

Gendered Environmental Assessments in the Canadian North: Marginalization of Indigenous Women and Traditional Economies

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Abstract: This article compares three environmental assessment (EA) cases in Nunatsiavut (Labrador), Nunavut, and the Northwest Territories to better understand how resource decision-making processes in northern Indigenous mixed economies are gendered. Advances in Indigenous jurisprudence and Indigenous peoples' assertions of their rights to lands and territories have influenced new cooperative resource management institutions and associated environmental assessment frameworks. Though previous research has pointed to the systemic ways in which EAs undermine self-determination, there has been little attention to how gender influences EA processes and outcomes. This article contributes to emerging scholarship on gender and EAs through a thematic analysis of the environmental assessments for the Voisey's Bay Mine and Mill in Nunatsiavut (1997); the Meadowbank Mine in Nunavut (2004–2006); and the Mackenzie Gas Project (2003–2009). The cases examined reflect a spectrum in the extent to which gender is accounted for and attended to in EA processes. Indigenous women's interventions in each case challenged the narrowly scoped treatment of gender in EA processes by describing their broad concerns with development. In each case, EA processes emphasized participation in employment rather than community well-being, and inadequately addressed women's traditional harvesting activities. We argue that in failing to account for the totality of northern livelihoods, the EA process privileges resource extraction, re-inscribes gender hierarchies, and undermines Indigenous mixed economies.

The Canadian North is a space where industrial expansion meets Indigenous peoples who have increasingly been asserting their roles in decision-making. In so doing, they face the predicament of maintaining complex livelihoods that include both wage labour and activities that are often identified as “traditional.” These ways of life have been characterized as mixed economies combining money and subsistence or social economies, requiring the support of innovative policy frameworks (Usher 1992; Elias 1995; RCAP 1996; Abele 2009; Simmons et al. 2015).¹ Indeed, new cooperative resource management institutions and associated environmental assessment frameworks have been forged as a result of legislation recognizing the federal government’s fiduciary duty to consult and accommodate Indigenous inputs into development proposals, and as outgrowths of contemporary comprehensive land claims agreements (Armitage et al. 2010). However, a growing body of Indigenous scholarship is now problematizing such environmental decision-making frameworks as effectively undermining self-determination (Kuokkanen 2011a; Coulthard 2014). Indigenous feminist scholars have been pointing out the fatal flaw in governance frameworks that fail to account for critical gender issues as conditions for healthy Indigenous communities and nations (Green 1993; Barker 2006; Denetdale 2006; Ramirez 2007; Deer 2009; Kuokkanen 2012).

This article explores three environmental assessment (EA) cases in Labrador, Nunavut, and the Northwest Territories (NWT) to better understand the gendered structures of contemporary development decision-making in northern Indigenous mixed economies. These three cases reflect a spectrum in the extent to which gender is accounted for and attended to in environmental assessment processes, and help us to understand how environmental decision-making processes are gendered. This is important because these processes influence how development proceeds, how benefits are distributed within and among communities, and how negative effects are mitigated. A relatively large body of work has suggested that Indigenous women and children are less likely than men to benefit from large-scale resource development, and are, in turn, more likely to bear the social costs (Green and Voyageur 1999; Noronha and Nairy 2005; Campbell 2007; National Aboriginal Health Organization 2008; Gibson 2008; Amnesty International 2016; Gibson et al. 2017). Fewer studies, however, have examined how environmental decision-making institutions and processes are gendered or how women have

sought to alter development trajectories (Archibald and Crynkovich 1999; O’Faircheallaigh 2011; Cox and Mills 2015).

