FIRST NATIONS ORGANIZATIONS:

An Analytic Framework

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An Analytic Framework

A REPORT PREPARED FOR
POLICY AND STRATEGIC DIRECTION

DEPARTMENT OF INDIAN AFFAIRS
AND NORTHERN DEVELOPMENT

by

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Objectives and Methodology

In order to facilitate the further development of governing and administrative authorities for First Nations, the Department of Indian Affairs and Northern Development has identified a need to conduct case study research among selected First Nation service organizations. As a first step in this direction, the present report examines the relevant research issues and develops a framework to guide future inquiry.

In general, the objectives of the report are to develop a theoretical and comparative basis for understanding institutional development in a First Nations context; to describe some of the relevant theoretical assumptions, concepts and principles involved in organizational design; to provide a preliminary assessment of the status of some current organizational arrangements; and, to outline the directions and information needs of future research.

Drawing on a wide range of published and unpublished literature, the report develops a way of conceptualizing First Nations organizational issues. This is summarized in terms of an analytic framework that describes a general analytical model of First Nations organizations.

First Nations Profile

Examination of the available geographic,demographic, economic and ethnographic literature reveals significant variation and differences in First Nation community characteristics and relations. Some of the most important of these distinctions relate to the political cultures of band-associated traditions and tribal-like groupings across Canada, and associated aspects of group formation and social organization. Comparisons of First Nations at these levels draw attention to significant differences and similarities in the ways institutional authority, legitimacy and accountability are conceptualized, structured and practiced.

The range of First Nation diversity is further elaborated in terms of a typology of Indian reserve communities. Here, a four-fold classification of community types is introduced and presented as a useful way of thinking about the organizational needs, requirements, constraints and values of First Nations. The typology also anticipates the difficulties of developing standardized approaches to governing and administrative authorities for First Nations.

Conventional Approaches to First Nations Public Organizations

Many First Nations have developed or adopted organizations that are patterned according to more familiar and conventional non-Aboriginal concepts, structures and practices, especially those associated with bureaucratic organizations. These trends reflect jurisdictional restrictions and the concentration of power and authority in federal and provincial administrative frameworks, as well as a reliance on more narrowly defined options and choices for the design and development of First Nations institutions.

A preliminary assessment of some current First Nation organizations is conducted in terms of a number of key themes, including: (1) jurisdiction, authority and control; (2) intergovernmental relationships; (3) structural, functional and processual adequacy; (3) community diversity; (4) cultural appropriateness; (5) community participation; and (6) resources. The evidence and analysis indicate that emulating more conventional, bureaucratic service organizations may not be the appropriate route for many First Nations to follow in the process of designing, implementing and further developing their institutions of governance and administration. Of particular interest is the conclusion that variation in community and cultural characteristics across First Nations may, in some cases, presuppose very different prerequisites for effective and successful organizational design. Similarly, significant adjustments to, modification and reorganization of the existing apparatus of some First Nation organizations may be required to successfully adapt to variable and changing community circumstances and wider environmental conditions.

The themes identified in the assessment of current arrangements direct attention to some of the most important policy and research issues facing the Department. Under what conditions should change in First Nations organizations be encouraged and supported? At what levels and in which directions should change occur? Under what conditions and at what levels might improvements to existing First Nation organizations be the most appropriate, desirable and feasible policy strategy? However, in the absence of a solid information base to support them, such policy decisions are very difficult to make.

Recent Theoretical Developments in the Study of Organizations

In recent years, theoretical discussion concerning public service organizations has focused on the place of bureaucratic models within a broader range of organizational alternatives. Key aspects of current debate inform a description of the characteristic structures and processes of bureaucratic organization and an assessment of some recent theoretical models of First Nation organizations that may be derived from it. The distinguishing features of bureaucratic organization are then set within a series of oppositions that contrast bureaucratic with non-bureaucratic forms of organization. These oppositions include: (1) centralization v.s. decentralization of decision-making, power and control; (2) specialized v.s. generalized (multi-purpose) roles and responsibilities; (3) hierarchical v.s. collaborative relationships; (4) standardized (routine) v.s. flexible (variable) functions, tasks and activities; (5) formal (indirect) v.s. informal (direct) communication channels; (6) permanent v.s. impermanent structures and staff; and (7) apolitical v.s. political structures. The interplay between these oppositions at the levels of structure and process, and the variable combinations of their terms, direct attention to a number of alternative organizational design configurations, including models based on principles of the market, citizen participation , contingent and private organizations.

These models are examined more thoroughly in the context of manifest formations of First Nation organizations, a concept that introduces determinants of formal organizational structure, including size, technology, strategic direction and power relations, and corresponding organizational processes such as coordination, communication, conflict resolution and strategies for commitment to the organization. The importance of variety in manifest formations of First Nation organizations is reinforced by a discussion of the different effects that three other general factors have on manifest organizational structures and processes: environmental forces, variable policy

issues, and latent formations of organizational configurations. Latent formations are those aspects of community and cultural structures and processes that may be observed at the level of cross-cultural, community distinctions and that influence overall organizational structure and process.

The linkages between manifest and latent formations are explored further in the context of the design of self-governing and self-organizing institutions. This involves consideration of principles of institutional design that were initially developed to analyse the management of common pool resources but have broader application to other problems of collective action and institution-building in cross-cultural, community contexts. There are 8 design principles of interest which include: (1) demarcation of clearly defined boundaries to identify resources and resource users; (2) locally appropriate resource use rules; (3) resource user participation in rule modification; (4) monitoring mechanisms run by resource users or by officials accountable to them; (5) systems of graduated sanctions applied by resource users or by officials accountable to them; (6) low-cost and accessible conflict resolution mechanisms; (7) wider recognition of the rights of resource users to organize institutions; and (8) "nested enterprises" or sets of rules established within a hierarchy of appropriator institutions where jurisdictions overlap. These design principles are re-stated in terms of the assessment themes of section 3.2, and related to linkages between manifest and latent formations of organizational design configurations. This serves to further clarify the relevance of community context for the design of self-governing institutions. It is concluded that some types of First Nation communities may be in a better position than others to successfully mount and sustain self-governing organizations.

A Proposed Analytic Framework for Future Case Studies

The fundamental argument of the report is re-presented in the form of an analytic framework that is intended to guide future case studies of First Nation organizations. It may also be considered as a general analytical model of First Nation organizations that can be applied to a variety of governing and administrative situations. The model describes four key conceptual categories - manifest formations, latent formations, policy issues and environmental conditions - and their interconnections that outline a theoretical appreciation of organizational design. These categories and their interrelations circumscribe a checklist of essential analytic components and related research questions that provide the general parameters and a common research focus for future case studies.

The novelty of the framework lies in two main analytical distinctions. First, it broadens the conceptualization of the research problem by including latent formations - an aspect of First Nation community and cultural diversity - as a systemic component of First Nations organizations. And second, it views the study of First Nation organizations as a concern with dynamic and changing configurations of organizing principles, factors and relationships, rather than a process to develop ideal and uniform models.

Concluding Remarks

In general, federal and provincial governments have exercised insufficient flexibility in responding to the organizational needs of First Nations. The taken-for-granted relevancy of bureaucratic organizations for the development of First Nation organizations has often impeded the identification and development of alternatives that are more consistent with the social, cultural and political evolution of diverse First Nation communities on the one hand, and the range of organizational principles, factors and forces that determine or influence design configurations, on the other.

While government should not dictate and control the direction and pace of this evolution or the design and development of First Nations' organizations, it can play a supporting role by encouraging institutional innovation , experimentation and reform where appropriate and feasible. However, this will require a better informed advisory capacity on the part of government as well as a more systematic approach to the resourcing of such initiatives.

This suggests that government should be more creative and expand the possibilities for First Nations' institutional choice. It also means that government should continue to develop a much stronger research capacity in order to provide reliable information on First Nations' organizations. This can be used to facilitate possible new developments and change.

FIRST NATIONS ORGANIZATIONS
AN ANALYTIC FRAMEWORK

1.0 INTRODUCTION

Governing and administrative authorities for First Nations and their citizens have assumed increasing significance over the last few years, especially in relation to the devolution of programs and services to First Nation communities, and the desire of First Nations to assume greater responsibility for, and control over, the management of their public affairs. Yet, despite the trend towards self-reliance and greater autonomy for First Nations, as well as the need to improve relationships between First Nations and other levels of government, relatively little research has been conducted on governing and administrative authorities in various program and service sectors.

This gap exists despite the social, political and practical relevancy of such research. Socially, viable models of governance and administration can pioneer a sense of confidence and revitalization in community structures and processes, as well as generate encouragement, support and respect from the outside. Politically, proposals for and models of self-governing institutions and wider organizational relationships, whether they be cast in terms of constitutional rights, legislative options or other agreements, are part of the representations made by First Nations to federal and provincial governments. And practically, a wide range of existing boards, commissions, agencies, associations, committees and councils reflect multiple lines of institutional evolution that may have important policy implications for the design and implementation of future organizational arrangements for First Nations.

1.1 Purpose, Scope and Objectives

The above considerations prompt the present report. Its main purpose is to lend support to more detailed investigation into models of governance and administrative authority for First Nations in selected program and service sectors. In the process, it discusses, in general terms, a range of factors that can be expected to produce vigorous governance and administrative arrangements

in First Nation communities. Thus, beyond its consideration of case studies which are the focus of future research, the report develops some theoretical generalizations that may have important policy and practical implications for institutional design and implementation.

However, it does not seek to recommend specific models of governance and administration for any sectoral area but to understand their principles and how they may be applied for the purposes of institutional design and implementation. The approach, therefore, is necessarily theoretical and in this context it is concerned with two important issues: firstly, the general comparative basis for understanding alternative definitions of First Nation organizations; and secondly, the conditions and constraints on the development of self-governing and self-organizing institutions.

Thus, the theoretical objective of the report is quite specific: to better understand, from a comparative perspective, the principles and basis of collective action and cooperative solutions to problems which face First Nation organizations. In particular, the report seeks to develop a preliminary theoretical appreciation of what types of organizational arrangements, including models of governance and administration, might work for diverse First Nations and why. The related practical objective is to suggest some policy and research directions aimed at supporting the development of First Nations' institutions and intergovernmental organizational relationships in various program and service sectors. Towards this end, the report suggests an analytic framework which is designed to guide future case studies of First Nation organizational arrangements. In this way, the theoretical assumptions and conclusions of the present report are intended to be subject to empirical test and further development. Also, by proceeding in this manner, it is hoped that future research will reveal what people actually do in various organizational settings rather than simply describe what they are authorized to do. In the context of First Nation communities, this kind of information can prove invaluable for policy activity.

1.2 Background

This research agenda has immediate currency in the context of devolution. Traditionally, the Department has provided a number of public service functions to First Nations that are intended to support direct program and service delivery. Known generally (and somewhat loosely) as

"second and third level services"[1], they have included planning, research, policy development and analysis, monitoring and evaluation, and coordination and liaison among direct program and service sectors. To a considerable extent, these services and functions mirror those provided by provincial and municipal boards, commissions, committees, councils and agencies, etc. to their constituents, including Aboriginal peoples, in sectoral areas such as education (Brady, 1991, 1992; Hall, 1992; Paquette, 1986), health (Young and Smith, 1992), social services (Taylor-Henley and Hudson, 1992), public works (DIAND, 1993a) and policing (Stenning, 1992). In this wider institutional context then, "second and third level services" also entail the structures, functions, mechanisms and processes that accomplish tasks of governing and administration. However, unlike provincial and municipal models, DIAND's service framework has focused on the Band as an administrative unit.

With the notable exception of DIAND Technical Services - a branch of the Department of Public Works dedicated to DIAND (DIAND, 1993a:8, 16-17) - "second and third level services" for First Nations have been widely dispersed and ad hoc, grouped together within a limited number of general service fields or organized on a broad Departmental, rather than a sector-specific, basis (DIAND, 1991a:2, 11-12; n.d.:5-14).

Over the years, the Department's service framework has been the subject of considerable critical commentary. For example, evidence has been marshalled in support of the complaint that the multiple and complex administrative relationships between the Department (or the federal government) and the (currently) 603 Indian Bands across Canada are not only cumbersome and poorly focused, but cost-inefficient (Auditor General of Canada, 1993; Boldt, 1993; Makokis, 1993). Ad hoc and departmentally focused service arrangements have also hampered the development of integrated and coherent management structures dedicated to First Nations. The corresponding centralization of authority and control in Ottawa has tended to undermine the integrity of local decision-making, including the institutions in which it is embedded. It has also obscured the nature of the communities and populations being serviced, including their diversity in terms of needs, preferences, priorities and requirements (Bish, 1990; Cassidy and Bish, 1989; Elias, 1991; Gerber, 1979)[2]. For these and other reasons, First Nation communities have been the recipients of inadequate and inappropriate services.

In response to these and related criticisms, as well as to the political pressures of Indian self-government, the Department has set in motion a process of devolution to dismantle its existing service framework and to reconstruct its essential elements in more direct First Nation terms. An integral part of this process has been the creation or reconstitution of tribal councils as the main units of organization for "second and third level services"[3].

Clearly, the Department has a vested interest in the organizational success of tribal councils. From an administrative point of view, fewer organizations in the form of tribal councils reduce the number and complexity of relationships with First Nations. This fact in turn has important implications for cost-efficiency, not only for individual First Nations but for the Department as it evolves in the direction of a funding agency. Indeed, the Department is under increasing pressure, as are all government departments, to maximize cost effectiveness and efficiency, especially under current and projected fiscal restraint,and tighter reins on financial accountability. Politically, the federal government is committed to the development and support of working models of self-government and self-management among First Nations, and tribal councils are seen as promising candidates in this context. And constitutionally, the Department has an obligation and responsibility to ensure service equity and equality which, it is hoped, can be achieved through the vehicle of tribal councils. Similarly, successful tribal council organizations safeguard the Department's liability for unfulfilled service provision.

However, the results of devolution of "second and third level services" to tribal councils are not always encouraging. In some cases, tribal councils have simply collapsed. In other cases, they are struggling with problems of reorganization. In still others, there is often a discrepancy between the service offered and the local needs to be addressed (DIAND, 1991a; 1993a; McDonnell, 1993).

Conventional explanations for these disappointing results have relied on organic metaphors -it is said that these organizations are "young" and must go through a period of "growth" - as well as realistic assessments of unmet funding and training needs. Yet these same explanations draw comparative attention to other or similar types of "tribal" or regional organizations which despite their "older age" continue to experience similar or related problems (e.g. McDonnell, 1993).

Conversely, it is difficult to empirically determine if some "younger" tribal councils can be said to be successful.

Preliminary indications of some recent theoretical and comparative research suggest that organizational success among First Nations, whether it be a tribal council or other institution, does not flow from one isolated factor or another, but is a systemic issue. This means that the design, creation and implementation of an organization must be considered along several dimensions, and not only in terms of more conventional and limited public administration concerns. For example, as tribal councils expand their mandates beyond political functions to include broader service provision, variation and change in Aboriginal history, culture and social organization assume increasing relevance for their continued and successful existence (e.g. DIAND, 1991a:30). More importantly, how these factors interact with other organizational forces, environmental pressures and trends places the discussion of First Nation organizations within a broader and more general context of change and development in public sector issues and organizations in Canada. Thus, some of the most crucial questions that may be raised in relation to existing and future organizational design and implementation concern the changing nature of public policy issues, the ability of certain types of organizations to successfully respond and adapt to change, and how these organizations relate to historically and culturally defined First Nation communities.

Obviously, these questions place issues of organizational design within a wider community and environmental context. Some related but limited studies have recognized the importance of these factors (e.g. Brodeur, 1991; LaPrairie, 1991, 1992a; McDonnell, 1992a, 1993; Strikes with a Gun, 1990), In addition, considerable work has been done in the field of organizational theory that incorporates these issues into the study of non-Aboriginal organizations (Anne-Marie Robinson, personal communication). However, the implications of this perspective for organizational design and development have not been adequately or systematically explored at theoretical or empirical levels in a First Nations context and, therefore, are poorly understood for most program and service sectors. There is a pressing need, therefore, to identify an approach to research that may best meet these information needs.

1.3 Theoretical Significance and Practical Importance

Studies of First Nation organizations that accomplish governing and administrative tasks have been limited in scope or reported a lack of valid data in terms of which they may be analysed and evaluated (Cassidy and Bish, 1989; DIAND, 1991a, 1993a; Makokis, 1993; Ponting, 1986; Stenning, 1992).

In their comprehensive review of Aboriginal health care organizations in Canada, Young and Smith (1992) note that the relevant literature is "almost entirely descriptive and non-theoretical". They conclude that relatively little is known about the context and processes of institution-building among First Nations and their communities, or how they relate to regional, provincial or national organizations and initiatives, either Aboriginal or non-Aboriginal. They go on to suggest that a more general theoretical and practical model of First Nation community involvement in health care is needed if the organizational dynamics of First Nations health care is to be revealed and understood.

These conclusions are generally applicable to the literature on First Nations education (Paquette, 1986; but see Charters-Voght, 1993; Hall, 1992; Hollander, 1993), social services (Reeves and Frideres, 1981; Taylor-Henley and Hudson, 1992), housing (DIAND, 1990, 1993a; Elias, 1991), public works (DIAND, 1993a), law enforcement (Stenning, 1992) and miscellaneous advisory services (DIAND, 1991a). In short, the question of how First Nation service organizations - including boards, commissions, agencies, committees etc. - are created, developed and sustained (or why they fail) as an aspect of organizational, community and environmental structures and process, has been largely ignored.

Thus, the theoretical significance of the present research initiative is that it will be breaking new ground since, in most First Nation sectoral areas, very little analysis has been made of existing organizations. There is an extensive literature on program evaluations in various sectoral areas but, as indicated above, this is only one part of a larger frame of reference. The present initiative is also one, if not the first, project to address research issues in a systemic context; i.e. it considers organizational, community and environmental domains together for a finer and more complete appreciation of the status of, and prospects for, First Nation organizations.

The social relevance and practical importance of this research work derive from the fact that many First Nation communities and organizations are under severe pressure from a range of internal and external forces - political, economic, fiscal, social, demographic, cultural, legal, and constitutional. Although these forces often threaten the viability of communities and reinforce an unequal power relation between First Nations and other levels of government in Canada, they do not or should not necessarily lead to the (forced) integration or assimilation of First Nation institutions, communities or citizens, especially on the basis of more standardized management techniques and arrangements that have been developed primarily in a non-Aboriginal context.

