning approaches during land claim negotiations is to establish a platform (of interest and information) from which people can develop plans and strategies for the use of land once it has been successfully claimed. Failure to be concerned with land use and management at an early stage can lead to claimants experiencing difficulties achieving their aspirations once the land is claimed. In addition, early effort in community-based planning can help ensure that mediation and negotiation processes that ensue during the land claim process are not subverted by adversarial, legal argument and remain focused on reaching a mediated agreement (Stuart 1992)

A further reason for pursuing community-based planning relates to the analysis of state planning described above. Although state planning is typically accompanied by a formal rhetoric that asserts its rational content, it also typically involves political dimensions that are invariably settled by bargaining and negotiation (Lindblom 1959; 1979). Community-based planning approaches have much to offer indigenous communities trying to influence state plan and policymaking. A number of communities have shown that an effective way of addressing marginalization is to engage in their own planning and negotiate directly with government (see Davies and Young 1996; O'Faircheallaigh 1996). These examples show that state planning agencies are more likely to respond positively to the case put by indigenous communities if they are able to present a considered package, and community-based approaches can be used to develop such a package.

Community-based planning responds to the failure of imposed solutions to the problems manifest in many indigenous communities, and the demand, continuously expressed, for the right to manage their own communities and affairs. Given the opportunity and the resources, indigenous communities have shown that they are capable of marshaling the appropriate technical support and local participation to achieve community-determined objectives (Davies and Young 1996). In such circumstances, local social and cultural imperatives are not marginalized by the search for optimal solutions according to professional or technical criteria, and planning outcomes enjoy greater legitimacy at the community level. These factors make planning outcomes derived from community-controlled processes more effective. Finally, the development of a community-based planning capability is particularly apposite given the trend towards decentralized environmental planning and policy in many parts of the world (see Leach, Mearns, Scoones 1999).

## **CONCLUSION: TOWARDS A (RADICAL) PLANNING AGENDA FOR INDIGENOUS ORGANIZATIONS**

For most indigenous organizations, the acquisition of land for previously disenfranchised constituents is their most important function. However attention must be paid to the inexorable processes of land and resource development, planning and management. The planned developments of private (and public) sector firms, the management activities of resource management agencies and the planning frameworks of different levels of government can constrain and regulate indigenous interests in important ways. In addition, a proactive approach

to planning can be useful to resolving and expediting indigenous land claims, and for ensuring the effective management of lands following acquisition and for meeting the broader interests and aspirations of indigenous communities.

There are, therefore, three key elements to an indigenous (radical) planning agenda.

1. Participation in the policy formulation processes of those state agencies charged with the allocation, use and management of land and natural resources. This involves playing the rational planning game while acknowledging the political context in which planning decisions are made or, in other words, using rational argument in a political context. Only by engaging in discussions about the prosaic matters concerned with terms of reference, guidelines, and the like can indigenous communities hope to set planning “standards” which ensure the consideration of indigenous interests. Because the overall context is political, what is required is a diligent, argumentative approach to the development of appropriate standards.
2. A concern to facilitate and assist local Aboriginal communities and groups conduct their own planning as a means of meeting their objectives in land and resources use in both the medium and longer terms. Effective community-based planning is not easy and takes time to learn. There are a host of obstacles. Indigenous organizations therefore have a role in helping to organize, resource, and support communities to do their own planning for the management of their townships and lands. State planning responses across diverse settings have tended to fail indigenous groups. Therefore community control of planning is the only plausible response to the history of planning failure.
3. As a means to help expedite and resolve indigenous land claims made by Aboriginal groups. The focus of much land claim preparation, especially in initial stages, is concerned with anthropological, archaeological, historical and land tenure research. Without wishing to imply that this work is unimportant, the need to manage competing and co-existent interests in land is primarily a planning task that involves the creative fashioning of new management regimes. Planning to resolve diverse interests should begin as early as possible in the claim process and should be accorded greater emphasis in the work of indigenous organizations.

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