In this article we chart findings from a gendered analysis of three EAs located in different jurisdictions of Indigenous governance: Voisey’s Bay Mine and Mill project in Nunatsiavut, the Meadowbank Gold Project in Nunavut, and the Mackenzie Valley Gas Project in the Northwest Territories. Each region encompasses comprehensive land claims settlement areas with cooperative management regimes. Each region is also facing significant resource development pressure, and each has identified gender as a poorly understood and poorly addressed dimension of resource governance (Pauktuutit et al. 2015). Notwithstanding these commonalities, each region has a distinct history of colonial intervention, resource development, and interface with provincial, territorial, and federal institutions. These histories, and/or the specific historical context in which each of the EAs took place, may help to explain differences in the way gender issues are treated in each case. However, it is not within the scope of this article to systematically analyze causes of difference; rather, we seek to draw on the different experiences in order to point to lessons learned and to a path forward for appropriately including gender in EA processes.

Gender is a complex concept frequently conflated with the category of women. In feminist theory gender is no longer considered a discrete variable, but instead a central category of analysis and frame of reference. Gender is not what people have but what they do (West and Zimmerman 1987). Besides “a basic constitutive element in family and kinship,” gender frames in part “the underlying relations of other structures,” such as organizations, institutions, and their operational logic and fundamental assumptions and practices (Acker 1990, 146).

Mainstream Western conceptions of gender have been challenged by Indigenous people. A central tool of colonization and dispossession was the institution of a rigid, hierarchical, and heteropatriarchal gender binary through the church and residential school system. Prior to the imposition of the gender binary, multiplicity and fluidity of genders and gender roles were common among many Indigenous peoples (see, e.g., Roscoe 1987, 1988; Jacobs et al. 1997; Williams 1986; d’Anglure 2006).

While existing studies attend to the underrepresentation of Indigenous women in resource decision-making and governance processes, they pay less attention to the gendered nature of these processes. In this article, we build on a small emerging literature that explores how resource development alters the interface between traditional and

capitalist economic activity and its gendered implications in Indigenous communities (Kuokkanen 2011a, 2011b; Nahanni 1992). A gender analysis involves a deeper examination of how resource institutions adopt certain frames and exclude others. As Lois Little pointed out at the Joint Review Panel (JRP) hearings in Yellowknife, “simply disaggregating statistics by gender and adding the phrase, ‘including women,’ is not a gender-based analysis” (Mackenzie Gas Project Joint Review Panel 2006, 7009).

In our view, gender-based analysis involves an examination of the ways in which decision-making and governance processes are gendered. Gendering refers to interacting processes shaped by the distinctions between men and women, masculine and feminine, which shape social structures, privilege certain groups, and exclude others. Gendering occurs, for example, through the construction of various divisions along gender lines (of labour, identity, approved behaviour, power, and so on), and through interpersonal interactions that enact gendered hierarchies (Acker 1990).

We follow a brief literature review with an exploration of the scope of Indigenous women’s interventions in EA processes, noting variation in specific regional contexts. This serves as a basis for critical examination of EA processes through a gendered lens. Based on our analysis, we argue that in failing to account for the totality of northern livelihoods, the EA process privileges resource extraction, re-inscribes gender hierarchies, and undermines Indigenous mixed economies. We argue that the sentiment of exclusion articulated by northern women reflects the underlying gendered structure of EAs. Our analysis revealed that the submissions of women’s groups and the responses by the proponents in each region called attention to how EAs are embedded in a culture that promotes industrial resource development. Throughout the EA documents, women were typically positioned as variables of analysis and as victims of resource development rather than as full, active community members and knowledge holders.

The EAs we studied suggest that women and traditional economies are positioned as obstacles to be dealt with rather than as beings and ways of life that are central to the functioning of future socio-cultural economies. Moreover, we found that consideration of traditional economies in the EA process privileges men’s activities and undervalues the full richness of mixed economies. Finally, we conclude by offering several criteria for the successful inclusion of gender issues in the scope of EAs, and reflecting briefly on new developments in the legislative framework for EAs and Indigenous governance initiatives that may support inclusion of gender issues in the scope of EAs.