Indeed, it is widely recognized that the practice of "adopting" non-Aboriginal institutions has not been uniformly successful for First Nations. It should follow, therefore, that not all the assumptions that underlay non-Aboriginal approaches apply or apply well to all First Nation organizations. As Stenning (1992:16) cautions with regard to First Nation police commissions,

> "...the fact that we have taken a particular approach to (the) issues in the past and at present with respect to non-Native communities does not necessarily mean that this is the best approach for First Nations. In thinking about the future for First Nations, it is the needs of First Nations (as determined by them) that need to be given first consideration, rather than what we have done in the past with respect to non-Native communities."

Among First Nations, these needs are frequently expressed in cultural terms, and there is an awareness and concern that their customs, traditions, norms, values and institutions are becoming lost to them. Colonization, decolonization and dependency have been well-documented as major impediments to First Nation attempts to organize and develop their service institutions and relationships in line with their historical and cultural heritage (Elias, 1991; Boldt, 1993; Perley, 1993; Pratt, 1993). However, it appears that the survival of these community structures and processes will ultimately depend on two main factors:

(1) the grassroots commitment by community members to their institutions and traditions, and their political will to argue for comprehensive policies and practical arrangements designed to protect and enhance them; and

(2) the willingness of the State to support endogenous and related developments or to actively and constructively assist with other options when requested or required to do so, and in a spirit of cooperation and trust.

The practical importance of the present research initiative is that it promises a more complete information base in support of these political and policy objectives.

There are other, more specific and perhaps higher profile practical, political and fiscal issues at stake. The on-going negotiations over self-government, Aboriginal rights and land claims activities have (anticipated) working models of governance and administration, either self-organizing or jointly-operated, as key components of proposed and finalized agreements (e.g. Bish, 1993; DIAND, 1993c; Peters, 1989; Rostaing, 1984; Taylor and Paget, 1989; Tungavik/DIAND, 1993). It is essential to the credibility and integrity of these agreements that the constituent boards, committees and councils prove successful to all parties involved and at all levels, including leadership and community members.

Yet there is increasing evidence that some of these organizations are becoming or have become meaningless or dysfunctional for the communities they are intended to serve (e.g. LaPrairie, 1991, 1992a; McDonnell, 1993:19-21; McDonnell and LaRusic, 1987; Rostaing, 1984; cf. LaPrairie, 1994). These trends entail both financial costs of lost effectiveness and efficiency for the organization, as well as social costs of alienation and anomie among community members. Accordingly, there is increasing pressure on government and First Nation leaderships to implement well-informed remedial policies and action to solve these problems.

In some instances, steps of a none too radical nature have been taken to reverse these debilitating trends (Elias, 1991; Hollander, 1993; Pinkerton, 1989; Ponting, 1986; Strikes with a Gun, 1990). In other cases, a reorientation with respect to the issues is slowly but surely underway (e.g. Brodeur, 1991; Brodeur, LaPrairie and McDonnell, 1991; Clairmont, 1993;

LaPrairie, 1991; McDonnell, 1992a, 1993). There would seem to be considerable value to comparing these developments as well as cases of clear organizational success, fragility and failure. One of the potential benefits would be the development of a comparative base for a more comprehensive assessment of the contexts of institutional design, as well as possible blueprints for future implementation of First Nation organizations. In other words, such research information may provide examples from which other similarly situated communities might learn.

The theoretical significance of the research may now be put into broader perspective. It is hoped that a model of minimum conditions or prerequisites for successful First Nation institutions will be generalizable and have practical implications for a variety of First Nation contexts. More specifically, the research is intended to support the general hypothesis that organizational success is directly related to the degree of flexibility in the relationship between organizational structure and process, especially in relation to policy issues, and to the nature of the community in which "second and third level service" organizations are embedded.

1.4 Relationship to Emerging Themes in the Research Literature

Central to the present research initiative is consideration of the place of both conventional and new approaches to governance and administration. In recent years, the application of conventional, bureaucratic models of public administration has been questioned on the grounds that they may not be culturally appropriate in all Aboriginal situations nor adaptive under rapidly changing environmental and other conditions.

As Hofstede (1989:17) remarks, the theme of cultural relativity has often been overlooked in theory and practice:

> "Both management practioners and management theorists alike over the past 80 years have been blind to the extent to which activities like "management" and "organizing" are culturally dependant. They are culturally dependant because management and organizing do not consist of making or moving tangible objects, but of manipulating symbols which have meaning to the people who are managed or organized. Because the meaning which we associate with symbols is heavily affected by what we have learned in our family, in

> our school, in our work environment, and in our society, management and organization are penetrated with culture from the beginning to the end."

Some evidence is now coming to light which suggests that First Nations' historical and cultural configurations continue to influence and shape governing and administrative structures and processes. But the problem is that culturally relative definitions of governance and administration are rarely acknowledged or recognized, especially by non-Aboriginal authorities. As a result, they may end up competing, unofficially, with officially recognized but culturally and situationally inappropriate organizations to the detriment of both "systems".

At the same time, researchers have come to the conclusion that it is a mistake to focus only on Aboriginal culture as a sufficient basis for successful institutional design. First Nation traditions and institutions have intersected with those of Euro-Canadians at different paces and with different results (e.g. Gerber, 1979; LaPrairie, 1988; Wax, 1993). Some of the most significant social and economic changes that flow from these trends have given rise to new cleavages in First Nation communities, including new systems of social, economic and political stratification (LaPrairie, 1994; Lithman, 1984; McDonnell, 1993; Nahanee, 1993; Smith, 1975). These new facts of public life pose new challenges, especially to those First Nations wishing to reconcile contemporary realities of power and control with more traditional, culturally oriented organizational arrangements.

Similarly, social economic and technological change has stimulated thinking about and practice of alternative models or principles of organizational design, management and public administration in Canada and abroad. A number of alternative "models" to more conventional (public administration) organizations have emerged in the literature, and aspects of these new approaches are sometimes reflected in current practice. Yet current practice also appears to be guided by similar measures and management techniques that stretch across local, regional, national and international boundaries despite significant differences in institutional structures, public service cultures and wider social processes (Savoie, 1993).

The implications of these and related developments for First Nation organizations are quite profound. On the one hand, the expansion and extensive use of new mainstream approaches

may obscure or ignore the relevance of First Nation cultures, communities and social processes for institutional development. On the other hand, the development of governing and administrative organizations for First Nations need not be antithetical to the inevitability of social, economic and technological change and the need to develop appropriate, adaptive responses to it, nor should it be concerned with preserving distinctive cultures at all costs. The task of future research, therefore, is to explore ways in which First Nations may deal, on more balanced terms, with the need to adapt to changing environmental conditions and other organizational forces while not alienating themselves from community and cultural structures and processes. What is required at this point, therefore, is a theoretical approach to institutional design and implementation that can contribute to sound policy assumptions and advice in support of these objectives, and methodologically valid and reliable data that can substantiate ensuing policy decisions.

1.5 Organization of the Report

The remainder of the report is organized on the basis of five interrelated sections.

Section 2 provides selected background information on the conditions and circumstances under which First Nation citizens in Canada live. The intention is to provide a general overview of the parameters that are especially relevant to the design of governance and administrative models and institutions for First Nations. Broader environmental factors such as geographic location/residence patterns and demographic characteristics, as well as social, political and economic facets of community diversity are considered. Particular attention is also given to aspects of cultural diversity, including norms, values, customs and traditions that relate such crucial organizational elements as institutional authority, legitimacy and accountability to different political cultures.

In section 3, current models and practice of governance and administration in selected sectoral areas are briefly described and assessed. The specific aim of this section is to identify a number of themes that characterize existing and conventional practice and which may serve as points of reference for further theoretical discussion, comparisons and empirical research.

Section 4 is concerned mainly with recent theoretical developments in the area of organizational studies. The importance of this section is the discussion of models and principles of governing and administrative organizations and how they relate to First Nations community diversity, other organizational forces and wider environmental conditions. A comparison of conventional working assumptions with the implications of alternative theoretical models serves to identify some key principles of institutional design and implementation, and some important analytical tools for future, in-depth investigation of selected First Nation organizations.

The various themes and strands of the research problem developed in previous sections of the report are brought together in section 5. Here, an analytic framework is presented which is intended to provide direction for empirical research. The framework may be best read as a generalizable model of First Nations organizations or as a preliminary attempt to organize the parameters and research focus of future case studies.

Section 6 concludes the report with a summary of the issues and some recommendations concerning what government should do to advance the study and development of First Nations organizations.

2.0 FIRST NATIONS PROFILE

2.1 Population Characteristics: Distribution and Organization

The status Indian population with which we are concerned in this report is diversified on the basis of its Band organization[4] and geographic distribution. There are 605 Indian Bands that, generally speaking, have small populations averaging 915 members.

Band memberships are diversified on the basis of geographic location. Today, approximately 60% of Band members reside on distinct Indian reserves and in other communities located on Crown lands, etc., while the remainder live in mixed Indian and non-Aboriginal communities, primarily towns and cities (cf. DIAND, 1991b:12-13; Siggner, 1992:25).

Over 66% of reserve and Crown land communities are located in remote and rural parts of the country while less than 33% are found in urban areas (Depew and Rocan, 1992:1; Giokas, 1993:193; DIAND, 1991b:11-12). In general, these communities tend to be homogeneous in terms of Band and kinship affiliation.

For a variety of political, economic and administrative reasons, most Bands amalgamate to form larger, second order communities, such as tribal councils or other multi-Band organizations and regional associations. At present, 528 "groups"[5] have organized into 80 tribal councils. These tribal councils represent from 2 to 16 Bands, with the average (mode) tribal council being composed of 7 Bands[6]. A further 106 Bands (18%) remain unaffiliated for program and service delivery purposes.

Member Bands of tribal councils and other second order Indian communities may be widely scattered over vast areas and often do not jointly occupy a continuous territory or land base. As a result, the Band composition of tribal councils is often mixed, especially at the level of community and group characteristics and relations. Not surprisingly, therefore, membership in tribal councils may fluctuate over time, depending on the needs and interests of individual Bands or those of influential groups and individuals within Bands.

One of the most striking features of the geographic and demographic data is that many communities, both reserves and other settlements, with a majority Indian population tend to be small-scale, geographically distant or remote, culturally distinct and kinship-based. As a result, many of these communities are likely to emphasize a resolve to deal with "second and third level services" in terms that tend to reflect this status. However, geographic location, together with such demographic factors as migration and mobility can also influence and shape the development of these types of organizations in other directions. Spatial proximity to non-Aboriginal, urban centres, for example, can facilitate Indian exposure to, adoption of or reliance on non-Aboriginal organizations.

Indeed, non-Aboriginal institutions tend to gain prominence more readily in communities where Indians are a minority population. This process can be accelerated through urbanization and mass communication which may encourage emulation of non-Aboriginal ways of doing things and undermine the institutions, social relations and values required to support and sustain distinctly Indian approaches to public organizations (Crook, 1970; Harding, 1991). Beyond these considerations, abdication of distinctly Indian approaches to institution-building may occur through the sheer force of political and economic circumstances where non-Aboriginal interests can decisively influence, and to a considerable extent, artificially shape, "Indian" organizational needs, preferences, priorities and methods (Elias, 1991:194-195; LaPrairie, 1992b:17; Stenning, 1992:187-192).

To sum up, the available data indicate that First Nation communities vary significantly on the basis of size, location and demographic homogeneity and heterogeneity. These factors provide some general parameters for understanding the potential for First Nations to develop certain types of organizations, and the circumstances under which First Nations or their citizens may choose, or be compelled to choose, various options.

2.2 Education and Employment Patterns

It is generally recognized in the literature that differences in education and employment levels can have profound implications for institution-building. Low levels of education or a lack of knowledge and skills can severely limit the range of certain institutional options for First Nation communities

and, perhaps, narrowly define their choices. This situation can pose practical problems of staffing qualified personnel and job training, both of which are frequently seen as necessary prerequisites for most public organizations.

Although Indian education has improved over the last 20 years (DIAND, 1990b:34-43, 1991b:14-15; Siggner, 1992:27-28), there are still significant deficiencies, especially when the Indian population is compared to levels of educational attainment among non-Aboriginal Canadians (Gerber, 1990:75; LaPrairie, 1992a:20). Furthermore, the level of educational attainment can vary dramatically across regions and across communities. In general, it has been argued that status Indians and, in particular, status Indians living off-reserve and in urban cores are the most disadvantaged of all Aboriginal Peoples in Canada in terms of education (LaPrairie, 1992b:11-13; 1994).

Education levels also affect employment opportunities and income levels in Canadian society. Gerber (1990:77, Table 3) found that the unemployment rates among status Indians 15 years of age and over far exceeds that of the general Canadian rate for this age group. A similar situation holds in the case of labour participation rates.

It is hardly surprising, therefore, that status Indian incomes are sometimes non-existent or significantly lower than non-Aboriginal incomes, especially in rural and remote areas and for Indian women in particular (Gerber, 1990:77-78)[7]. Furthermore, Indian incomes are as irregular and unpredictable as their employment. This, together with high welfare dependency, severely limits capital accumulation and the use of credit and savings, and contributes to greater economic insecurity and instability in First Nation communities when compared to non-Aboriginal communities. Impacts at the individual level may also translate into financial problems at the group and community levels, thereby making it difficult to implement and sustain certain institutions in various communities.

While these facts reveal the generally depressed economic and financial circumstances of First Nation citizens and communities, they also conceal important differences in the distribution of economic and financial resources within First Nation communities and among their citizens (e.g. Lithman, 1984; LaPrairie, 1994). These differences contribute to the uneven distribution of

economic and political power, especially among historically linked families and clans, that has important implications for the organization and delivery of "second and third level services". Indeed, this is an extremely important theme which runs through such crucial issues as variability in organizational structure, institutional authority, legitimacy and accountability, and we shall have occasion to return to it in various forms throughout the course of the present report.

2.3 Cultural Diversity

One of the most striking features of First Nations is their linguistic, social and cultural diversity. First Nations are traditionally associated with over 50 different Aboriginal languages divided among 11 major language families[8]. These linguistic distinctions are also linked to social and cultural distinctions that give rise to differences in institutional concepts, models and practices.

These facts are reflected in the ethnographic evidence which shows significant contrasts in the political cultures of band-associated traditions[9] and tribal-like groupings across Canada (e.g. Leacock and Lee, 1982; Goldman, 1975; McDonnell, 1993; Smith, 1975). Significantly, these types of distinctions, in varying degrees and with varying force, continue to influence such important matters as the authority, legitimacy and accountability of an institution and its personnel, as well as overall organizational structure and process.

Cultural differences among First Nations may imply different strategic directions for their organizations. For example, different cultural values, norms and practices may lead to, say, holistic approaches to health (Young and Smith, 1992) and justice (Clairmont, 1993; Hamilton and Sinclair, 1991; LaPrairie, 1991, 1992a) that encourage wider community participation in institutional activity and the exercise of traditional healing and mediation techniques.

Cultural differences are also central to the standing of an institution in the community. This is an extremely important consideration. Where the standing of an institution is poor - i.e. where there is inconsistency between an institution (e.g. its mandate and authority) and the traditions, expectations and requirements of the community it is intended to serve - not only will there likely be friction, but the purpose and effectiveness of the institution will likely be undermined.

Culturally appropriate institutions and organizational arrangements, i.e. those with good standing, can mobilize community commitment and support, and align it with institutional purpose (Marchant, 1985:22).

Culture may also have more subtle implications, especially where community structures and process are more latent or not apparent to the casual observer, but provide an indispensable foundation for the more visible or manifest aspects of public institutions.

Understanding cultural differences across First Nation communities helps in pinpointing and understanding the range of First Nation organizational needs and requirements. But cultural diversity is only one, albeit a significant, dimension that can influence the shape of an institution. Other factors in certain combinations may lead to different organizational outcomes that cannot be predicted by cultural elements alone.

2.4 Community Diversity

Empirically, considerable diversity exists among First Nation communities in any given culture area as discussion of the geographic and demographic characteristics of the Indian population suggests. This situation is of great comparative interest and raises important theoretical and practical questions concerning the role that community diversity plays in institutional development.

A national overview of First Nation community diversity is provided by Gerber's (1979) typology of Indian reserves[10]. Here, social, economic, demographic and geographic characteristics serve to distinguish communities on the basis of two interrelated dimensions: (1) the degree of "institutional completeness" (Breton, 1964) of the reserve community; and (2) the degree of the reserve's "personal resource development".

Indian reserve communities which Gerber (1979) classifies as "institutionally complete" may and often do retain Aboriginal languages, values, norms and other cultural traits. But the most distinguishing feature of institutionally complete Bands is the capacity or potential for the community to improve its socio-economic condition while resisting complete assimilation into

mainstream society. More importantly, the institutionally complete community is capable of meeting more of the social, economic, and political needs of its members without recourse to external assistance and authorities. With established problem-solving and decision-making structures and processes in place, there is scope for stable leadership and effective collective action within the community.

Gerber identifies a number of indicators of institutional completeness which essentially reflect the organizational complexity of the community in terms of administrative, educational and economic activity on-reserve.

Personal resource development refers to the direct experience which reserve residents have with mainstream employment and education. As a quantitative measure, personal resource development expresses the extent to which reserve residents are employed off-reserve and/or enroled in integrated schools. Thus, where personal resource development is high, one can expect potentially high mobility among community members with respect to mainstream, urban society.

There are a number of other community characteristics that vary directly with institutional completeness and personal resource development such as proximity to urban areas, the size and scale of the community, the level of linguistic acculturation, gender ratios, fertility level, population fluctuations (including the proportion of Band members living off-reserve), school enrolment, earned income (as distinct from government support such as welfare), and the physical status of housing.

Community Types

When reserve communities are classified on the basis of the above typological dimensions, an interesting pattern of four community types emerges - "inert", "pluralistic", "integrative" and "municipal".

The first type of reserve community includes "**inert Bands**". Communities in this category are marked by low personal resource development and low institutional completeness. These communities tend to have small populations (usually under 300 members), are geographically remote and more isolated from the influences of modernization. Not surprisingly, they show high rates of Aboriginal language retention and low rates of full-time employment and earned incomes (off-reserve), although traditional subsistence patterns remain partially viable.

"**Pluralistic Bands**" are favoured by high institutional completeness but have low personal resource development. They are among the largest, most rapidly growing and most cohesive of all community types. The internal development of institutions has been accomplished with limited involvement of community members in mainstream society. Aboriginal language retention is characteristic of these more rural and sometimes remote communities. On-reserve employment is high and appears to be closely linked to the internal development of political and administrative structures. Although income earned off-reserve is low, traditional subsistence activities, natural resource royalties (e.g.oil) and rent from Band properties provide income supplements.

"**Integrative Bands**" are to some extent the mirror opposite of "pluralistic Bands" in so far as the former are characterized by high personal resource development and low institutional completeness. Accordingly, they have more Band members participating in mainstream economy and life than either "inert" or "pluralistic" Bands. Situated near or relatively close to urban areas, "integrative" Band communities have small populations (an average of 200), high levels of linguistic acculturation and high levels of off-reserve residence which appear linked to individualistic values and associated mobility. Significantly, the smaller on-reserve population provides scope for relatively more employment and higher status positions.

The final community type, "**municipal Bands**", scores high on personal resource development and enjoys high institutional completeness. These communities are situated in or have easy access to urban centres. Significantly, participation of community members in the mainstream economy is balanced by high levels of on-reserve employment which appears to be facilitated by relatively advanced institutional development and differentiation. These communities have a notable ability to retain members on-reserve despite their qualifications and capacities to be economically mobile. As a result, "municipal" Bands have a relatively stable resident population.

Conclusions

Attention to inter and intra community differences among First Nations leads to several research conclusions. The importance of community variation, heterogeneity and homogeneity is that these factors allow organizational issues to be examined in the light of cultural, social, economic, geographic and demographic differences. These differences serve to contextualize institutional presuppositions, constraints and prerequisites, including the organizational needs and requirements of First Nation communities. Variation in institutional contexts raises the issue of the extent to which community diversity has distinctive organizational correlates and how it may interface with certain organizational forces. More specifically, First Nation diversity as discussed in this section directs attention to such organizational forces as size, technology, strategic direction, power (authority, legitimacy and control), and the wider environment that have been shown in non-Aboriginal contexts to strongly influence, if not determine, organizational design in terms of complexity, formalization and the location of decision-making (eg. Mintzberg, 1991; Robbins, 1990; Anne-Marie Robinson, personal communication). Exploration of these and related issues in turn allows comparisons between the pattern of existing organizational arrangements for "second and third level services" and what can reasonably be expected in reference to the particular contexts in which First Nation organizations may be developed.

3.0 CONVENTIONAL APPROACHES TO FIRST NATION PUBLIC ORGANIZATIONS

3.1 Current Organizational Arrangements

As Indian governments diversify their functions and, in many cases, increasingly differentiate their governing and administrative institutions, a number of boards, committees, councils, commissions and "societies" have been created to complement or supplement the governing and administrative structures of Band councils, the main unit of First Nation government under the Indian Act (Bish, 1990; Cassidy and Bish, 1989). In some instances, these organizations focus on a single Band's service needs. More frequently, a number of Bands will aggregate under the governance and administrative umbrellas of tribal councils or other coalitions for the purposes of "second and third level services" , and usually in response to devolution or as a result of land claims settlements, various program and service contingencies, cultural and historical ties or legal circumstances[11].

In addition to the inception of tribal councils, other organizations have evolved along other paths. At the local level, community or citizen-based committees may be formed on a more or less informal or formal basis to provide "second and third level services" in areas such as education, health, child welfare and justice (Cassidy and Bish, 1989:87; Clairmont, 1993; LaPrairie, 1992a; Young and Smith, 1992). In other cases, First Nation organizations have developed within regional, provincial and national Indian associations, federations, councils, "unions" and assemblies that may provide single or multi service functions (e.g. DIAND, 1993a:19; Frideres, 1988). Also, a number of more "private" initiatives, such as Friendship Centres in urban areas and other specialized service agencies, such as the Native Counselling Services of Alberta, may be found throughout the country. In addition, urban coordinating councils have emerged in such cities as Winnipeg, Toronto and Vancouver (Federation of Canadian Municipalities, 1993; Peter Frood, personal communication).

For a number of practical and legal reasons, First Nations may enter into joint arrangements with other governments and agencies at federal, provincial, municipal and private sector levels. These arrangements may be stimulated by the settlement of land claims, legislative amendments or community and economic development initiatives. With respect to federal and provincial

authorities, these arrangements are often reached by the integration of First Nations and their citizens into the existing organizational structures of federal or provincial departments or related service agencies. In other cases, federal and provincial governments may delegate authorities to First Nation institutions (e.g. Taylor-Henley and Hudson, 1992)[12].

With some notable exceptions (Bish, 1990, 1993; Cassidy and Bish, 1989; Federation of Canadian Municipalities, 1993), the municipal level context of First Nation organizations has been largely ignored as a topic of research[13]. This may be a consequence of the low profile of Canadian municipalities in constitutional discussions and community-based negotiations of Aboriginal self-government and administrative jurisdictions. It may also stem from the negative political fallout within the general Aboriginal community over the recognition of the Sechelt Indian Band's municipal-like government status under federal and provincial legislation (e.g. Federation of Canadian Municipalities, 1993:21, 42; Taylor and Paget, 1989). Yet, this does not appear to have inhibited the growth of cooperation and collaboration between Indian Band communities and municipalities for organizational purposes, or a growing interest and concern for the situation of Indians in the city (Federation of Canadian Municipalities, 1993:38-43; LaPrairie, 1994).

3.2 Assessment

One of the most striking features of the research, evaluation and policy literature is the scarcity of reliable and systematic information on "second and third level service" organizations for First Nations. There is some anecdotal and inferential evidence that some tribal councils, for example, have successfully developed effective systems of governance and administration in selected program and service sectors (e.g. Cassidy and Bish, 1989:90-93). However, other reports indicate that the development of tribal councils has been uneven and that in some cases, especially in the context of devolution, these organizations have collapsed (DIAND, 1991a, 1993a). Still other observations point to serious organizational difficulties that arise in other contexts where governing and administrative histories are quite different (e.g. McDonnell, 1993).

While the available information is insufficient to draw firm conclusions concerning the reasons behind any given case of institutional success, failure or fragility, it does permit the identification

of a number of themes that serve to elaborate on some of the central issues. These themes focus analytical attention on the following topics: jurisdiction, authority and control; intergovernmental relationships; structural and functional adequacy; community diversity; cultural appropriateness; community participation; and resources.

Jurisdiction, Authority and Control

Federal and provincial jurisdiction over First Nations organizations circumscribe and limit the powers, authority and control which the latter may exercise to define an institution's mandate, establish decision-making processes, implement rules and regulations and provide mechanisms for their enforcement and adjudication. In an Aboriginal context, this form of centralization can have negative implications for such crucial process activities as identifying local service needs, establishing priorities and integrating overall planning within an organization.

Rostaing (1984), for example, provides a useful illustration of the problems that have afflicted the Katavik Regional Government (KRG) and its associated "second and third level service" organizations. These institutions, including a regional health board, regional development council, school board and various joint and advisory committees, have been constructed on the basis of an integrative model of provincial authority and control. Under this model, organizational planning and funding are subject to provincial decision-making processes where KRG representatives play an advisory role. One of the major weaknesses of this arrangement is that the advisory role lacks clout at the level of policy development and implementation and therefore, provides little in the way of strategic direction. This is reflected in two interrelated observations. First, policy for northern Aboriginal people is frequently constructed on the basis of provincial perceptions of northern needs and priorities which are often inconsistent with northern realities. Second, local priorities in northern Quebec tend to be superseded, if not pre-empted, by broader-based provincial policies that often have different orientations and objectives to those specific to the KRG or its associated institutions.

In addition to these issues, KRG staff appear to spend an excessive amount of time and money discussing and negotiating organizational requirements (including budgets) with provincial

ministries. This process has been complicated over the years by the fact that the KRG and its regional institutions must deal with no less than seven provincial departments whose respective Ministers exercise discretion and make decisions primarily in relation to departmental and broader provincial policies and agendas (Malone, 1993). While this arrangement may not be exceptional in terms of public administration practice elsewhere in Canada, it does pose special difficulties for bounded, discrete and remote Aboriginal populations that are small scale and widely dispersed over a large area. Indeed, these demographic and geographic factors raise crucial issues of coordination and communication that may not easily be resolved under conditions of centralized, bureaucratic control (Rostaing, 1984:23, note 67). Furthermore, appeal to the status quo simply begs the question concerning the most effective and efficient way to exercise authority and control over "second and third level service" provision.

Rostaing implies that an ideal solution to the dilemma would rest partly in greater local autonomy coupled with economic power and a measure of financial independence - or at least greater financial certainty - for the various regional institutions. From a more politically realistic perspective, he recommends the region achieve greater administrative competence and practical credibility as a means towards increased de facto autonomy under otherwise limited constitutional and jurisdictional powers and authorities. This would involve "trial and error" in administrative and governing practices as well as a measure of trust on the part of the provincial government. But it is unclear in Rostaing's analysis what organizational structures and processes are best suited to these tasks, or what organizational forces are at play in developing them in the direction of effective and successful organizations.

It is also unclear to what extent, if at all, the various boards, councils and committees have moved in the direction of greater de facto autonomy or have improved their position within the framework of provincial authority and control. It is clear, however, that the kind of problems associated with centralized, provincial authority and control over "second and third level service" organizations, as described by Rostaing, are not unique to the KRG-associated institutions. Similar problems have been documented in the area of child and family services in Manitoba and across Canada (Taylor-Henley and Hudson, 1992) and, more generally, for organizations that serve the Cree of east James Bay (McDonnell, 1993). Significantly, the issue has also emerged in the context of the devolution of technical services to tribal councils.

DIAND's (1993a) evaluation report on the devolution of technical services to tribal councils provides a perceptive account of deficiencies that hinder the development of governing and administrative authorities. Among other recommendations, the report suggests that tribal councils, as well as the Department, define and clarify their mandates, implement monitoring instruments and establish clear lines of accountability.

The report then goes on to argue against a possible alternative model in which a province or region-wide organization would be responsible for the governance and administration of technical services for First Nations. The report first notes that the conventional wisdom in favour of centralization at the provincial level rests on an "economies of scale" argument: provinces have an institutional capacity, including expertise in a wide range of functions and activities, that can be financed on a province-wide basis and can remain at "arm's length" for the purposes of assessing (and being accountable for) their service provision. But as the report explains, this argument overlooks the equally important factors of the nature and appropriateness of the institutional arrangements (see Marchant, 1985:20) and other local considerations[14].

Similar to the studies discussed above, the evaluation report argues that centralizing governing and administrative authorities at the provincial level does not work especially when it (1) pre-empts local decision-making over the allocation of resources that is intended to maintain reasonable levels of service expectations and demand; (2) lowers response times to service requests that originate from more remote locations; (3) attenuates the relationship between decision-makers and local technicians; and (4) frustrates the exercise of effective power and authority at the local level when required and necessary especially under unique and often changing circumstances and environmental conditions.

The report concludes,

> "The evidence in parallel models (e.g. provincial/municipal) suggest that local delivery is preferred. Therefore, unless there is a clearly defined need which can best be provided provincially, and which does not jeopardize the advantages of local service delivery, it would be unwise to embrace a provincial organizational model" (DIAND, 1993a:58).

In many respects, the federal approach to governing and administrative authorities for First Nation organizations parallels the provincial practice of centralization, although federal emphasis tends to be on the delegation of powers to First Nations or the establishment of joint arrangements in which federal authority is paramount. Notwithstanding evaluation studies of the devolution of selected service responsibilities to tribal councils (e.g. DIAND, 1991a; 1993a) as well as more general studies of community development (e.g. Elias, 1991), relatively little research information is available on First Nation governing and administrative authorities in the federal context. However, it is important to note that with respect to some joint arrangements with First Nations, current federal practice emphasizes, among other things, the clear delineation of mandates and participant groups, and the development of instruments for institutional control, regulation and enforcement of public goods and services, such as monitoring, evaluation, enforcement and dispute resolution mechanisms.

This approach to institutional design seems promising, especially in the light of some comparative evidence. The effectiveness and viability of the Peigan reserve's Prevention Counselling Service organization (Strikes with a Gun, 1990) appears to have been enhanced by determined efforts to clearly define and articulate its mandate and objectives, monitor and measure its performance, constantly evaluate its results and ensure informal, kinship-based dispute resolution mechanisms are in place. Unlike some other First Nation organizations, the Peigan Prevention Counselling Service is the result of planned devolution or delegation of administrative powers which, it appears, the Peigan people have been able to use for their own purposes and to their own advantage.

The Peigan material, while interesting and suggestive, lacks the comprehensive focus that would permit a more detailed interpretation and convincing assessment of the Counselling Service's approach to organizational control. However, it does illustrate an important point. Regardless of the locus of jurisdiction, authority and control, certain features of institutional design, such as monitoring and dispute resolution mechanisms, may be necessary if an organization is to work and last. However, these features need to be place within a broader assessment of an organization's strategy of control and whether such strategies, ranging from personal, bureaucratic and output control to wider aspects of cultural control, are appropriate under given circumstances.

Intergovernmental Relationships

In the broadest sense of the term, "intergovernmental relationships" includes many of the public administration issues addressed by the preceding theme. However, as an analytical theme in the present report, it has a more restricted reference. In particular, it looks at the ways in which interaction between First Nations and federal or provincial governments as a significant environmental force, influences and shapes concepts and models of governance and administration for First Nations. Therefore, we are interested in the sociological and political dimensions of the relationship.

To a considerable extent, the dynamic of intergovernmental relationships has confused commentary on the status of First Nation organizations as much as it has enlightened our understanding of current organizational arrangements and practice. A case in point comes from the study of Indian police commissions.

Cassidy and Bish (1989:74,78,90) suggest that the Dakota Ojibway Tribal Council of southern Manitoba is an example of traditional Indian political and governing systems. This conclusion, in so far as it applies to one important "second and third level service" organization - the Dakota Ojibway Tribal Council Police Commission - seems to be shared by the DOTC Police Chief himself who recently argued before the Manitoba Justice Inquiry that,

> "It is a well known fact that white people who work for natives bring their own ideas. They don't give Indian people a chance to express their needs. This time we decided we weren't going to accept that. We put our own ideas forward and got financial assistance from the government to put them into action" (Hamilton and Sinclair, 1991:615).

Yet, as Stenning (1992) has carefully argued, there is little, if any, difference between this "Aboriginal" model of governance and administration, and its non-Aboriginal counterparts. Stenning (1992:186ff.) concludes that this inconsistency relates to the structured interaction between the DOTC and federal and provincial authorities. More specifically, he indicates that it reflects aspects of political and financial control over First Nations by non-Aboriginal governments. What this means in practice is that First Nations' financial dependency on non-

Aboriginal governments for the development of their institutions often leads to First Nations' dependency on more familiar non-Aboriginal concepts and models of governance and administration since these have become the generally "accepted" terms of reference for institutional development. But there is another, complementary line of argument not pursued by Stenning. Rationalization of the adoption of certain non-Aboriginal organizational configurations under the guise of "First Nation ideas" may reflect internal power struggles and the strategies developed by those seeking to enhance or protect existing or emerging power differences at the community level (e.g. Robbins, 1991).

While the implications of this power dimension for the resulting organizational structure should not be overlooked, it does not minimize the fact that in general, First Nations are often coopted into accepting, or simply appropriate with few or no other choices, non-Aboriginal models of governing and administrative authorities. A similar argument applies to aspects of land claims and resource management agreements (e.g. Elias, 1991; Pinkerton, 1989; Rostaing, 1984), and to many self-government negotiations and related agreements (e.g. Boldt, 1993; Elias, 1991; LaPrairie, 1992a; Stenning, 1992). Thus, contrary to the conclusions of the DOTC Police Chief and some other students of First Nations affairs (e.g. McInnes and Billingsley, 1992), non-Aboriginal models and concepts dominate the policy and reform agenda in ways that are not always in the best interests of First Nations, their communities and their organizations.

The ramifications of this dynamic are further explored in McDonnell's (1993) study of accountability among the Cree of east James Bay. McDonnell found that the governing and administrative structures (see Peters, 1989:216-233) that were shaped by Cree negotiations with federal and provincial governments and activated by various pieces of federal and provincial legislation (see Peters, 1989:236-237), are largely inconsistent with the service needs and priorities of the communities they are intended to serve (cf. Rostaing, 1984:27). Over the last 20 years, Cree institutions have evolved in line with a non-Aboriginal inspired governing and administrative bureaucracy, hierarchically structured and focused on political and financial relationships with federal and provincial governments[15]. Ironically, similar to DIAND's framework for "second and third level services" which preceded them, the Cree organizations have been attentive primarily to their own needs but in ways that have been generated mainly in response to resisting, or compromising with, external government and business interests[16]. However, these

responses are often inconsistent with Cree band-associated traditions, expectations and aspirations. McDonnell (1993:21) sums up the situation this way:

> "In short, much is a product of a discourse between Cree and non-Cree and is geared largely to the (conceptual) limits of the latter. This is not at all the same as providing an agreeable, comprehensible or effective foundation for developing a community-based, socially realistic and culturally meaningful alternative to what now exists -- either in matters pertaining to justice or anything else. Indeed, it does little more than provide a model (of governance and administration) that non-Cree and especially non-natives, can understand. In the process it risks taking something that has been useful to Cree in handling their relations with non-Cree as if it was a model for Cree handling their relations with each other, a subtle but profound deflection of the hopes and ambitions of self-determination".

Thus, contrary to a rhetoric which sees, for example, self-government developments as being tailored to fit the unique circumstances of First Nation communities (e.g. McInnes and Billingsley, 1992), the situation of the James Bay Cree, the Inuit of northern Quebec, and other First Nations reflects the processes and categories of a political exchange between representatives of Aboriginal and non-Aboriginal governments rather than community realities and their organizational requirements. This can lead, at best, to an ambiguity of governing and administrative models in some First Nation communities which the available evidence (e.g. McDonnell, 1993; Rostaing, 1984; Stenning, 1992) suggests can prove difficult to manage and sustain.

Structural, Functional and Processual Adequacy

The difficulties which the Cree of east James Bay experience with non-Aboriginal inspired hierarchical, bureaucratic structures of governance and administration are not unique. Rostaing (1984:27) notes that the regional health board, regional development council, school board and various joint and advisory committees in the Katavik Regional Government area are modelled after provincial structures and are largely consistent with Quebec's bureaucratic administrative

framework. However, he goes on to suggest that in view of the particular characteristics of the northern Quebec population, including its remote and isolated location, low demographic density, low level of personal resource development (Gerber, 1979), and cultural distinctiveness, imported provincial structures are incongruent with local conditions and circumstances. As a result, they are not only cost-inefficient and internally fragmented, but are over-specialized and poorly differentiated for local purposes.

As the evaluation literature demonstrates, some of these problems are shared by tribal councils across the country. For example, DIAND's (1991a) evaluation of the devolution of advisory services found a number of problems linked to the structure and functions of tribal council organization. According to the evaluation report,

> "The increased responsibility and funding has favoured the development of a bigger bureaucracy and the emergence of considerable tensions in the structure of Tribal Councils. Some Tribal Councils could not resist and finally broke apart, others reorganized their structure in order to separate political and administrative service delivery activities..." (DIAND, 1991:27).