Literature Review

As mentioned, there is a large body of research examining the impacts of resource development on Indigenous women, as well as the underrepresentation of women within resource industries. This research has suggested that Indigenous women are disproportionately affected by negative social impacts of development on family and community, and that they are less likely to harness employment benefits because most highly-paid jobs in natural resource sectors are typed as masculine (Mills 2011; Reed 2000; Rude 2004; NAHO 2008). There is comparatively less literature examining how gender is considered in environmental decision-making processes. Studies that do consider gender and environmental decision-making have tended to focus on the participation of women rather than on how institutions consider the gendered aspects of resource development (Staples and Natcher 2015a, 2015b). Since decision-making processes are a key space in which the costs and benefits from resource development are negotiated, examining the gendered nature of these processes is critical.

Masculinity pervades all facets of large-scale resource development in northern Canada. Extractive industries, symbolically construed as acts of masculine domination over a feminized nature, have been strongly associated with what can be termed frontier masculinities (Dorow 2015; Kikkert and Lackenbauer 2017). The masculine culture of these industries has meant that almost all spaces associated with resource extraction, such as workplaces, boardrooms, or community meetings, are antagonistic to the participation of women (Davidson and Black 2001). Significantly, this exclusion has contributed to gendered socio-economic impacts. Several studies have shown that women are less likely to be employed in resource work than men, and that when they are, they often face discrimination and harassment (Lahiri-Dutt 2012; Rude 2004; Gibson and Klinck 2005; Gibson 2008). The institutionalization of masculinity in resource industries is also apparent in spaces beyond the workplace, including the imagery used by global mining companies, gendered family and community expectations for youth, and gender imbalances in the population and the dominance of masculine culture in communities heavily influenced by resource extraction (Tallichet 2000).

Studies documenting the gendered socio-cultural impacts of development have shown how participation in large resource development projects often increases the prevalence of alcohol consumption and gambling, gendered and family violence, incidences of child neglect, and gendered income inequality (Weitzner 2006; Gibson 2008). Though this type of research tends to depict Indigenous women as victims, and

contributes to a colonial narrative that positions Western women as the model of emancipated and educated womanhood (Parpart 1993), it can also be used by communities to advocate for change. For example, several Indigenous women's groups have drawn on research about gendered impacts of resource development in efforts to oppose development or seek mitigation in environmental assessments (Brockman and Arguen 1995; Brubacher and Associates 2002; Archibald and Crynkovich 1999; Czyzewski et al. 2014).

The exclusion that women experience in resource industries also extends into the realm of resource governance. Research suggests that women are underrepresented in all aspects and at all stages of resource governance, from pre-project decision-making to implementation and monitoring. Several authors have documented the underrepresentation of Indigenous women in particular, in formal institutions governing the regulation of natural resources (Natcher 2013; Archibald and Crynkovich 1999). Natcher (2013) found that women only represented 16% of the memberships of resource management boards in the Yukon, Northwest Territories, and Nunavut and concluded that the inclusion of women represented little more than tokenism in most cases. Other research has found that Indigenous women are often not equally represented in community benefit agreement (CBA) negotiations (Weitzner 2006; Kuyek 2003). These studies found barriers to women's participation including the following: not having sufficient information about issues to be able to speak with confidence at meetings and panels, not having enough time for community consultations during negotiations, inadequate child care, and excessively long meeting times (O'Faircheallaigh 1995).

The effectiveness of Indigenous women's participation in EAs has been less well documented. One analysis of the degree to which women's participation in the EA process for the Voisey's Bay Mine and Mill influenced employment outcomes found that few of the issues that women brought forward through the EA process were implemented at the project development stage (Cox and Mills 2015). The authors attributed women's lack of influence to the difficulty of enforcing socio-economic provisions through EA processes and to the persistence of masculine cultures within resource industries, making change difficult.