These observations indicate that the increased complexity (i.e. greater specialization and hierarchical differentiation) and formalization (i.e. increased standardization, rules and regulations) of some tribal council organizations are incongruent with their relatively small size, technological requirements, environmental circumstances and, perhaps, the pattern of local power relations that together imply alternative organizational structures and processes.

Significantly, the parallel evaluation report on the devolution of technical services (DIAND, 1993a) also draws attention to a number of deficiencies in organizational process among many tribal councils. These problems are linked to the need to variably identify, clarify and coordinate policy and administrative role responsibilities and activities within the organization, to clearly articulate the place of technical services functions within the overall decision-making structure and processes of the organization (or to develop a strategy of control over its activity), to increase staff knowledge of organizational functions and improve the nature of communication between the organization's units and members, and to locate and maintain qualified personnel

committed to the organization's goals and objectives. As organizational theorists (eg. Child, 1984; Anne-Marie Robinson, personal communication) have emphasized, organizational processes, including coordination, control, communications, commitment and conflict management, not only must work in harmony with certain types of organizational structures, but are dialectically related to them: i.e. structure and process stand in a relationship of mutual change and adaption. Where organizational processes are incompatible with the level of complexity, formalization and centralization of organizational structure, we can expect to find organizational difficulties, if not failures.

Some of these and related issues have been the focus of joint governance and administrative arrangements between First Nations and federal authorities. For example, there appears to have been a determined effort on the part of both parties to ensure certain features of institutional design are built into the relevant organization. These features include such process matters as: (1) clearly defined mandates that specify and coordinate role responsibilities; (2) "open" communication channels between the parties; (3) mechanisms for monitoring and evaluating organizational achievements; and (4) dispute resolution mechanisms (DIAND, 1993c:5). One can add to this list by noting that in certain regimes for the co-management of natural resources, (5) enforcement regulations concerning the management of the resource(s) have also been emphasized (DIAND, 1993c:9). Important structural considerations have also been entertained by some advisory boards, such as the Canadian Aboriginal Economic Development Strategy, which have tried to ensure (6) a clear delineation of participant groups and (7) a level of consistency between organizational objectives, strategic directions, and local circumstances (DIAND, 1993c:14; cf. DIAND, 1993a)[17]. As we have indicated and as we shall see later on, many of these measures have been at the forefront of current theoretical thinking about the ingredients for effective or successful organizational design. However, there appears to be insufficient research information to assess their status in empirical situations.

Interestingly, the evaluation report on advisory services declares that "...no evidence was found to indicate that the pursuit of a political agenda was adversely affecting the delivery of Advisory Services" (DIAND, 1991a:27). This statement runs counter to other evidence which shows that First Nation political agendas do adversely affect the integrity of organizational structures and functions (DIAND, 1993a; McDonnell, 1993). This ambiguity may be related to the methodological

limitations of the advisory services study itself (DIAND, 1991a:2-3). On the other hand, it may reflect unexplored variation in the structural and processual limits of tribal councils to combine political/policy roles with managerial/administrative roles in their service organizations.

The evaluation report on the devolution of Advisory Services also concludes that the major impediment to structural, functional and processual adequacy among tribal councils today is their "youth". To some extent, this may be true as new First Nation organizations develop through trial and error methods, attempt to adapt to funding and staffing contingencies and sort out other structural, functional and process matters. But this "explanation" is also incomplete. First of all, it overlooks the sociological and political contexts in which tribal councils are evolving. Furthermore, it takes for granted the diversity of both the Band and community composition of tribal councils and the relevance this factor may have for the design of the institutions in question.

Community Diversity

Tribal councils (and other similar collectivities) include in their memberships First Nation communities that show considerable variation along geographic, demographic, cultural, economic, social and political dimensions, with corresponding differences in their potentials to mount, support or participate in certain types of organizational structures, functions, processes, etc.

Brodeur (1991) and LaPrairie (1988, 1991), for example, found that variable combinations of these factors entailed different types of public policy (law enforcement) issues across member Bands and communities of the Grand Council of the Crees. They conclude that a far more flexible institutional arrangement than what exists is needed to address a range of variable and changing law enforcement needs that currently are not being met by the organizations in place. Depending on the community, they suggest that this may or may not entail formal and/or informal, or centralized or decentralized governing and administrative authorities over local law enforcement (cf. Auger et al, 1992; Stenning, 1992).

Another example of the relevance First Nation community diversity for the nature of public policy issues and institutional design is the Gull Bay Band's experience with the federal health transfer

policy. Gregory et al (1992) conducted a community health study with the Gull Bay Indian Band of northern Ontario and concluded that the scope of the federal health transfer policy was too limited to address the Band's health needs and concerns. However, they also conclude that the Band's current community status - roughly equivalent to Gerber's (1979) notion of an "inert Band" - is inconsistent with any attempt to decentralize governing and administrative control over health services at the local community level.

The point is not that the Gull Bay Band's needs may be accommodated by a tribal council or that the Band should remain under centralized federal or provincial control. Without further scrutiny of the organizational issues, either approach simply begs the question as to how community diversity should be addressed at the institutional level. The point is, where the institutional design of a tribal council or non-Aboriginal authority has little in common with the diverse make-up of the Indian Band communities it serves, the governing and administrative authorities in place may have little meaning or legitimacy for at least some of these communities.

These studies illustrate one of the most important issues which First Nation diversity poses for institutional design: arrangements that work for one community may not be suitable for another community, especially if there is variation and change in the nature of public policy issues. Or, changes within a community that flow from, say, distinct developmental trends, may require corresponding changes in institutional arrangements. Thus, it is important for organizational structures and processes to adapt to changes over space and time . However, it is clear that in some sectoral areas, there is insufficient flexibility at these levels to effect required changes in policy development and daily management operations and functions. In the absence of institutional flexibility, it is unlikely that organizational goals and objectives will be congruent with diverse community needs. When these conditions prevail, organizational effectiveness and efficiency will likely suffer. Indeed, it is unlikely that the organization can function adequately or effectively, or be legitimately and meaningfully sustained.

Cultural Appropriateness

There is at least an implicit assumption among many non-Aboriginal authorities and among some members of First Nations that successful institutional development ensures or requires a form of organization which is common to all (non-Aboriginal) Canadians or to a province, region, district, municipality, etc., and, similarly, that systems of governance and administration move to the march of history and institutional convergence, no matter what the ideological position of Indian people in an organization may be[18]. It is perhaps sufficient to note here that while modernization and globalization do entail structural and functional change for Indian and non-Aboriginal communities and institutions alike, the range of alternatives, or perhaps "trajectories" would be an appropriate term, is much broader than generally believed or appreciated. If, for example, Gerber's (1979) documentation of the multiple lines of Indian reserve community evolution, Gellner's (1993), McDonnell's (1993) and Savoie's (1993) observations on the resurgence of ethnic nationalism and cultural differentiation within nation states, and Peters'(1993) review of alternative public service models are any indication, then the general question as to the inevitability of institutional convergence or homogeneous community development is seriously put in doubt. This does not mean, as Savoie (1993:16) points out, that public service cultures do not or will not in the future have certain management or administrative features in common. It is simply to say that significant differences do and will continue to exist on the basis of cultural differentiation.

These trends and general theme have not been lost on recent evaluation of the devolution of technical services to tribal councils. The relevant report (DIAND, 1993a) emphasizes that provincial centralization and institutional convergence minimize the crucial dimension of local cultural knowledge for overall planning, staff assessment, and an understanding of how local needs and conditions of a cultural nature influence organizational design, implementation, operation and maintenance. Elsewhere, studies of law enforcement, economic development and housing have shown that where culturally specific norms, values, beliefs and patterns of action are not seriously taken into account, the associated governing and administrative authorities suffer a loss of institutional standing, purpose and effectiveness (e.g. Cornell and Kalt, 1990, 1993; Elias, 1991; LaPrairie, 1991; Marchant, 1985; Stenning, 1992).

A particularly interesting example of culturally appropriate approaches to "second and third level service" organizations is provided by the Peigan reserve's reconstruction of its Counselling Service for substance abuse, family violence and social disorder in 1989 (Strikes with a Gun, 1990). One key to the success of this service organization appears to have been the activation of traditional kinship statuses, roles, values and norms which provided a basis for a more "holistic" solution to public and organizational problems. Its success also seems to lie in intensive community participation in institutional processes.

Community Participation

In his discussion of the KRG boards, councils and committees, Rostaing (1984:27-28) implies that "foreign" (i.e. provincial) governing and administrative structures may not only be culturally inappropriate for the Inuit, but actually inhibit meaningful participation of the local population in institutional processes, including those concerned with coordination of activities, control over the organization's members and events, and communication between its members. Obviously, this has undermined the ability of the Inuit to successfully operate their "own" institutions. No less important, apart from ethnocentric "solutions" of assimilation and "improving the individual" through education and training to perform at the level of pre-determined non-Aboriginal standards and expectations (e.g. Inkeles and Smith, 1974), the presence of "foreign" governing and administrative structures raises a problem of institutional legitimacy and accountability, or the organization's "cultural control" over its members (e.g. Ouchi and Price, 1978).

Much the same conclusion is drawn by McDonnell (1993) in his investigation of the status of Cree institutions. But he adds another dimension to the issue of community participation. Differences in socio-economic class as well as distinctions of gender and age facilitate or inhibit an individual's or group's involvement in institutional process and the degree to which their interests may be represented by local authorities. McDonnell (1993:19) sums up the dilemma when he states,

> "...those who would administer and lead at the local or regional level have, in their education and through their experience, acquired a set of priorities and concerns that are far from representative. The result is that the general populace often feels very strongly

> that those who would establish priorities and implement policies on their behalf are strangers to their needs and desires, no less alien in their way than the State agencies that preceded them."

According to McDonnell, this situation has led to a crisis of institutional purpose and legitimacy.

There are other sources of tension and other factors that can frustrate community participation in and commitment to their institutions. As land claim settlements, self-government negotiations and other political issues perpetuate non-Aboriginal or certain mainstream concepts and models of governance and administration, key personal and financial resources that are already under significant strain at the community level become further depleted. Thus, simply maintaining legitimate and accountable governing and administrative structures, and community interest in and support for them over the longer term future, becomes one of the greatest challenges facing First Nations (LaPrairie, 1992a).

Outside these considerations, there are other facets to community participation that should be recognized. Some First Nation cultures may place greater emphasis than others on community processes as aspects of governance and administration. In other cases, the interest, preparedness and willingness of communities to assume responsibilities for the governance and administration of "second and third level services" may be overemphasized. Indeed, despite the rhetoric of Indian self-government, it cannot be assumed, a priori, that these responsibilities are coveted by all First Nations or that they are a priority or preference across all sectoral subjects (e.g. Auger et al, 1992; LaPrairie, 1991, 1992a, 1994).

Resources

Variation in community resources places different constraints on diverse First Nations to mount institutional arrangements that reflect Indian concepts and models of governance and administration, or that parallel the scale and sophistication of some non-Aboriginal organizations. Generally speaking, Indian education and income levels, as well as local revenue sources, are too low or limited to sustain independently staffed and financed institutions in many sectoral

areas, including education, health and other technical services. In other areas, where the organizational demands on human and financial resources may differ, as in child and family services and some areas of justice administration, the situation may be aggravated by an unstable population which is subject to fluctuations in growth or, more importantly, in rates of migration from and to a community. Under these conditions, it is difficult to provide a solid and enduring basis for fully decentralized "second and third level service" organizations at the level of individual communities and, in some cases, at the level of tribal councils.

It is also the case that First Nation organizations are sometimes underfunded - at least relative to real and perceived needs - or subject to uneven funding, especially under increasing fiscal restraint among all levels of government. It is less frequently acknowledged, however, that many First Nations experience difficulties organizing around existing human and financial resources (LaPrairie, 1992a). These problems may be traced to inadequate or inefficient management systems that fail to satisfactorily integrate organizational structures and processes (DIAND, 1991a; 1993a; Elias, 1991; Rostaing, 1984), certain environmental constraints such as the nature of the supporting institutional complex and supply of human resources (Gerber, 1979), unresolved power struggles where differential claims on the available resources are made by various interest groups within a community (LaPrairie, 1994; Lithman, 1984; McDonnell, 1993), or to the general resistance or failure of communities to mobilize in support of institutional objectives and activities (LaPrairie, 1992a; McDonnell, 1993).

While governments are, understandably, unwilling to compromise principles of equality and equity under fiscal federalism, the resource issues described above indicate that approaches to resourcing First Nation organizations may require better ways to target their diverse resource needs and better ways to direct and focus resources in meeting those needs. Under current arrangements, little attention has been given to these matters as more general aspects of institutional development.

Conclusions

Examination of the available and limited evidence on First Nations organizations raises a number of themes that direct attention to specific factors, principles or forces that appear to influence their design and how well they work, and provide some preliminary insight into why they are not working well or not working at all.

Many First Nations have developed or adopted organizations that are patterned according to more familiar and conventional non-Aboriginal concepts, structures and practices. These trends generally reflect jurisdictional restrictions and the concentration of power and authority in federal and provincial administrative frameworks, as well as a reliance on more narrowly defined options and choices for First Nation institutional design and development.

Preliminary evidence indicates, however, that emulating more conventional, bureaucratic (non-Aboriginal) organizations may not be the route for many First Nations to follow in the process of designing and further developing their institutions of governance and administration. Variation in community and cultural characteristics across First Nations may, in some cases, presuppose very different prerequisites for effective and successful organizational design. Or, significant adjustments to, or re-organization of, the existing apparatus may be required to successfully adapt to variable and changing community circumstances, environmental pressures and other forces. These considerations establish general parameters within which more detailed investigation of First Nations organizations should take place.

The issues identified in this section of the report direct attention to some of the most important policy and research issues facing the Department. Under what conditions should change in organizational arrangements be encouraged and supported? At what levels and in which directions should change occur? Conversely, under what conditions might improvements to existing arrangements be the most appropriate, desirable and feasible policy strategy? In the following section, these questions are placed in a broader theoretical perspective. The purpose of doing this is to provide a rational and coherent approach to the development of First Nation organizations. The more immediate objective is to develop an argument that can be used to direct future research.

4.0 RECENT THEORETICAL DEVELOPMENTS IN THE STUDY OF ORGANIZATIONS

4.1 Introduction

Colonization and underdevelopment have long provided the dominant theoretical framework within which discussion of First Nations issues has taken place. While this view has provided a much needed perspective on the broader historical, political and economic structures and processes in which First Nations are located, it has also served as a springboard for more rhetorical and dogmatic claims about the current status of, and prospects for, First Nations in general and their institutions in particular.

Until very recently, and especially in the context of Indian self-government, anecdotal evidence, perceptions and untested assumptions about First Nation institutions, together with an "Indian-only" design mentality, have dominated theoretical debate almost to the complete exclusion of careful formulation and analysis of empirical issues (Cairns, 1990:132-139; LaPrairie, 1994:6-7; Thornton, 1991:64-65). As a result, only limited theoretical research on First Nation public institutions has systematically explored community, environmental and other conditions, how they have evolved, what their relationship is to institutional design and development, and what organizational options they may entail. For example, although Gerber's (1979) typology of First Nation reserve communities provides some useful direction for conceptually organizing national data on First Nation community conditions and how they have varied and changed over time and space, only one study could be found that makes use of it in exploring cross-community organizational issues and options (LaPrairie, 1988; see also Ponting, 1986).

4.2 Framing the Issues

In this report, a number of analytical themes that have been abstracted from the literature provide some guidance in assessing current organizational arrangements for First Nations. These themes are relevant to new theoretical approaches to institutional design and development and can serve to place their assumptions and expectations within a comparative and practical context. Thus,

the themes provide points of reference to evaluate the theories, to compare their claims to current practice, and to draw out implications for future research.

The discussion begins with a brief description of the conventional or classical model of bureaucratic organization and an assessment of some theoretical models of First Nation organizations that are derived from it. The general features of the classical model are then examined in the light of alternative models. This exercise draws attention to the importance of variety in manifest formations of public service organizations - i.e. organizational structure and process as a formal institutional entity - and the relevance of complementary latent formations at the level of cross-cultural community distinctions - i.e. aspects of broader socio-cultural structures, processes, and related patterns. The linkages between manifest and latent formations are then explored in the context of self-governing and self-organizing institutions. This involves consideration of principles of institutional design that were initially developed with respect to the management of common pool resources but have broader application to other problems of collective action and institution-building in cross-cultural, community contexts. These principles are re-conceptualized in terms of the themes developed in section 3 and related to theoretical models of organizational reform. First Nation community diversity is then cast in terms of typological distinctions that are brought to bear on a consideration of other organizational and political issues, including options for institutional centralization and decentralization.

Conventional Working Assumptions

Some of the assumptions that underlay the management of many First Nation organizations, including tribal councils, are directly related to the unique political history of Indian reserves in Canada. In general, the construction and operation of First Nation public institutions has been directed and shaped largely by non-Aboriginal interests, values and terms of reference. Today, the criteria and processes for developing First Nation institutions of governance and administration either have their origin and context in more conventional, classical non-Aboriginal ideas about organizational arrangements (Elias, 1991; Gregory et al, 1992; Makokis, 1993), or, what amounts to the same thing, spring from First Nation "preferences" that often flow from practical familiarity

with these conventional approaches (e.g. DIAND, 1991a, 1993a; Stenning, 1992; Taylor-Henley and Hudson, 1992).

The conventional, classical or bureaucratic model of public administration may be characterized, first, by a number of general structural distinctions which describe a high degree of organizational complexity, formalization and centralization. These distinctions include:

(1) horizontally differentiated or specialized units/officials which reflect discrete and compartmentalized management interests and responsibilities e.g. policy, administration, finance, research, etc;

(2) vertically differentiated or hierarchical levels of management authority, control and coordination;

(3) standardized tasks and related technologies that rely on rules, regulations and routine functions;

(4) institutionalized "objectivity" in the form of apolitical and permanent staff;

(5) a measure of organizational stability in terms of permanent governing and administrative units;

(6) centralized authority and decision-making, especially at the level of policy formulation and implementation.

These structural features of the bureaucratic model are often associated with or, under certain conditions, imply characteristic organizational processes, including:

(1) hierarchical coordination of the activities of specialized units;

(2) standardized, formalized and routinized methods of control over unit/individual activities and tasks;

(3) indirect, formal lines of communication; and

(4) resolution of internal conflict and management of member's possible resistance to organizational goals, objectives and functions through precise rules and regulations, incentives and rewards (both positive and negative).

To a considerable extent, many tribal councils and similar First Nation organizations have organized the governance and administration of "second and third level services" in these terms. The classical model has also provided a point of departure for theoretical speculation on related organizational options for First Nations. Interestingly, these theoretical developments have focused on three major issues: (i) the nature of Indian political representation; (ii) Indian jurisdiction and authority; and (iii) the cost consequences of alternative management models.

A rather unusual model of "Native Societies", developed by Reeves (1986), is intended to ensure adequate representation of Aboriginal political, legal and constitutional rights, especially among urban Aboriginal Peoples. Structurally, the model is based on arrangements similar to those found in the legal and medical professions in Canada. In terms of governance and administration, the model assumes a permanent, professionalised structure and staff, hierarchically organized with delegated, limited powers to interact with various levels of government or private agencies on behalf of clients.

Peters (1992:57) has criticized the model on the grounds that it is too limited in scope given possibly more comprehensive objectives of Aboriginal people in urban areas. Nevertheless, she recognizes that such a model could eventually assume greater powers and, perhaps, assume more comprehensive governing and administrative authorities. In this context, the model would approach a capacity that parallels that of a tribal council or perhaps some other sector-specific body. However, it is not entirely clear how this could be achieved nor what its relationship would be to existing federal and provincial governing and administrative frameworks. Presumably, if it is assigned the jurisdiction, control and authority of conventional professional societies, its powers are limited to the members it represents within a relatively restricted range of jurisdiction. The model also suggests that involvement of "Native Societies" in other public or private institutions would be advisory in nature, and this raises questions concerning its effectiveness in dealing with

the development of policies that may be more concerned with the interests of non-Aboriginals than those of Indian people.

Perhaps the main drawback of the model when it is considered in the broader context of First Nation communities, is that it caters to individuals rather than to groups. While adjustments to accommodate groups may be conceivable, the difficulties are compounded by the fact that the model is concerned mainly with legal and constitutional issues. The assumption that urban Indians (and other urban Aboriginal people) require, as a first step in institutional development, organizations to sort out jurisdictional issues, is certainly at odds with recent research on Aboriginal people in the city where the findings suggest that different individuals and groups in the city have different needs that may not necessarily be met through constitutional or legal means (LaPrairie, 1994). The model also provides little, if any, scope for participation in institutional process by the people it represents. Given variation in the extent to which Indian people participate or may wish to participate in the institutions that affect them, it is unclear whether representation of their interests by a third party would be sufficient to maintain commitment to it. This is an important point which recalls McDonnell's (1993) observations on issues of political representation among the Cree, as well as LaPrairie's (1994) description of the situation of Indian people relative to "second and third level service" organizations now in place in the city: there are few guarantees that the interests of "professionals" who staff "Native Societies" would coincide with the interests of various individuals and groups they are supposed to represent.

A focus on fiscal issues and a general transfer of jurisdiction, authority and control to First Nations provides the impetus for Courchene and Powell's (1992) discussion of a First Nations Province (FNP). The authors conceive an FNP as a nation-wide "province" consisting of dispersed and largely non-contiguous First Nation lands. These lands, including existing reserves as well as lands pursuant to land claim agreements, would provide the territorial restrictions on persons and subject matter jurisdiction which in terms of scope, would be similar to that of current provincial governments. The formation of this provincial-like collectivity would rest on the principle of Bands delegating their powers of self-government to the FNP.

Unfortunately, there is no discussion of the organizational principles that would underpin arrangements for governance and administration in any sectoral area, for these are left up to the Bands to decide[19]. Theoretically, and at first glance, an FNP would appear to be no more limited than existing provincial administrations in experimenting with alternative models of governance and administration (see below). But there is one crucial consideration. An FNP is premised on the centralization of power and authority that would be exercised through a conventional or classical bureaucracy similar to that found within the Department of Indian Affairs or the Assembly of First Nations.

From a Departmental perspective, an FNP promises a less complex model of governance and administration that consolidates otherwise multiple administrative relationships with existing Bands and tribal councils. This has potential implications for departmental cost effectiveness and efficiency. Furthermore, it relates only to status Indians residing on federally recognized reserves and other settlement lands.

But the model is suspect on a number of grounds. First and foremost, it fails to address significant community political diversity and the inherent tension an FNP would likely generate in trying to balance centralized and decentralized forms of First Nation governance and administration, especially without specifying constraints on the exercise of power, or thinking through the principles that would ensure institutional flexibility in the face of community diversity. Ponting's (1993:352) concern over "why a FNP government would be any more willing to give up power than are non-aboriginal politicians and bureaucrats" (when requested by a First Nation to do so) is also justified in view of the development of elites and systems of stratification among urban and non-urban individuals, groups and communities, and the practices of those currently in power (Boldt, 1993:86; Hanson, 1985; LaPrairie, 1991, 1994; Lithman, 1984; McDonnell, 1993; Nagata, 1987)[20]. In addition, there is no agreement in the organizational theory literature as to whether or not centralization is more cost effective, especially considering the decreasing importance of economies of scale as a result of technological changes (Anne-Marie Robinson, personal communication).

More generally, thinking in terms of organizational precedents set by the historical circumstances of the Indian Act and related policies, other legislative initiatives and constitutional agreements,

or broader federal and provincial administrative frameworks, not only reveals a superficial understanding of First Nation diversity, but imposes conceptual and practical limitations on the ability of First Nations to self-develop their public service institutions and to develop them in line with the demands of contemporary circumstances.

Indeed, a range of new and emerging environmental pressures have placed the assumptions and organizational features of the classical model in question in both Aboriginal and non-Aboriginal settings. Peters (1993) and Savoie (1993), for example, have documented general economic and social contexts and trends, and the changing nature of policy issues that are now influencing how we think about and practice public administration. Other scholars, such as Mintzberg (1991) and Robbins (1990), have examined a wide range of structural and processual factors that entail variability, rather than (bureaucratic) uniformity in organizational design configurations. Nevertheless, the influence of the private sector and, in particular, globally-focused market principles have recently dominated reform initiatives in the public sector (see, for example, Peters, 1993 and Savoie, 1993). At the same time, bureaucratically "closed" institutions are progressively being challenged and opened up by a more inquisitive, proactive and increasingly interventionist public demanding, among other things, a greater say in the formulation and implementation of policy and a greater measure of public accountability among government officials responsible for its management. These developments and trends have been further complicated by the extent to which public policy issues have become interrelated and overlap with one another, or change with unprecedented and surprising speed.

In a First Nations context, these issues serve to elaborate on the themes identified in the previous assessment of current First Nation organizational arrangements. In order to draw out these connections, it will be necessary to situate discussion in terms of the directions that thinking about organizational reform is currently taking.

Manifest Formations: Alternative Models of Public Organizations

New approaches to the governing and administrative apparatus of public service organizations draw heavily upon organizational ideas and practices that have developed in the context of both

global changes in economic conditions and regional or local demands for a greater measure of involvement in and control over public affairs and policy (Bish, 1987; Peters, 1993; Savoie, 1993). Within this broader context, thinking about alternatives to conventional models has been guided by the interplay between a number of organizing principles.

The general assumptions of alternative models of governance and administration may be characterized in terms of a give and take between the following oppositions:

(1) centralization v.s. decentralization of decision-making, power and control;

(2) specialized v.s. generalized (multi-purpose) roles and responsibilities;

(3) hierarchical v.s. collaborative relationships;

(4) standardized (routinized) v.s. flexible (variable) functions and tasks;

(5) formal (indirect) v.s. informal (direct) communication channels;

(6) permanent v.s. impermanent structures and staff; and

(7) apolitical v.s. political structures.

The interplay between these oppositions, and the variable combinations of their terms, give rise to a number of alternative organizational design configurations.

At least four alternative models of public organizations have emerged in the research literature and in administrative practice over the last decade. As Peters (193:3) implies, with the possible exception of a market-focused approach, these models are more a loosely thought out collection of organizing principles than an integrated and systematic blueprint for new forms of governance and administration for Aboriginal or non-Aboriginal purposes[21]. They are all, nevertheless, the focus of recent theoretical discussion and government practice that seek to reform more familiar, conventional approaches to public organizations.

The most comprehensive and coherent alternative is the **market model**. This model is based on two general assumptions. First, it is assumed that there is little, if any difference, between public sector and private sector issues concerned with goods and services. Second, it assumes that the effectiveness and efficiency of an organization is restricted or limited by hierarchical, rule-based authority structures and processes characteristic of conventional bureaucracies, and that these organizational goals can be maximized by management structures and techniques that emulate those in the market place. This is argued on the grounds that market-like mechanisms and instruments are more sensitive to crucial environmental changes or market signals, and that adequate responses and adaptation to them require the skills that the entrepreneur brings to decision-making. The prescription for change, therefore, involves decentralization and delayering of decision-making, authority and control; creating smaller, multi-purpose, quasi-autonomous and "competitive" organizational units that rely on informal and direct communication channels, flexible and adaptable tasks, and personal centralized control or output control to supply public goods and services; instilling market values in the management of personnel (e.g. differential rewards for differential performance); separating policy functions from the managerial roles of administrators; and generally opening up the organization to the play of market forces.

If the market model can be seen as defining the public as passive or reactive consumers of public goods and services, the **participatory model** may be envisioned as enhancing or facilitating an active or proactive role for citizens in organizational process and decision-making. This is accomplished through two interrelated steps: transforming hierarchical bureaucracies into "flatter" organizations; and, providing scope for more explicit informal and direct communication and interaction between officials and the public in the process of solving collective action problems. The participatory model's plan for change calls for increased decentralization within a modified bureaucracy and the transfer of a significant measure of power and control to workers in the lower echelons of the organization as well as to the public it serves. These changes are said to be justified on the grounds that working-level employees and the public have a firmer grasp of substantive issues than do the organization's executives and, therefore, are in a better position to respond and adapt to changing environmental conditions. The overriding purpose of these reforms, therefore, is to facilitate collaboration and the negotiation of appropriate public policy between the organization and the public, and to influence policy in the direction of current realities, all without the usual limitations of bureaucratic controls.

A **contingent model** of governance and administration appears to be the most sensitive and best adapted to variation and change in public service environments. The underlying assumption of the model is that conventional bureaucracies that have permanent structures and personnel tend to take on a life of their own in ways that emphasize their self-interest at the expense of broader societal interests and policy commitments to them. In addition, it is assumed that conventional organizations are overly attached to or defend discrete policy spaces despite the changing and more diffuse nature of public policy issues that implicate multi-organizational responses or low degrees of horizontal differentiation. Similarly, conventional organizations are said to be handicapped in the management of their permanent (or "indeterminant") personnel, especially when rapidly changing social and economic conditions demand significant adjustments to the work force. The general formula for change under the contingent model is to vary the life-span of existing organizations and staff, or create new ones relative to the nature of the policy issues being addressed or to other prevailing market forces and environmental conditions. This suggests an organizational design configuration that is highly flexible, generalized, decentralized, promotes collaborative relationships and direct horizontal communication, and emphasizes output control[22].

The fourth model that may be abstracted from the literature and government practice is **deregulation or privatization**. While bureaucratic structures are accorded a stronger role in policy-making under this model, the organization is deregulated by loosening or eliminating some of the obsolete, redundant or obtrusive constraints on its actions. This is assumed to improve the organization's effectiveness and efficiency. As a result, the model's blueprint for reform is to reduce centralized control over the organization, relax rules and regulations in the direction of more flexible arrangements, maximize direct informal communication, and increase output control, all so that the organization may pursue its definitions of public values, standards and ways of doing things with greater freedom. In this way, it is argued, the organization can seek to maximize its substantive contribution to collective action problems.

As Peters (1993) explains, while there are some significant differences between them, the models are not necessarily mutually exclusive since there is considerable overlap in the logic of their construction and in their implications for alternative organizational structures, management, policy-making and definitions of the public interest they are intended to serve. He suggests, rather, that they might better be viewed as constitutive of a framework of organizing principles

which promises different organizational options or choices for institutional reform under different circumstances. This is a key observation since it highlights the importance of flexibility and mutual adaptation between organizational structure and process. In other words, certain organizational models, or selected aspects of them, may be appropriate and adequate under some public policy situations but not in others (cf. Bish, 1990; Peters, 1993:30; Savoie, 1993:24-25).

These considerations draw attention to the most important aspect of current theoretical debate over models of governance and administration. While there may be demonstrated difficulties with the classical model, we should not be thinking in terms of distinct, discrete, alternative or replacement models that may be standardized across variable organizational and policy spaces. Instead, far more thought needs to be directed to options and choices that flow, initially, from a reconsideration of the nature of the relationship between organizational structure and process in variable and changing environments. Bish (1987, 1990), Child (1984), Mintzberg (1991), Peters (1993:30), Robbins (1990) and Savoie (1993:24-25), among others, have all emphasized the importance of the fit or match between an organization's structural prerequisites and its process requirements. These are not arbitrary since they assume patterned associations, and stand in a relationship of mutual change and adaptation relative to specific organizational forces, needs and requirements.

These theoretical considerations certainly provide a new perspective on the interrelationship between the themes, identified earlier, that characterize current First Nation organizations. For example, the geographic, demographic (e.g. size) and developmental diversity (including strategic direction; cf. Gerber, 1979:421) of First Nation communities may demand more or less emphasis on certain types of governing and administrative models to deal with certain types of policy issues, environmental circumstances, power structures, process requirements and other factors. Under some community circumstances - for example, in the case of "inert" Bands with band-associated traditions - a participatory model in the area of child and family services may be appropriate and require a structure for advisory functions that is highly flexible, decentralized, informal and open. In other circumstances - as in the case of some "integrative", or "municipal" Bands, or tribal-like Indian communities - the required advisory structure may be more classical

in nature with a professionalised bureaucracy that relies on more formal procedures and that can defer to senior administrative authorities (or "offices") when necessary.

On the other hand, principles of a market model may be appropriate among some Indian communities with band-associated traditions for the development and promotion of certain kinds of resources related to tourism (e.g. Elias, 1991) where it is necessary to constantly monitor the market, make quick decisions and quickly change strategic direction. However, a market model may be inappropriate in other resource situations, such as the harvesting of fur-bearing animals, where a participatory model or principle may be required (e.g. McDonnell and LaRusic, 1987).

Overlap of policy issues is common in these small-scale communities where face-to-face interaction occurs on a continuous basis. Under these circumstances, conventionally conceived and compartmentalized policy spaces become more diffuse and tend to reflect the nature of community life itself (LaPrairie, 1992a:8; Young and Smith, 1992). These facts, together with variation and change in the nature of public policy issues across First Nation communities, demand more fluid definitions of organizational mandates and require considerably more flexibility in management structures, functions and processes. These requirements in turn implicate aspects of participatory and contingent models of governance and administration.

Differences in organizational purpose or strategic direction may entail corresponding differences in technology and overall structure. For example, an Indian education organization charged with routine administrative activities such as the purchase of school supplies, completion of forms, paying bills and salaries, and verifying that the curriculum is being delivered as planned, is better suited to more bureaucratic structures, including high formalization of procedures, reporting, etc. On the other hand, an Indian education organization concerned with policy and curriculum development may be less complex and less formalized, especially if its functions are relatively non-routine and require considerable flexibility, decentralized decision-making and good horizontal communication [23].

These brief illustrations point to two important conclusions. First, it is unlikely that only one type of governing and administrative model can adequately deal with the range of organizational objectives, policy issues and related activities within a single Band community and certainly within

a tribal council community. And second, similar organizational objectives, policy issues and related activities across diverse First Nation communities may require different structures and processes to complement different community characteristics and relations, and other environmental factors, if organizations are to be effective and successful.

In general then, the framework of organizing principles that may be abstracted from current theoretical discussions of "non-Aboriginal" approaches to governance and administration promises a concept set that can usefully deal with many issues of manifest structure. At this level of institutional design and implementation, it simply does not matter whether the origin of a model or principle is Aboriginal or non-Aboriginal. The conceptual framework can be applied under variable and changing conditions, including those that affect First Nation communities. However, the manifest structure of public service organizations represents only half of the institutional equation and organizational context. The nature of First Nation communities and the broader historical and cultural frameworks in which they have developed also have theoretical and practical relevance.

Indeed, there is often an unstated assumption that alternative organizational design configurations can be applied mechanically at the level of manifest formations to diverse community circumstances without further qualifications, rather than be conceptualized as a particular development, evolutionary outcome or component of First Nation community structures and processes. In short, the creative role which the community plays in institutional development (aside from citizen participation in manifest structure and process) is given little attention and is somewhat obscured by current debate. Theories of manifest formations provide important insight into some of the necessary conditions for successful organizational design. What is missing, however, is a discussion of those aspects of First Nation institutions that may be influenced by or may be a reflection or product of community structure and processes. It is these subtle and important distinctions that the theoretical discourse on manifest structure sometimes fails to clearly articulate.

Latent Formations: Culture and Community

One issue that has remained relatively unexplored on a systematic basis is how traditional, historical or cultural forms of collective action affect the standing of institutions in contemporary First Nation communities. This issue is raised by the fact that political exchanges between First Nations and non-Aboriginal governments often bypass the crucial role that Indian concepts, models and practices may play in structuring and legitimizing organizational activity or subjecting it to meaningful and effective public scrutiny. This trend in intergovernmental relationships has been reinforced in recent years by global pressures to standardize management models and techniques especially in terms of market principles and privatization (Savoie, 1993:16). Focusing discussion on the "unspoken rules" of traditional action, norms and values may help to define what may be a distinctly Indian difficulty with current organizational arrangements. Or, it may assist the development of Indian organizations in culturally appropriate directions.

To give full treatment to this topic is beyond the scope of this report. However, some of the more important considerations may be introduced by reference to Cornell and Kalt's (1990, 1993) examination of the latent structures and processes of authority, control and decision-making that influence the functioning of successful economic institutions on American Indian reservations.

In their study of American Indian economic development, Cornell and Kalt (1990, 1993) theorize that prospects for successful production of economic goods depends on the nature of the overriding system of governance and administration. They suggest that congruence between informal systems of reciprocity and contract at the community level with formal or official structures and processes of governance and administration, are crucial to institutional success. They conclude that the structures and processes of governance and administration are most effective and sustainable when they are supported by local cultural values and norms which may be grounded in Indian concepts of institutional authority, legitimacy and accountability. They go on to argue that some Indian organizations also function best when they are situated within a context of local control and decision-making.

Central to their analysis is the weight attached to, and the manner in which they dissect, the latent aspects of culturally and historically based notions of institutional authority in selected

Indian reservations. For our purposes, their analytical distinctions may be generalized and applied to the situation of First Nations in Canada.

The latent structure of authority in First Nation communities can, traditionally, vary between centralized and decentralized forms. Centralized authority is a development towards the integration of individuals and groups at higher levels under the authority of chiefs, chiefly councils or some other "office" position. In this case, authority is structured in terms of degrees of interests and influence of graded kinship priorities in the management and control of public goods and services. Accordingly, the structure of authority assumes coherence in and is legitimized by the presence of an "office" and often an administrative hierarchy of some type.