Scope and Background

Our gender analysis focused on EA processes in the Voisey's Bay Mine and Mill in Nunatsiavut (1997); the Meadowbank Mine in Nunavut (2004–2006); and the Mackenzie Gas Project, which encompassed hearings

primarily held in the NWT, but also in the Yukon and Alberta (2003–2009). The EA processes chosen as case studies range in the scope and degree of public participation—with Meadowbank being the smallest and the Mackenzie Gas Project the largest—and together they involved eleven regulatory agencies. All three cases were high profile examples of EA processes in their respective regions. We reviewed publicly available EA materials for each project, including environmental impact statement (EIS) guidelines, all formal submissions to environmental review panels and boards by proponents and intervenors (particularly those related to women or gender), transcripts of panel hearings at the various stages of the review process, draft and final EISs, interim and final environmental review panel reports, and any other reports associated with the project. Interviewing proponents, regulators, or intervenors was beyond the scope of our project and, as a result, our conclusions are based only on EA documents.

As indicated in the introduction, the extent to which gender was accounted for or considered was specific to each case and fell along a spectrum. At one end of the spectrum was the Voisey's Bay process, where an explicit focus on gender was adopted early on, and a dedicated technical session to "Women's Issues" was incorporated. The joint review panel process for the Mackenzie Gas Project (MGP) arguably occupied a middle ground; there was certainly awareness on the part of the panel that gender was a component of the larger development picture. But as we will show, the concept of gender was narrowly framed, owing at least in part to the lack of support for women's participation and the participation of women's organizations. Finally, at the other end of the spectrum was the EA process for the Meadowbank Mine in which gender was not explicitly addressed by intervenors, panellists, or the proponent beyond the disaggregation of socio-economic data. Women did participate in the community roundtable hearings, but they did not speak specifically to the issues they raised as "women's issues." As such, in the Meadowbank case we have had to interpolate the gendered aspects from the hearing documents.

Resource governance is bound up with long-standing institutional and socio-cultural factors, some of which are region-specific and some of which are shared in common. In the early stages of EA processes, regional Indigenous and land claims organizations and municipal governments serve as the voices of beneficiaries, citizens, and communities. The political and cultural dynamics of these organizations, and whether they are able to take gender and the inclusion of women seriously is worth considering

(though not a focal point in this article). Regional specificities have a bearing on the expectations and priorities of review panels, proponents, intervenors, and Indigenous communities.

As such, the cases are reflected differently throughout this article because of their specific characteristics and circumstances. Our analysis is not exhaustive. It is our hope that this literature-based inquiry will be a catalyst for further research and community-based discussions, and that lessons learned from our analysis may help to inform future EA processes in Canada.

Before turning to our analysis, we briefly describe each of the environmental assessments we examined and the regulatory regimes within which they operated.

Voisey's Bay (Vale Inco Newfoundland & Labrador Limited)

Voisey's Bay mine is located in Northern Labrador, 350 km north of Happy Valley-Goose Bay. When nickel deposits were discovered in 1993, the lands where they were located formed part of the unresolved and overlapping land claims of both the Innu Nation and the Labrador Inuit Association (LIA). Land claims negotiations and impact benefit agreement negotiations therefore occurred concurrently and extended after the culmination of the EA process.

In January 1997, a memorandum of understanding was signed between the government of Canada, the government of Newfoundland and Labrador, and the presidents of the LIA and the Innu Nation, under which the parties agreed to establish an independent five-member Joint Environmental Assessment Panel (JEAP) for the Voisey's Bay project. The JEAP held twenty-one scoping sessions on the draft guidelines for the EIS in Labrador and St. John's, Newfoundland, between April 16 and May 26, 1997. After issuing the guidelines to the proponent and receiving a draft EIS from Voisey's Bay Nickel Company (VBNC), the panel held another set of public hearings on the draft EIS, which were held in St. John's and in ten communities across Labrador during September to November 1998. The EA report was delivered in 1999. Voisey's Bay is considered in the literature to be an early success story in terms of both the scope of public participation and the role that gender played in the EA (O'Faircheallaigh 2007).