Decentralized structures of authority are a development in the other direction. In the more extreme case of band-associated traditions, higher levels of authoritative organization develop little coherence and are poorly defined. As a result, the links between individuals and groups within the overall structure of authority tend to be loose and unbounded, especially when compared to the tighter links between individuals as members of larger corporate groups such as lineages and clans. Put another way, authority in a traditionally decentralized context may be understood as less a "structure" and more as a set of activities or actions that are aspects of personhood, the wider community and social processes. Here, authority, legitimacy or accountability is a family relationship, a customary transaction between community members or the fulfilment of the responsibilities and obligations of complementary role relationships.
Regardless of the structure and location of authority, centralized and decentralized forms of governance and administration have, traditionally, a heavy investment in social relationships of reciprocity and interdependence. Consequently, organizational conduct, whether it be of an economic, social or legal nature, is usually expressed and interpreted as different forms of moral conduct of which the customary idiom is familistic.

In some First Nation communities, it may be appropriate and legitimate for a governing and administrative body, such as a social service agency, to exercise a full range of powers and responsibilities over child and family matters. In other community contexts, however, child welfare may legitimately be the provenance of a family, clan or "house". Or, these institutions may take precedence over a more formal organization whose responsibilities and powers are more confined

and narrow in scope. Thus, in a First Nations context, the distribution of organizational functions among local structures may be influenced and shaped by normative definitions of the scope of authority which an institution may legitimately assume. And these definitions may vary across cultures or perhaps even across communities within a culture area.

In some situations, the source of authority may be ascribed or achieved. For example, where one is born into pre-eminence, "followers" are subject to the authority of an "office" as members of the group. Succession to "office" may be grounded in kinship criteria, gender or age distinctions, or other related cultural qualifications such as religious or ritual status. These latter criteria may also be achieved in some cultures and to some extent parallel introduced sources of achieved authority such as the level of education or professional experience attained.

Essentially, Cornell and Kalt are arguing that where manifest structures of public organizations are incongruent with latent structures of authority, the standing, stability and sustainability of the organization, or its ability to supply public goods and services effectively and efficiently can be undermined or threatened. Significantly, they support their argument with a number of empirical examples drawn from the literature on American Indian political and economic systems (Cornell and Kalt, 1990, 1993). It also appears to be supported by research in the Canadian context. Taking the source of authority as an example, McDonnell (1993) describes how formal education and training have replaced kinship criteria as the basis for "leadership" in various organizations run by the James Bay Cree. However, the ambiguity which these criteria introduce into Cree band-associated traditions of legitimate authority has created positions of "authority" without (kinship) status in the community. According to McDonnell, this level of incongruence has contributed to the crisis of legitimacy that pervades the governing and administrative apparatus of Cree organizations today.

The work of Cornell and Kalt advances our theoretical thinking about the prerequisites of successful organizations in a First Nations context by further exploring the importance and nature of the fit between communities and their organizations and, in particular, by focusing attention on the importance of Indian (political) culture and community processes for such crucial issues as control over and commitment to the organization. For example, First Nation communities with a tradition of decentralized structures of authority may be in a better position than other First

Nations with different traditions to develop their institutions in the direction of participatory models of governance and administration where "...process appears more important than the structures within which the processes take place "(Peters, 1993:14). On the other hand, aspects of the classical model which emphasize hierarchical authority and permanent structures and personnel, seem more consistent with First Nation traditions that describe centralized authority structures and hereditary claims on an "office" within an administrative hierarchy.

These options highlight the importance of approaching organizational design for First Nations in a systemic way: first, in terms of the nature of the fit between organizational structure and process; and second, in a way that captures both latent and manifest structures and processes of public service organizations. However, the theoretical ideas that have been brought together so far suggest only a partial answer to the question of how self-governing and self-organizing institutions are possible in a First Nations context. In other words, the analysis needs to move from more general assessments of organizational design to more specific issues of design for self-governing and self-organizing institutions.

This shift in theoretical attention to self-governing and self-organizing institutions is necessitated by four interrelated factors: (i) the policy and political pressures to successfully decentralize "second and third level services" to First Nation organizations, and in particular, to tribal councils; (ii) the unique circumstances of generally small scale First Nation communities; (iii) the practical issue of developing and maintaining effective and efficient organizations for First nation communities; and (iv) the place of federal and provincial governments in the development of First Nation organizations, including the nature and extent of organizational interrelationships.

To anticipate what is to follow, a theoretical approach is developed which argues that self-governing institutions, regardless of variations in manifest and latent structures and processes, share common and essential principles of design. Exploration of these principles, together with further analysis of the nature of First Nation community diversity, provide valuable insight into the conditions under which self-governing, jointly operated or centralized institutions may be the most appropriate, feasible and viable organizational strategy for First Nation communities and non-Aboriginal governments. In addition, they may assist in explaining why the results of devolution or other organizational arrangements for First Nations have been uneven.

Self-Governing Organizations and Communities: Theoretical Integration and Synthesis

One of the most sophisticated approaches to the development of practical guidelines for the design of self-governing institutions is provided by Ostrom (1990, 1992). Although her empirical focus is on group management of common pool resources such as fish, forests and water - matters of particular interest to First Nations - Ostrom's work can be considered as an extended metaphor for thinking about collective action problems as diverse as establishing trust between nations (a perennial problem between First Nations, federal and provincial governments, and among some First Nations themselves), and the question of how social order might be possible in the absence of the (centralized) state (again, a matter of no small concern among those First Nations seeking self-government and self-determination, or greater autonomy and control over their public affairs)[24].

In order to demonstrate the wide applicability of her approach, Ostrom examines a number of cross-cultural case studies in an attempt to explain why some groups and organizations are able to resolve their collective action problems by themselves and be self-governing while others are not. She asks what it is that the successful groups have in common. Her answer is in terms of 8 design principles[25] which she claims must be satisfied if the organization is to be considered "robustly successful". For our purposes, Ostrom's design principles can be conceptualized in terms of many of the themes identified in section 3.2 and considered in the light of approaches to manifest and latent structures of public organizations discussed in the present section.

(1) Structural, Functional and Processual Adequacy

The first principle requires that the organization and the public good or service to be managed have well-defined boundaries. In addition, the client population must be clearly targeted. This principle can be interpreted to mean that organizational structure, function and process must be identified and rationally articulated relative to the particular policy space at issue. "Rational articulation" here can be taken to mean an approach to design configurations that recognizes the interdependence and reciprocal effects of organizational structure and process relative to specific organizational objectives and particular environments.

(2) Cultural Appropriateness

The second principle insists that the rules[26], regulations and directives of the institution[27] be consistent with and appropriate to local conditions, including social processes, cultural meanings, collective objectives, preferences, priorities, etc. In other words, the level of formalization of the organization should be reflected in the links between the manifest and latent structures and processes of the organization.

(3) Community Participation

The third principle highlights the need for community members to be directly involved in the processes of institution-building, rather than remain passive recipients of services. This means that community members must be actively involved in and understand the principles of the organization as it is being constructed. Where an organization or component structure already exists or is not subject to a complete overhaul, direct involvement means some form of participation in modifying the organization's rules, processes, structures, etc. To a considerable extent, this feature may be inherent in participatory models of public organizations. But it is not necessarily limited to this type of model since it could, in principle, be adapted to the construction and periodic review of other models.

(4) Jurisdiction, Authority and Control

The fourth principle is concerned with monitoring mechanisms. Specifically, the organization requires either direct monitoring of compliance with its directives by those within its ambit, or delegation of this responsibility to agents accountable to them. All the organizational models discussed in this report have a potential to incorporate such monitoring mechanisms into their design. Participatory models, for example, may rely on interpersonal factors whereas market models may tend towards performance measures linked to the organization's definition of output.

The nature of the sanctions to be applied in the event of non-compliance or rule violation is the subject of the fifth principle. As a working principle, it is important that sanctions be applied and

graduated to reflect the severity, frequency and context of rule violation. Depending on the operative principle or type of model in place, these could be ad hoc, more general and standardized, informal, formal, etc. and tied to various forms of responsibility accounting, systems of reward and punishment, etc. In a First Nations context, they are especially likely to be closely tied to the latent structures and processes of public organizations.

The accessibility of low-cost dispute or conflict resolution mechanisms is the essential ingredient of the sixth principle. Again, this principle has general applicability for all types of organizational models, but it may be an especially significant feature of local social and cultural systems that must be taken into account as an aspect of latent structure. For example, some communities and organizations may promote constructive conflict that require resolution mechanisms marked by structural ambiguity and low levels of formalization. More bureaucratically oriented organizations tend towards higher levels of formalization with rules and regulations that provide unequivocal direction in dealing with conflict (Anne-Marie Robinson, personal communication).

In some cases, First Nations find themselves within an existing network of organizational relationships where service interests and needs overlap with those of other governments or their agencies. In these more complex cases where a public organization or service structure is situated within larger management systems or administrative jurisdictions, Ostrom's eighth principle requires the establishment of "nested enterprises" within a hierarchy of institutions. In the case of common pool resources, for example, the principle defines and requires different levels of authority over resource allocation or appropriation. In other public service contexts, it may mean a more horizontally defined division of authority over service provision.

The practical utility of this principle, of course, is to avoid institutional isolation, particularly where policy issues, organizational objectives and activities are interrelated or cross Aboriginal and non-Aboriginal organizational "boundaries", and where coordination of the activities of a number of different organizations may be required to solve them.

(5) Intergovernmental Relationships

Finally, Ostrom's seventh principle reflects, in part, current political demands by First Nations for rights of self-government. But as an aspect of organizational design, the "right" of, say, a community to organize its own institutions independently of external governments, is a principle conceived in more narrow, organizational terms. Therefore, the "right" to self-organize and self-govern reflects the need to consider other options and choices beyond what is currently available or practiced as a result of political exchange between First Nations and non-Aboriginal governments.

Ostrom's approach to organizational design also touches upon one of the most contentious issues in the current debate over organizational reform of public service institutions. This concerns the relationship between policy/political activity and management roles in contemporary organizations. Peters (1993) has discussed the advantages and disadvantages of separating or uniting policy and management for the various models of public administration. Some organizational theorists have argued that the amalgamation of policy and political roles is workable, provided the overall design configuration is appropriate (or rationally articulated) under given circumstances (Anne-Marie Robinson, personal communication). Empirically, the evidence is ambiguous as to whether tribal councils or similar First Nation organizations benefit, suffer or remain neutral to the separation or union of political and management structures and functions (DIAND, 1991a, 1993a; McDonnell, 1993). This situation raises questions concerning the appropriateness of organizational arrangements for some First Nation organizations. But without further information, it is difficult to conclude what role design configurations play in the genesis of such ambiguity.

At any rate, Ostrom's case studies suggest that successful self-governing institutions must incorporate and apply three interdependent types or classes of rules and associated processes that effect the amalgamation of policy and management roles. These rules include what she calls "constitutional-choice rules" (i.e. rules that create and limit powers exercised within a policy area), "collective-choice rules" (i.e. rules of policy-making) and operational rules (i.e. rules that guide daily management decisions on the supply and use of public goods and services).

A concrete example will help to situate these rules in a First Nations context. In the case of a First Nation school board, constitutional-choice rules frame the choices that may be made with respect to the number of representatives or members on the board, how they are to be selected, and so on. Collective-choice rules would enter into consideration of, say, the board's yearly budget and would determine who is required, forbidden or allowed to take what action or affect what outcomes related to a specific budget item. Operational rules would then guide management decisions that must be made, in part, on the basis of daily contingencies.

As Peters (1993:1) notes, the amalgamation of policy and management roles in some contemporary organizations seems to have benefited the system of governance and administration. For our purposes, Ostrom's contribution to the debate is to suggest that self-governing institutions require such an amalgamation, together with a consolidation of the 8 design principles, in order to successfully adapt to changing environmental conditions and diverse community circumstances. This conclusion has a certain intuitive appeal. Indeed, effective operational rules are obviously necessary for any organization's daily activities, but effective collective-choice rules are just as important and necessary because they provide the flexibility to change operational rules when it would be desirable or necessary to do so. Thus, theoretically, this rule set can be applied where individual Band communities are undergoing change over time, or to a tribal council with a mixed, diverse Band membership.

Considered together with a more detailed appreciation of the manifest and latent structures of public service organizations, Ostrom's approach to self-governing institutions promises an important set of analytical tools for individual case study or comparative analysis. However, she does raise some caveats concerning the theoretical and practical application of her approach that have special relevance for some First Nations. For example, in the fifth chapter of Governing The Commons(1990), Ostrom strongly suggests that self-organizing and self-governing institutions are much more difficult to develop and sustain in cases where there are significant cultural and value differences. This obviously has relevance in situations of joint management regimes (as in design principle # 8, above) operated by Indian and non-Aboriginal authorities in the area of natural resources (see, for example, Berkes, 1989; Elias, 1991; LaRusic, 1990, 1991; McDonnell and LaRusic, 1987; Scott, 1988); in situations where Indian people are a minority population in a given service area; and in situations where there is considerable intra-community heterogeneity

(e.g. McDonnell, 1993). She also argues that they are difficult to sustain where extralocal officials have some incentive to meddle in local affairs, a common complaint of First Nations regarding their relationships with federal and provincial authorities in various sectoral areas. Of course, these are matters that limit the applicability of the theory rather than anything intrinsic to it. And, to some extent, these types of constraints can be addressed and perhaps modified or improved in favour of First Nations and their organizations.

However, there is another matter that is intrinsic to the theory and which is of research interest. Ostrom's intention is to offer policy advice on constructing or redefining institutions for the purposes of self-governance and self-administration. But, as Taylor (1992) has argued, the explanatory power of Ostrom's 8 design principles appears limited in some previously unrecognized ways.

> "First, it is unclear what, if anything, is being explained here. Ostrom is not yet claiming, she says, that the "design principles" are necessary conditions for successful CPR management (p.90). But what is their explanatory status? Many of them seem to be either features or consequences of successful solutions to CPR problems, not causes of them. They perhaps form a partial answer to the question, Why do certain regimes work? or Why are these regimes solutions? They do not, it seems to me, provide an explanation of why some groups of users are able to solve their own CPR problems endogenously - without external help - and other groups are not, which is the question with which Ostrom begins (p.29). To answer this question we'd need, among other things, to explain why the successful groups were able to monitor themselves and why endogenous sanctioning is successful and sufficient. And to answer this question, we need, e.g., to ask, What is it about a group of users (of a given CPR) that explains why the solution (a solution satisfying Ostrom's "design principles") works? ... It may be argued that Ostrom's principal goal is to give good policy advice...about the management of CPR resources, not to construct explanatory theory. But without confidence that we have got the causal relationships right, how can we offer good advice?" (Taylor, 1992:640-642).

Taylor's (1992; see also Singleton and Taylor, 1992, and Taylor, 1987) answer to these questions is firmly grounded in a theoretical approach that considers more thoroughly how self-governing

institutions are possible in certain community contexts and not in others. The focus on community characteristics and relations, or variable latent structures, is intended to specify the conditions under which self-governing institutions may be appropriate and workable (i.e. successful) and, where they are not, to identify other possible organizational arrangements (i.e. manifest structures and processes) that are more consistent with other variations in latent structure and process.

After re-examining Ostrom's (1990) case studies for their social and cultural content, Singleton and Taylor (1992) offer a number of hypotheses about institutional arrangements. The most important hypothesis is that self-governing and endogenous solutions to collective action problems will thrive only where there is a "community of mutually vulnerable actors".

By the term "community" Singleton and Taylor (1992:315) mean,

> "a set of people (i) with some shared beliefs, including normative beliefs, and preferences, beyond those constituting their collective action problem, (ii) with a more-or-less stable set of members, (iii) who expect to continue interacting with one another for some time to come, and (iv) whose relations are direct (unmediated by third parties) and multiplex."

The concept of "mutually vulnerable actors" is also given a specific and somewhat pragmatic definition:

> "Mutual vulnerability is the condition of a group of actors each of whom values something which can be contributed or withheld by others in the group and can therefore be used as a sanction against that actor... (Continuing, multiplex interaction, of course, makes...vulnerability more likely)" (Singleton and Taylor, 1992:315).

If it can be assumed that the moral vulnerability of actors (a state and relationship not considered by Singleton and Taylor) is at least as important as their pragmatic vulnerability, these conceptual distinctions can be seen to bear a striking resemblance to traditional forms of First Nation kinship and social organization, variations of which may lie at the heart of some (current) First Nation latent organizational structures and processes. Here are societies and groups where interaction

is based on face-to-face, diffuse social relationships underpinned by a measure of shared cultural norms and values, and set within a community context of reciprocal constraints that foster mutual interdependence.

This report has suggested that variation and change in the form of latent structures and processes at the community level have important implications for the complementary development of manifest structures and processes of self-governing institutions. Singleton and Taylor's contribution to the theoretical discussion is to suggest that a decline in "community" (i.e.

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Some of these solutions may be immediately recognizable in the Canadian context in terms of the range of existing or theoretical models of Indian governance and administration. To take education as an example, a decentralized, endogenous solution would be achieved through an on-reserve separate school board or perhaps on the basis of tribal council education authorities or other forms of amalgamating Indian Band authorities. Organizational solutions of the middle range would include First Nation authorities linked with non-Aboriginal public education boards through such instruments as a service purchase agreement. Or, there could be other combinations of federal, provincial, municipal and Indian control and regulation. Finally, centralized solutions might range from an Indian education branch of a provincial Ministry of Education or a distinct Indian Ministry of Education to a national level First Nations education authority/board which parallels or is incorporated into a "First Nations Province" (see Courchene and Powell, 1992). In still other contexts, such as natural resource management, "hybrid solutions" may be reflected in the organizational arrangements found in land claims agreements and in some self-government agreements (Peters, 1989; Taylor and Paget, 1989).

Although it is beyond the scope of their research problem, Singleton and Taylor's community typology can be enhanced by considering other relevant variables that help shape a community's structures, relations and processes and that can affect organizational designs. The allusion here, of course, is to Gerber's (1979) classification of Indian reserves. Singleton and Taylor tested their typology against the case studies presented in Ostrom (1990). Although their data are incomplete and in some places very general and rather vague, and their conclusions tentative, even a cursory glance at the linkages between degree of "community" and organizational solutions in their classificatory scheme (Singleton and Taylor, 1992:320-322), invites comparison with all four types of reserve communities described by Gerber.

For example, a group with strong "community" closely resembles the category "pluralistic Band". It will be recalled that a "pluralistic" Band which has high institutional completeness and low personal resource development is among the most cohesive of Gerber's community types. Although Gerber did not collect or analyse data which reflects the "mutual vulnerability" of

pluralistic Band" members, the retention of Aboriginal languages, the pursuit of traditional subsistence and related activities and the general institutional development within these types of communities suggest, but are not conclusive of, high "mutual vulnerability" within the group[28]. One might reasonably expect that in reserve communities of this type, decentralized, self-governing institutions are a distinct possibility.