In 2002, both the Innu Nation and the LIA signed impact benefit agreements with Vale Inco, and the Labrador Inuit Land Claims Agreement was signed in 2005 after the mine area was removed from the

claim. At this time, the Nunatsiavut government, a self-governing Inuit regional government, was formed and the Labrador Inuit Association was dissolved. The Innu Claims Agreement has not been ratified, however there is an Agreement in Principle. The mine has changed ownership since the EA process began in 1997. The original proponent, VBNC, was purchased by Vale and in 2007 changed its name to Vale Inco Newfoundland & Labrador Limited.

Mackenzie Gas Project (Imperial Oil Limited)

Had it been built, the proposed Mackenzie Gas Project, headed by a consortium of oil and natural gas companies led by Imperial Oil Ltd, would have consisted of a 1,196 km pipeline system to carry natural gas from the NWT to southern Canada and the United States. The proposed pipeline would have crossed four Indigenous regions in the NWT: the Inuvialuit Settlement Region, the Gwich'in Settlement Area, the Sahtu Settlement Area, and the Dehcho region. Due to the fact that it would have covered such a large territory, the Mackenzie Gas Project was subject to eleven distinct reviews. Our research focused on the hearings and submissions to the JRP for the Mackenzie Gas Project.

In 2002, a Cooperation Plan was developed by concerned environmental and regulatory bodies to serve as a framework to guide review processes related to the proposed pipeline. In 2003, the minister of Environment Canada referred the Mackenzie Gas Project to a joint review panel under the *Canadian Environmental Assessment Act*. The following year, the Mackenzie Valley Environmental Impact Review Board (MVEIRB), an NWT institution of public government established under the *Mackenzie Valley Resource Management Act* (1998), announced its decision to refer the project to an EA, and the minister of Indian and Northern Affairs Canada gave his approval for MVEIRB to enter into an agreement to establish a joint review panel. The independent seven-member panel was established by MVEIRB, the Inuvialuit Game Council, and the minister of Environment Canada.

After a series of regional workshops held in 2003, MVEIRB held public hearings in 2004. The JRP held 115 days of hearings in twenty-six communities across the NWT between February 2006 and November 2007. The JRP released its report in 2009 after an extensive review of submissions. Though the JRP process shared some features with the widely applauded Mackenzie Valley Pipeline Inquiry convened by Justice Thomas Berger more than three decades earlier, Dokis (2015) and others

have criticized the process for creating barriers to Indigenous participation and for helping to re-inscribe coloniality.²

Meadowbank (Agnico-Eagle Mines Limited)

The Meadowbank Mine (originally called Meadowbank Gold Project) is currently owned by Agnico-Eagle Mines (AEM) and is located 110 km outside of Baker Lake, Nunavut. The mine opened in 2010. With 0.7 million ounces of gold in proven and probable reserves, the mine was originally expected to shut down in 2017. According to its website, AEM is now planning to extend operations an additional year, and the Amaruq satellite deposit is slated to begin production in 2018 pending the required development permits.

Meadowbank was subject to review by the Nunavut Impact Review Board (NIRB) as stipulated under Article 12, Part 5 of the 1993 Nunavut Land Claims Agreement (NLCA). NIRB was established by the NLCA as an institution of public government responsible for assessing the potential impacts of proposed development in the Nunavut Settlement Area. Unlike in the Voisey's Bay review where the public was invited to make recommendations on the EIS guidelines, NIRB has developed standardized guidelines for environmental reviews, which are subject to minor adaptations depending on the specifics of the project. Proponents are provided a sample table of contents and detailed description of what information is to appear in each section of their EIS. The length and contents of the supplementary documentation (i.e., traditional knowledge and socio-economic "background reports" and "monitoring and mitigation plans") are also mandated.