Conversely, a group with weak "community" recalls the characteristics of an "integrative Band": here, low institutional completeness combined with high personal resource development tends to produce a relatively mobile population with individualistic values (and associated particularistic social relationships), linguistic acculturation and extensive experience in mainstream Canadian society and economy. All of these factors suggest, but are not necessarily determinants of, low "mutual vulnerability" within the group. They also suggest that the development of fully self-governing organizations may constitute a particular challenge for this type of community and that more centralized organizational arrangements within a wider field of administrative jurisdictions might provide a more realistic and workable formula.

There is, however, an important difference between these two typologies. With the exception of Gerber's (1979:416) allusion to power differences - based on different systems of land tenure - between Prairie and other Canadian reserve communities[29], she does not, unlike Singleton and Taylor, focus on systems of stratification and class differences as a key factor in the development of her classifications. As Singleton and Taylor (1992:320-322) indicate, social, political and economic inequality[30] constitute a significant source of heterogeneity in interests, values, beliefs etc. among community members which is conducive to weak "community". Obviously, dimensions of Indian stratification and class differences would have to be taken into consideration in any future attempt to type Indian reserve communities and to design the corresponding organizational arrangements.

Conclusions

The examples provided by these new theoretical directions in the study of First Nation organizations and collective action problems are more illustrative of a theoretical approach than

they are testimony to definitive results. Indeed, the value of the present report lies partly in its appeal for new research directions that consider the status of "second and third level service" organizations for First Nations in a more comprehensive and systemic context. This involves consideration of a wide range of factors, forces and principles of organizational design, and their interrelations. Together, manifest and latent formations, environmental conditions and the field of policy issues give structural shape to an organization and serve to define its processes. In this context, the community typologies are intended to refine concepts of latent formations and highlight the importance of both macro (e.g. structural and cultural premises, norms, rules, values) and micro (e.g. interests, transactions, choice behaviour and related social patterns) perspectives for overall organizational design, including prospects for self-governing institutions among First Nation communities. Approaching the issues this way can be especially helpful in providing a baseline for a different set of questions about the development of First Nations organizations, and in stimulating new research interests, including hypothesis-generating research that can be very useful for the purposes of policy analysis and development. The report's other merit is to encourage a more rigorous treatment of the topic which has a tendency to lapse into ideological commitments to particular public service models (Peters, 1993:31) or myopic discourse on particular public service cultures.

5.0 A PROPOSED ANALYTIC FRAMEWORK FOR FUTURE CASE STUDIES

5.1 Introduction

What models of governance and administration for "second and third level services" work, or work best, for First Nations? This question is difficult to answer since there has been so little empirical research on First Nation organizations in Canada and the factors conducive to their success (cf. Cassidy, 1989:23-27; Cassidy and Bish, 1989:xxiii; Young and Smith, 1992).

In order to address this research gap, the present report has developed a strategy along several paths. It began at a descriptive level which provides information on the broader organizational environments of First Nation "second and third level service" institutions. Here, factors such as geographic location, demographic features, socio-economic characteristics, cultural and political traditions were woven together, providing a snap-shot of First Nation community distinctions and diversity. A brief assessment of current organizational arrangements for First Nations drew attention to a number of key themes that characterize some of the difficulties with conventional practices.

The report then moved on to a broader, theoretical level and developed a sense in which various organizational design configurations could conceivably produce institutions that work in different forms and under different policy environments and other conditions. Of particular interest in this discussion is the delineation of a number of general and specific institutional design elements, the effects of their interaction and, in particular, the implications of both First Nation community diversity and changing public policy issues for alternative organizational models and solutions. A comparison of conventional practice with the theoretical prerequisites of First Nation organizations raised the importance and necessity for further empirical research.

5.2 Purpose, Scope and Objectives

The type of research anticipated by the present report is intensive case studies of selected First Nation organizations that are concerned with the governance and administration of "second and

hird level services". The purpose of the analytic framework is not to provide a blueprint for particular case studies nor to concern itself with the specifics of research design. Rather, it suggests a way of conceptualizing the research issues and principles of investigation to which future case studies may adhere. In order to achieve this, the framework lays out the main themes and theoretical prerequisites discussed earlier in a way that resembles a checklist for case study research. The objective, therefore, is to focus future case studies on a common set of research problems which permits coordination and comparison of their results. In this way, it is hoped that case studies can provide a more comprehensive view of the status of First Nation organizations. By following a coordinated research strategy and plan, they may also provide more systematic empirical and theoretical feedback for an analytical appreciation of the issues.

5.3 Assumptions

Running through the present report is the assumption that First Nation organizations might work better and could be made more effective and efficient if they operated on the basis of more flexible principles and were more meaningfully defined in community terms. The latter consideration directs attention not only to the objective reality of latent structures of public organizations but also to the element of personal experience in the institution-building process.

Any organization or institution, regardless of its Aboriginal or non-Aboriginal origin, will appear imported to First Nation community members if it is not effectively harnessed to social processes and cultural meanings at the community level. Implicit in this assumption are Indian concepts of authority, legitimacy, accountability and general cultural relevance that provide structural and voluntary feedback to an institution at psychological and social levels. It is these processes, springing partly from historically and culturally unique ways of thinking, valuing, acting and organizing, and partly from the realities of new situations brought about by modernization and change, that provide the vehicles for First Nations to express themselves as "intentional communities"[31] and that serve to further define the context of First Nation institution-building.

The second main assumption concerns a definition of "organizational success". For Ostrom (1990), "success" is reflected in the ability of an institution to solve its own collective action

problems when centralized methods of decision-making, control and regulation fail to manage a public good that is bounded, discrete and local. A "failure to manage" here implies an inefficient and ineffective pattern of use of the public good such that it may, if a natural resource for example, be carelessly exploited or over-used, or, if an intangible item like information or advice, be poorly targeted and disseminated.

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5.4 A Checklist of Essential Components

The proposed analytic framework is presented in Table 1. The framework outlines a number of conceptual categories including latent formation, manifest formation, policy issues and environmental conditions that together with their interconnections suggest some useful analytic tools for examining and explaining the status of First Nation organizations.

The objective of the framework is to outline a generalizable model and guide for future research. This generalizability moves the research process towards a general theory of First Nations organizations that is applicable across a variety of organizations and settings. More importantly, when its conceptual categories are given specific empirical content, the model permits us to be more specific in explaining and predicting a variety of organizational outcomes, and comparing theoretical expectations with current practices.

The fundamental research requirement, therefore, is to provide valid and reliable data that define the values of the model's categories/variables. By proceeding this way, research should be in a better position to assess whether current practice confirms or disconfirms the outcomes predicted by context-specific applications of the general model. Given the analytical biases of the present report, these outcomes may be "positive" when current practice is consistent with theoretical expectations. Other outcomes may be "negative" when current practice fails to meet theoretical prerequisites for successful organizations. It is also quite possible that research and assessment of current structures, processes and practices of successful, fragile or failed organizations may disconfirm theoretical expectations and therefore, stimulate further theoretical rethinking of the issues.

Put more generally, what each case study should investigate is the internal arrangements among the various components or elements of each category and the nature of the linkages between the conceptual categories as summarized in Table 1 in order to determine the extent to which their (empirical) values are internally consistent, complementary and mutually reinforcing in empirical settings. In other words, the research objective is to determine the ways in which these values fit with one another to produce successful organizations or what combination of values are characteristic of fragile or failed organizations. Therefore, future research would need to

investigate and measure such issues as the adequacy of organizational structure and process, their cultural appropriateness, the logic of an organization's strategic direction , the status of its outputs, etc.

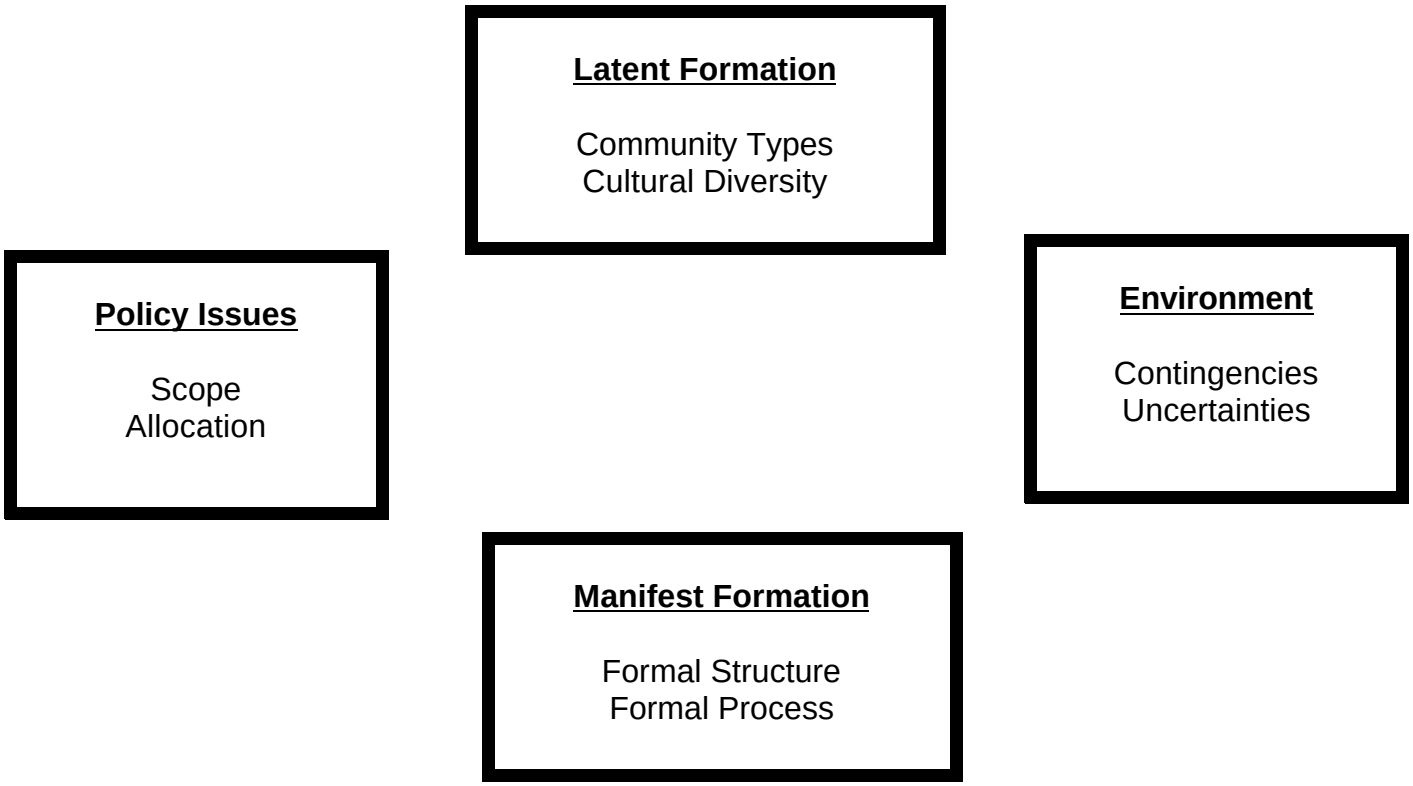

Table 1: A Model of First Nations Organizations

The argument developed in the previous section of the present report suggests that certain internal arrangements of, and external linkages between, the categories prescribe certain organizational configurations and certain fits between these configurations and their settings that are more effective or more conducive to organizational success than where internal arrangements are poorly articulated and there is little or no corresponding fit between the organization and its setting. Some of these arrangements, linkages and fits may be reflected in hypotheses and predictions similar to those found in Ostrom (1990) and Singleton and Taylor (1992). Others will likely stem from this report's preliminary analysis of the composition and interconnections between manifest structure and process, latent structure and process, public policy issues and environmental conditions, or from hypotheses unique to future case studies.

The testing of both the frequency and effectiveness of these arrangements and fits can empirically disentangle the descriptive and prescriptive aspects of the framework. For example, research findings that indicate theoretically predicted fits are indeed more effective and successful than "misfits" but are not empirically more frequent, suggest either a lack of vision, knowledge or rationality on the part of organizational designers, or a lack of (communicating) options and choices for First Nations to develop their institutions in ways that are more appropriate and "fitting".

Questions of appropriate organizational arrangements, fits and "misfits", are really questions about the degree of coalescence and the level of consistency between the structural, functional, and processual attributes of organizations, broadly defined public interests (including policy issues) and the wider environment. The analytic framework describes, in general terms, the categories, elements and linkages that are fundamental to this conceptualization.

At this stage, it may prove useful to spell out in somewhat greater detail what to look for when addressing these issues. This can be facilitated by further clarifying the categories, elements and linkages in Table 1.

1) Latent Formations

The discussion presented in this report has summarized certain types of Indian reserve communities on the basis of concepts of development, modernization and change, Indian history, culture and social organization. These concepts assist in characterizing the latent structures and processes of First Nation organizations and the environmental conditions which help shape them. Future typing of Indian reserve (or Crown land) communities will need to update and systematically cross-reference data on "institutional completeness" and "personal resource development" (Gerber, 1979), the notion of a "community of mutually vulnerable actors" (Singleton and Taylor, 1992), and other cultural and processual distinctions (e.g. Cornell and Kalt, 1990, 1993) in order to provide a more complete, comprehensive and accurate depiction of latent structures and processes in selected First Nation communities.

This exercise can facilitate future research by clarifying concepts of contemporary Indian communities and their relationship to (manifest) organizational structures and processes. Of particular interest is the question of how Indian political cultures, including aspects of leadership, authority, legitimacy and accountability influence organizational structure and process. Similarly, the patterns of existing power relations at the community or regional level should be investigated in order to assess their possible role in the structuring and maintenance of existing organizations. With regard to process, future research should examine how, if at all, community diversity and cultural variability affect styles of organizational coordination, communication, control and conflict resolution. More generally, future research should investigate the nature and implications of the linkages between cultural values, norms, beliefs, etc., and alternative design configurations.

2) Manifest Formations

Manifest structures of public service organizations can be described with reference to classical, participatory, market, contingent and private models/principles of organization. One of the major tasks of future research is to describe the principles, factors and forces that determine existing arrangements for First Nations. Do these organizational arrangements coincide with or diverge

from theoretical expectations, and why? If the latter case holds, what undiscovered determinants are at play in generating and sustaining the resulting structures and processes?

One of the key questions to investigate is how the size of First Nation organizations influences their complexity and the types of processes instituted. For example, do small organizations assume classical or non-classical organizational forms ? And what forms do they assume as they increase in size? It will be important to document the development of organizations over time to determine if there are common "growth" patterns and structural forms, and to assess whether cultural and community distinctions limit, constrain or facilitate variability in growth patterns.

Technological issues raise questions concerning the level of formalization in First Nation organizations and how this can affect their structure. Do more routine activities and tasks require a more classical model of bureaucratic structure with relatively high degrees of structural differentiation (complexity), formalization and centralized decision-making? On the other hand, do non-routine functions imply a different structure with lower degrees of complexity and formalization, and decentralized decision-making? Technological issues will also entail process considerations. For example, where there are non-routine, flexible tasks, is there a corresponding form of communication that is relatively horizontal ? Similarly, what forms do coordinating functions assume and how well do they work when tasks are routine or non-routine?

Another line of questions should focus on the strategic directions or choices that are made by an organization in relation to a particular policy issue, organizational objective, activity, etc. This should involve documentation of the organization's "rule set" (Ostrom, 1990; see also "Policy Issues", below) and the nature of the structures in which they are embedded. For example, do different strategic directions entail different structures and models? What are the consequences of congruence or incongruence between strategies and structures? To what extent do community and cultural diversity influence strategy and how is it related to organizational structures and processes? How does an organization's "rule set" interface with these issues? In this context, there should be a special focus on the relationship between policy and managerial roles and functions within the organization.

Attention to these matters provides a means of evaluating the status of organizational structures and processes, including their degree of flexibility and "institutional standing" in the community. An especially important area of investigation in this context will be the extent to which organizational and service values and norms are shared between the organization and the community it serves. This investigation should be conducted to reflect different perspectives, including those from the top looking down (management), from the inside looking around (personnel or staff) and from the outside looking in (the public or community members). It will be especially important to further distinguish the range and extent of public interests (e.g. those of various interest groups) and how each of these are reflected, if at all, in organizational goals, objectives and strategies.

3) **Policy Issues**

As indicated in section 4 of the present report, the scope of policy issues can vary from local to more regional, provincial or national concerns; they may be allocated across discrete or more diffuse policy spaces; and, they may exist in relatively static or dynamic states. Latent structures (i.e. community diversity) may directly (and environmental conditions may indirectly) differentially emphasize the values of these policy dimensions. There are two major and interrelated research issues that require attention in this context. First, it will be important to gauge the extent to which the nature of public policy issues (as well as environmental conditions) influence design configurations. For example, what types or models of organization are given responsibility to resolve dynamic or diffuse policy issues, and are they effective? Why, or why not? Second, it will be crucial to describe how policy and related operational issues are articulated by the organization's "rule set".

This matter raises two other interrelated research questions. The first asks the extent to which "constitutional-choice rules", "collective-choice rules" and "operational rules" covary together as an internally consistent set as opposed to being differentially emphasized by an organization. The second focuses on the implications of structural variation in "rule sets" for the organization of policy and management roles and responsibilities. Answers to these questions should be linked to the evaluation of organizational outputs and, in particular,to a consideration of whether better

decisions and better service flow from one structural variant as opposed to another, and under what broader environmental conditions these outputs are possible.

4) **Environmental Conditions**

Tribal councils and similar First Nation organizations tend to be quite vulnerable to fluctuations and rapid changes in environmental conditions, especially those that can affect an organization's performance but over which it has little, if any, control. This may be seen in certain environmental contingencies and uncertainties of an absolute nature, such as abrupt fluctuations in the supply of financial and human resources that can seriously undermine otherwise sound management of the organization's budget or dilute staffing opportunities. Obviously, factors of this nature can negatively affect the development and sustainability of an organization's manifest structure, regardless of the form it may assume.

The pressures of fiscal restraint, modernization and globalization can also affect the latent structures and processes of First Nation organizations as reflected, for example, in the developmental trends that have contributed to the range of First Nation community diversity. This, of course, can influence the strategic direction chosen by an organization and raises the question of whether differences in developmental trends are accompanied by distinct organizational strategies, other structures and processes. There is also a sense in which the constraints flowing from environmental uncertainties, instability and change are more relative than absolute in nature and may, therefore, constitute a test of organizational responsiveness, flexibility and adaptability. Do these environmental demands entail corresponding changes in organizational forms? Or, how do First Nation organizations respond to these environmental pressures? The fact that many First Nation tribal councils and other communities experience difficulties organizing around existing resources draws attention to possible test cases in this context.