Opportunities for public participation in the Meadowbank EA were limited to community meetings hosted by NIRB in Baker Lake, Chesterfield Inlet, and Rankin Inlet between 2004 and 2006, and a week-long series of public hearing sessions in Baker Lake in March 2006. The EA report was issued in 2007. An Inuit impact benefit agreement between previous proponent Cumberland Resources Ltd. and the Kivalliq Inuit Association (KIA) was signed in 2006. In 2011, a second impact and benefit agreement was signed between AEM and KIA to reflect the relationship negotiated with the new owner.

Gendered Spaces of Participation

Where there was an explicit description of gender with respect to organizations and individuals participating in EA processes, the prevailing binary conception of gender was universally applied. Whereas women's organizations presented a clearly gendered stance, individual participants often did not self-identify by their gender, and gender was thus imputed—where it was mentioned at all. For the purpose of our three case studies, we are constrained to this limited view of gender and a focus on Indigenous women's participation. Suffice it to say that Indigenous women's involvement in EAs varied considerably by region. In all three cases, women served as members of the boards and panels designed to review the development projects, and in all three cases women participated as independent citizens, sometimes in their roles as representatives of community governments or organizations such as hunters and trappers associations. Regions differed, however, in the number and variety of Indigenous women's organizations that formally intervened in the review process.

Of particular importance was women's participation in the scoping phase of the EA process. Scoping sessions inform the assessment guidelines set by the regulatory review boards, which in turn set the tone and direction of the environmental impact statements drafted by proponents. In Nunavut, where the regulatory review process is governed by the NLCA, EAs are relatively standardized in both form and content, and there appears to be limited formal opportunities for intervention by citizens and community organizations. By contrast, in Nunatsiavut in the late 1990s, the review panel had considerably more flexibility and independence to determine the direction and tone of the Voisey's Bay environmental assessment.

No Inuit women's organizations formally intervened in the Meadowbank review in Nunavut. At the time of the review, the Nunavut Impact Review Board had two women board members, one of whom was serving as chair. The Kivalliq Inuit Association, which participated in the review as representing all land claim beneficiaries in the Kivalliq region, had no women board members. Opportunities for public participation in general were limited for Meadowbank with no opportunity for input into scoping, and just a few days of public hearings in March 2006. A number of women hamlet councillors and representatives of other community organizations were present at the hearings and participated in a day-long community roundtable funded by NIRB as part of the final hearings for the environmental impact statement. Women and gender were virtually

absent from the environmental review document, with the exception of disaggregated statistical data. As mentioned above, NIRB held community meetings in the Kivalliq Region to provide information and answer questions about the project and EA. To our knowledge, there are no transcripts from these meetings, and only one report briefly summarizing the topics covered in these meetings is available through NIRB's public registry (NIRB 2006a).

Though there were many opportunities for public participation in the environmental assessment of the Mackenzie Gas Project, women or gender did not feature prominently. The Mackenzie Valley Environmental Impact Review Board (MVEIRB) and the Joint Review Panel for the Mackenzie Gas Project each had one woman member at the time of the review. Gender was mentioned in the JRP guidelines under the guiding principle of "recognition of diversity" in addition to age and ethnicity. Indigenous women participated in both sets of hearings as independent citizens and in their roles as representatives of community organizations, such as land claims bodies, Indigenous and local governments, and social economy organizations like Alternatives North.³ No Indigenous women's organizations were involved in the MVEIRB hearings, while only one women's group—the NWT Status of Women Council—formally intervened in the joint review panel hearings on the EIS. Funding was made available to intervenors for the JRP hearings, though as noted above the funding was not adequate to allow for participation by the NWT Status of Women Council throughout the duration of the proceedings. Alternatives North drew on input from the Status of Women Council, however, when developing fifteen of its numerous recommendations to the JRP.

Of the three assessments, Indigenous women and women's organizations had greatest involvement in the Voisey's Bay assessment, intervening in all stages. Two women served on the Joint Environmental Review Panel, one as co-chair. Women's active participation in the scoping phase of the review positioned gender as an important lens of analysis for the remainder of the process. Going beyond requiring simply the disaggregation of baseline data by gender, the review panel incorporated a gender framework into the EIS guidelines:

The proponent shall also explain how it has used feminist research to identify how the Undertaking will affect women differently from men. The proponent shall indicate how the significance of effects was assessed and justify the criteria selected. (CEAA 1997, 4)

Indigenous women and women's organizations participated as intervenors in the scoping hearings on the draft panel guidelines, which began in 1997, and in the public hearings on the draft environmental impact statement, which were held into 1998. Six women's organizations made formal submissions to the review panel: Tongamiut Inuit Annait (TIA, the Labrador Inuit women's association), the Ad Hoc Committee on Aboriginal Women and Mining, Postville Women's Group, Hopedale Status of Women Committee, Labrador Legal Services, and Women in Resource Development Council. Both Indigenous and non-Indigenous women were represented by these organizations.

In addition to the aforementioned women's organizations, the Government of Newfoundland and Labrador Women's Policy Office also made a formal submission to the panel in support of the women of Labrador, calling for the inclusion of a gender-based analysis in the environmental assessment of the project. In response to calls from women's organizations in the scoping hearings, the review panel convened a special Technical Session on Women's Issues to explore further the concerns of women, and the gendered implications of the proposed mining project more broadly. Funding was made available for intervenors by the Canadian Environmental Assessment Agency, though women's organizations received only a very small portion of the available funds.⁴

Interventions by Women and Women's Organizations

Women's interventions in EA processes in each region were informed by their experiences living in communities that were burdened by past and present colonial interventions yet still relied to a significant extent on traditional economy activities as well as wages in mixed economies. From this vantage point, resource development was understood in the context of how it would affect northern livelihoods, with emphasis on social relations, culture, and subsistence harvest (cf. Harnum et al. 2014). Accordingly, the issues raised by women in each community were expansive, encompassing health and well-being, violence against women, family and community relations, peoples' relationship to the land, and participation in traditional economies.

Though women's interventions echoed previous research by noting that the burden of dealing with the social and family impacts of development would be greater for women than men, impacts on women were situated in a broader social context of community well-being (cf. Pauktuutit et al. 2015; Archibald and Crynkovich 1999). In particular, women were concerned about the following: the effects of rotational

employment on family relations; the link between higher incomes, drug and alcohol use, and violence against women and children; money management skills; increased pressures on already strained local services and infrastructure (including social and health services, policing, and transportation); the potential for a growing income gap in communities when some people are working and others are not; and problems resulting from the influx of southern workers (i.e., unwanted pregnancies, sexually-transmitted infections and other health problems, and diminishing cultural traditions and practices). For example, Nain resident Zippie McLean, who participated in the scoping hearings for Voisey's Bay Joint Review Panel, situated the negative impacts of mining on women and children in relation to a feared erosion of the local traditional economy, stating:

Mining is not healthy for our women and children, especially our land. And on women's health issues mining will bring us AIDS, more pregnancies, more alcoholism, disrespect of burial grounds, poverty, traditional foods, will slowly disappear, beauty of the land, which lifts our spirits, and the land is our health, loss of traditional hunting patterns. (Voisey's Bay Mine and Mill Environmental Impact Assessment Joint Review Panel 1997a, 62)

Women also intervened in discussions about employment and training opportunities. Women's interventions countered proponent claims that projects would benefit communities through employment opportunities, arguing that women would have less access to mining work since they would face barriers such as employer discrimination, risks to personal safety, and inadequate child care availability. Several presentations also pointed to negative effects of employment in communities, including increased income leading to social problems, and the undervaluing of unpaid care-work and cultural arts that women participate in. One outcome of women's employment-related interventions in the Voisey's Bay case was that the panel directed the company to create a Women's Employment Plan outlining how the company would promote women's employment (Voisey's Bay Mine and Mill Environmental Impact Assessment Joint Review Panel 1998a, 2). In the case of the Mackenzie Gas Project, the JRP's final report acknowledged the potential for the inequitable distribution of positive and negative impacts of the project on men and women, and recommended that the project proponents develop "diversity programs, inclusive of gender equity, to reduce barriers to Project employment" (JRP 2009, 10).