Indeed, there is a need to assess how First Nation organizations can have relationships with and respond to the environment in order to satisfy practical constraints, other realities and interdependencies, and at the same time protect and maintain economic, social and cultural aspirations (Anne-Marie Robinson, personal communication). What is of special research interest

here is how certain environmental factors, especially intergovernmental relationships, might limit or preclude a wider range of opportunities, options or choices for First Nations to design and implement organizational arrangements that may be more responsive and adaptive to other environmental fluctuations and changes. This raises such questions as how intergovernmental relationships, including formal agreements, might structure First Nation organizations and predetermine their processes. It also raises the question of how intended or unintended consequences of intergovernmental relationships relate to First Nations' organizational needs, requirements and aspirations, and whether the values and terms of reference that underlay institution-building are appropriate and promote staff and wider community commitment to it.

Therefore, it will be important for future research to identify, distinguish and isolate these relative environmental constraints from more absolute ones in order to assess the relative flexibility and adaptability of existing First Nation organizations, and to compare them with the theoretical expectations of alternative design configurations. By proceeding in this manner, concepts of organizational flexibility, responsiveness and adaptability can be given more precise, context-specific definitions. More importantly, they can contribute to the design of more effective organizational structures and processes for First Nations.

6.0 CONCLUDING REMARKS

This report represents the first phase of a research initiative that is intended to lead to case study investigation of selected First Nation organizations and related systems of governance and
administration for "second and third level services". The report as a whole provides a rationale for pursuing such case studies and attempts to summarize the argument in the form of an analytic framework.

Indian dissatisfaction with many aspects of current organizational arrangements in a variety of subject areas, together with federal policy objectives to decentralize certain authorities to First Nation communities, underscores the necessity and perhaps urgency to examine models and principles of governance and administration. While the report has attempted to advance theoretical thinking on these matters, there is inadequate information to fully determine the empirical validity of these theoretical explorations or to confidently advise First Nations on alternative organizational designs and development. Indeed, it is difficult to conclude on the basis of existing information whether or not it is appropriate, practical or feasible for some First Nations to move in one alternative direction rather than another, or what models or principles of public organizations might best serve the governing and administrative needs of specific First Nation communities.

These concerns direct attention to both expanding concepts of governance and administration to include a much broader definition and range of options and choices, and designing and implementing Indian institutions in ways that can benefit both First Nations and non-Aboriginal governments. Sorting out these issues is perhaps the major challenge facing future research and policy development.

The federal government has demonstrated vision and initiative by developing organizational arrangements in concert with some First Nations that are, to some extent, consistent with recent theoretical discussion of successful organizations. Relevant examples include monitoring instruments and dispute resolution mechanisms in a number of agreements with First Nations. Despite these important steps in the development of joint arrangements, federal and provincial

governments have shown insufficient flexibility to encourage and support the development of greater institutional diversity and choice for First Nations.

Indeed, there is a significant gap between the rhetoric of self-organizing or self-governing First Nation institutions that often characterizes the devolution process, self-government negotiations or land claims settlements, and the reality of First Nations' organizational constraints and needs. The tendency has been for First Nations to adopt more conventional, non-Aboriginal concepts, models and structures of organizational design - usually bureaucracies - without careful identification of their governance and administrative needs, including cultural, community and other organizational prerequisites. This has impeded the development of more suitable alternatives that might better meet the needs and aspirations of diverse First Nation communities.

There is also a tendency on the part of non-Aboriginal governments to allocate resources to First Nation organizations without clearly targeting the governing and administrative needs and requirements of First Nation communities, tribal councils or other coalitions, and without regard to the structures and processes intended and required to meet these needs. At the same time, many First Nations have failed to clearly articulate their organizational objectives and goals or to carefully and systematically identify and match structures and processes of governance and administration, or to assess the organizational implications of variable and changing environmental pressures and other conditions. This appears to have had an inhibiting effect on the ability of some First Nation organizations to adapt to community and wider environmental variation and change.

Finally, insufficient attention has been devoted to the question of what types of organizational design configurations and other arrangements, including intergovernmental and related interorganizational arrangements, fit best with what types of First Nation communities. Despite the rhetoric of self-determination, self-organization and autonomy, it cannot be assumed in advance of much closer scrutiny of the complex organizational issues discussed in this report that First Nations are equally well situated and prepared to operate certain types of organizations, including decentralized, self-governing options.

What Government Should Do

Perhaps the most important conclusion to be drawn by this report is that government should find ways of expanding the possibilities for First Nations to exercise greater institutional choice over the design of "second and third level service" organizations. As Stenning (1992) has argued, at the very minimum this requires a re-evaluation of the ideas and preconceptions that seem to pervade the topic, and some serious rethinking of the place of possible alternative institutions in a First Nations setting. The analytic framework of the present report may contribute to rethinking the ways in which government approaches First Nations governance and administration. Thus, government should encourage and support innovation, experimentation and reform, where appropriate, with the aid of research and consultations with

ENDNOTES

1. "Second and third level services" have been provided to Indian Bands by Indian and Northern Affairs Canada in terms of overhead functions, advisory services and technical services. According to the Department's Devolution Task Force Profiles (DIAND, n.d.), overhead functions are distributed among a number of departmental divisions including Executive Services, Legal Services and Litigation Support, Human Resources, Communications, Program Management, Policy and Consultation, Finance, Administrative Services, Corporate Information Management and Informatics, and Audit. Traditionally, advisory services have been provided in five general areas including Band Government, Community Planning, Financial Management, Economic Development and Technical Services (for details, see DIAND, 1991, 1993a).

2. Historically, the Department has attempted to "decentralize" its authority and control to regional offices across the country, thereby providing a semblance of an intermediate organization or layer of government between First Nations and Ottawa. While anecdotal evidence indicates positive relationships between regional offices and certain First Nation reserve communities, it is clear that key policy decisions have remained in Ottawa. More importantly, the future role of regional offices in terms of the provision of "second and third level services" has been pre-empted by a number of developments and events including the more general evolution of DIAND from a service provider to a funding agency (DIAND, 1993b), the closing of regional (and district) offices as the process of devolution and down-sizing proceeds, and the drive of First Nations towards self-government.

3. In a sense, devolution stretches back to 1956 when the Department provided Indian Bands with funds to support local education committees (DIAND, 1991a:7). Pursuant to the Department's 1984 Tribal Councils Policy (D-2), tribal councils have been the main and, from the Department's point of view, preferred organizational unit to assume responsibilities for "second and third level services" emanating from the Department. (See Cassidy and Bish, 1989:89-90, for a discussion of the multiple origins of tribal councils. It should also be pointed out here that there are a number of other boards, commissions etc. of local, regional or provincial scale, formed by Indian people for the purposes of governance and administration of "second and third level services". See, for example, Cassidy and Bish, 1989; DIAND, 1993a; and section 3.2 of the present report.) In 1992, 76 tribal councils provided 498 Bands (83%) with various "second and third level services". Of the 17% of Bands unaffiliated with tribal councils, most tend to rely directly on the Department for these services while a few receive funding in lieu of such direct service provision (DIAND, 1991a:14; 1993a:20).

4. Historically, Indian Bands have evolved from a variety of traditional forms of kinship and community organization, including tribal and clan-based societies, into political and administrative units under the Indian Act which often bear little resemblance to traditional organizational forms (but see Woodward, 1989:152). Today, Indian Bands recognized under the Indian Act and its regulations generally prefer to be recognized or called 'First Nations', a designation that more accurately reflects the historical,

cultural and political integrity of Indian groups. In this report, the terms "Band" and "First Nation" are used interchangeably, except where consistency is required with existing legislative vocabulary, including the Indian Act, and the vocabulary of, say, land claim agreements, such as the James Bay and Northern Quebec Agreement (1973) or the Nunavut Settlement Area Agreement (1993).

5. In this context, "groups" include Indian Bands that remain undifferentiated or that have subdivided for administrative or political purposes (Darrell Buffalo, personal communication).

6. Other types of community-level associations may be considerably larger or reflect amalgamations of a different nature. For example, the Nishnawbi-Aski Nation represents 46 Bands in northern Ontario for a variety of purposes, including participation in the Ontario First Nations Policing Agreement (Stenning, 1992:73). Elsewhere, tribal councils, usually based on the membership of Bands, have been replaced or displaced by more traditional forms of organization, such as the Office of the Hereditary Chiefs of the Gitksan and Wet'suwet'en People of northern British Columbia which unites traditional kinship-based 'Houses' into a more inclusive association. Reorganization of this nature, however, may also entail political tensions between groups over the legitimacy of representation or between those individuals and groups with vested interests in the direction of the political evolution of their communities (see, for example, Nahanee, 1993:374; Stenning, 1992:7). In addition to these types of associations, Indian Bands may be grouped together in systems of regional government under land claims agreements and related legislation, such as the 9 Cree Bands of east James Bay, Quebec (Peters, 1989).

7. A notable exception are the Cree communities of east James Bay, Quebec, whose incomes, which are relatively higher than comparable non-Aboriginal incomes, are guaranteed pursuant to their land claim agreement (Brodeur, 1991:55; Peters, 1989). However, unemployment in the sense of being without work or lacking the skills to fill the few jobs that are available in the area is a problem among these Cree communities (see LaPrairie, 1991:11-14, for details). With regard to the situation of Indian women, Gerber (1990:78) adds, "While female incomes are lower than those for males, native females are actually better off than males relative to their Canadian counterparts. One suspects that various social and welfare benefits account for this relatively even income dispersion".

8. As conventionally understood, these language families include Algonquin, Iroquois, Sioux, Athabascan, Kootenay, Salish, Wakashan, Tsimshian, Haida, Tlingit and Inuktituk. However, recent debate in historical linguistics suggests that the classification of North American Aboriginal language families is far from settled (Lewin, 1990).

9. The term 'band' here is used in the sense of an anthropological distinction and does not refer to an administrative unit or "Band" under the terms of the Indian Act.

10. Gerber's original purpose in constructing the typology was to demonstrate variation in reserve community development and adaptation to mainstream Canadian society or the "modern world" and, therefore, to dislodge previous assumptions of reserve

homogeneity. However, other, more recent research has shown that the typology is quite flexible and can be applied to a wider range of public service issues, including the need to develop alternative response options to variable organizational problems (e.g. LaPrairie, 1988). This is an important point to emphasize. Although Gerber's analysis is based on 1969 data, the typology continues to have general validity for the classification of contemporary Indian reserve communities, as well as for the development of hypotheses concerned with related issues such as migration (e.g. LaPrairie, 1994:13-14; Stenning, 1992:1-7). It may reasonably be assumed that social and demographic changes, as well as processes of modernization have significantly altered at least some of the values of Gerber's variables in some situations, thereby transforming the classification of some reserve communities from one type into another. LaPrairie's (1988:383) classification of 25 Indian reserves in Quebec validates this assumption without, however, altering the relevance and appropriateness of Gerber's classificatory scheme.

11. Historically, the Indian Act and related government policy have played a significant role in the fragmentation and decentralization of Indian groups to the level of separate Band councils. However, a number of factors, either alone or in certain combinations, may influence the formal reamalgamation of Indian Bands into tribal councils or other organizations. These factors may include historical ties within specific culture areas (e.g. Nishga of British Columbia, Micmac of Nova Scotia). In other cases, culturally distinct Bands may be drawn together on the basis of common affiliation with treaties or a common political commitment to the preservation and advancement of treaty rights (e.g. Meadow Lake Tribal Council, Saskatchewan).

12. It may reasonably be argued that an implicit, if not explicitly promoted, provincial model is that of institutional assimilation of First Nations, or at least provincial "socialization" and institutional assimilation of First Nation citizens, particularly those citizens who are a minority population in urban areas and who receive little First Nation institutional support (see LaPrairie, 1994; Reeves and Frideres, 1981). This is a concern among many First Nations especially in the area of education (Charters-Voght, 1993; Hollander, 1992) but also in the areas of health (Young and Smith, 1992:43-47), child and family services (LaPrairie, 1994; Taylor-Henley and Hudson, 1992) and justice (Hamilton and Sinclair, 1991).

13. The Royal Commission on Aboriginal Peoples has recently identified the relevance of the urban context for its research plan.

14. It also overlooks the fact that with the onset of the information revolution, "economies of scale" becomes a less relevant concept for organizational design. Indeed, this is one key reason why larger organizations are either fragmenting or no longer being formed (Anne-Marie Robinson, personal communication).

15. This pattern generally describes the history of interaction between Bands and federal and provincial governments under the constraints, structures and processes associated with the Indian Act.

16. A "survey" of officials of various Canadian municipalities also suggests that "...land claims have taken so much time and effort from Aboriginal leaders that they have spent too little time planning for the future and have become reactionary" (Federation of Canadian Municipalities, 1993:33). While there are certainly at least some exceptions to this pattern (e.g. Clark and Cove, 1985), the effect of First Nation political agendas on "second and third level service" organizations may be more pervasive than some of the literature indicates (see DIAND, 1991:27).

17. Some of the institutional features described here are also reflected, at least in part, in various federally-inspired bilateral and tripartite commissions which have been established to manage and facilitate the resolution of general or specific concerns (e.g. the Indian Commission of Ontario), special educational issues or specific treaty claims (e.g. the Saskatchewan Treaty Commission) and broader treaty matters (e.g. the British Columbia Treaty Commission).

18. This assumption set recalls Rostaing's (1984:28) musing on the dilemmas inherent to the selection of policy options for the further development of Inuit boards and committees in northern Quebec (see also the parallel situation among the Cree of east James Bay, as described by McDonnell, 1993), as well as the "self-deception" or ideological position of the DOTC Police Chief as described on pp.25-26 of the present report.

19. In this work, the authors are more concerned with issues of financing. In this context, the proposed FNP would be constructed in terms of the formula financing agreement for the Yukon Territorial Government. It also emphasizes the assumption that Indians living on-reserve would pay taxes. This assumption, as Pitsula (1993:151-152) notes, is inconsistent with section 87 of the Indian Act as well as the political position of many status Indians regarding taxation. These factors suggest that one of the fiscal building blocks of an FNP is problematic - although perhaps not completely unrealistic - from the start.

20. Changing notions of private property and ownership, for example, put strains on traditional concepts and practices of owning and sharing property. These and other changes tend to nurture the growing role of socio-economic class in some First Nation communities which have become increasingly stratified in terms of poverty, and economic and political power (e.g. Franks, 1987:98). Ruling elites, therefore, come to reflect particular and not necessarily universal interests or ideologies. Among the Cree of east James Bay, for example, community members tend to perceive village government in terms of alternations between powerful families (LaPrairie, 1991). More generally, this pattern has been augmented by the development of Indian reserves as part of a government-imposed system that brings Indian people together in terms of foreign and paternalistic political, economic and administrative relationships. (It should be noted, however, that the reserve system has not always effectively suppressed all aspects of traditional Indian political organization. Many Indian reserve communities maintain certain customs, such as leadership selection, under the terms of the Indian Act or practice other customs in spite of it.) Under these circumstances, community structures and systems of resource distribution may have almost completely external

frames of reference. Thus interest groups and conflicts between families and clans may become articulated in ways different from historical tradition with new structures, such as chiefs and Band councils emerging in response to changed circumstances that are economic, political and legal in nature (Clairmont, 1992a:97; Lithman, 1984). These circumstances point to the concentration of political and economic power at the levels of chief, Band councils or other Indian organizations whose legitimacy in either band-associated traditions or tribal-type societies is not necessarily based on overarching Indian cultural values and norms but, ironically, may be tied to particularistic kinship criteria.

21. Other theorists such as Mintzberg (1991) and Robbins (1991) have classified public and private organizations in terms of a continuum of types, based on oppositions similar to those described above, that captures the polar extremes of bureaucratic ("mechanistic") and non-bureaucratic ("organic") organizations. They argue that most non-Aboriginal organizations approximate, but never quite duplicate, these analytic types (Anne-Marie Robinson, personal communication).

22. "Output control" refers to strict definitions of organization output rather than strict prescriptions of process for achieving it, as in bureaucratic forms of control. In this way, process is flexible provided output is delivered (Anne-Marie Robinson, personal communication).

23. This example was suggested to me by Anne-Marie Robinson (personal communication).

24. Ostrom (1990:27) herself argues,

> "Given the similarity between many CPR (common pool resource) problems and the problems of providing small-scale collective goods, the findings from this volume should contribute to an understanding of the factors that can enhance or detract from the capabilities of individuals to organize collective action related to providing local public goods".

The fact that information, advice etc. provided by second and third level service organizations may also be conceptualized as public goods, helps to further put Ostrom's comments into a broader theoretical perspective.

25. In more general terms, Ostrom's 'design principle' refers to an essential element or condition that helps to account for the success of an institution or organization in providing and sustaining its services, and in securing long-term compliance with and commitment to its rules, regulations, operations, etc. Specifically, the design principles include: (1) demarcation of clearly defined boundaries to identify resources and resource users; (2) locally appropriate resource use rules; (3) resource user participation in rule modification; (4) monitoring mechanisms run by resource users or by officials accountable to them; (5) systems of graduated sanctions applied by resource users or by officials accountable to them; (6) low-cost and accessible conflict resolution mechanisms; (7) wider recognition of the rights of resource users to organize institutions; and (8) "nested enterprises" or sets of rules established

within a hierarchy of appropriator institutions where jurisdictions overlap.

26. By the term "rule", Ostrom (1990:139) means a prescriptive statement that forbids, requires or permits some action or outcome.

27. Ostrom (1990:51) defines "institutions" as,

> "...the sets of working rules that are used to determine who is eligible to make decisions in some arena, what actions are allowed or constrained, what aggregation rules will be used, what procedures must be followed, what information must or must not be provided, and what payoffs will be assigned to individuals dependant on their actions".

28. One might also reasonably argue that "inert Bands" can be expected to score high on "community" and high on "mutual vulnerability" (see Gerber, 1979:411, footnote #11). But their low level of institutional completeness and low level of personal resource development may be inconsistent with the range of supports required for viable operation of a modern (not necessarily non-Aboriginal) decentralized system of governance and administration. The Gull Bay Band's status in relation to health care is, perhaps, a fitting example of the problem (Gregory et al, 1992).

29. Significantly, in her study of Indians in Canadian cities, LaPrairie (1994:14) argues that differences in migration patterns between western and eastern reserve residents may be related to differences in power structures on western and eastern reserves.

30. One may reasonably add to this list gender and age differences which in some reserve communities are associated with profound differences in values, interests and beliefs (e.g. Harding, 1991; LaPrairie, 1991; McDonnell, 1992a, 1993).

31. I owe this particular term and insight to conversations with Dr. Roger McDonnell.

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