In each of the three regions, women also raised concerns about the impacts of development on the environment (land and water), and what these impacts might mean for access to the land and land-based activities. In particular, women were concerned about present and future generations' abilities to participate in on-the-land and traditional economy activities. Many women spoke of the intimate relationship between Indigenous people and the land, and the social, cultural, and economic importance of being able to harvest and participate in land-based activities. While project proponents argued that increased access to income through employment would allow individuals and families to participate more actively in harvesting and land activities, women's organizations tended to see development projects as a threat to harvesting, stressing the importance of harvesting for access to country food and materials. As one woman told NIRB during the Meadowbank hearings:

Our food is very valuable to us. It's our lifestyle, and we don't want to see it damaged. It's part of our life. Like although some of us are not that old yet or—no disrespect to our Elders—our Elders are not going to always be here. We were brought up by our Elders who were always cautious of our environment... (Nunavut Impact Review Board 2006b, 572)

Many of the interventions by women over the course of the EAs in both Voisey's Bay and the Mackenzie Gas Project recounted their sense of exclusion and alienation from the EA process. In each case, different intervenors stated that the process was rushed, and that there was not enough time to review and digest the material provided by the proponents and regulatory agencies. Furthermore, women noted that both the technical complexity and copious volume of materials contained in environmental impact statements created an information burden for communities, hindering their participation. Compounding these challenges, many women expressed that they did not feel welcome or included in public meetings to do with the development projects in their region, making it even more difficult for them to access information. While some organizations obtained funding to participate in EA processes, many did not, and funding was not always received in a timely fashion.

Women linked their feeling of exclusion from EA processes to their exclusion from other decision-making processes related to development (such as IBA and/or land claims negotiations). In Nunatsiavut, where land claims negotiations were ongoing at the time of the Voisey's Bay

assessment, this was particularly concerning for women who felt their voices were not being heard. The Inuit women's organization TIA made a direct link between the regulatory, land claims, and IBA negotiation processes:

If women are not included in negotiations and decision-making ... then women's insights and perspectives will be absent from decisions made and their rights and benefits may be undermined ... The exclusion of women from these processes does speak of the environmental effects of the project. (Voisey's Bay Mine and Mill Environmental Impact Assessment Joint Review Panel 1998b)

In this statement, the TIA draws two important connections. First, they suggest that the exclusion of women from decision-making processes will result in a gendered and uneven distribution of benefits. Second, they connect the exclusion of women from decision-making processes to the negative environmental effects of mining. This last connection suggests that the distinct experiences of Indigenous women living in northern communities provides them with a unique vantage point from which to consider proposed development projects.

The interventions of women and women's organizations in each assessment raised skepticism about claims that employment would benefit families and communities, drew attention to deleterious social and cultural consequences of development, and cautioned that the environmental effects of development would further hamper the subsistence component of their livelihoods. However, women's overall sense of exclusion from full participation in assessment processes—even in the case of the Voisey's Bay assessment where women were active throughout the process—points to the inability of environmental assessments, in their present formulation, to fully consider the reality of life in northern mixed economies.

In addition to raising concerns about gendered exclusion from EA processes, women's organizations also sought to broaden the scope of EAs by making the case for a holistic view of development impacts. They raised concerns about social barriers to women's employment in the extractive sector that are considered to be outside the purview of industry. These concerns about employment were embedded within a much broader array of social concerns that were shared by women in all three regions. By raising such concerns, women were making the case that such issues must be addressed in EA processes.

Gender as a Variable, Women as a Special Interest Group

All the regulatory agencies we reviewed across the three regions required proponents to disaggregate socio-economic baseline data and impact analyses by gender—although in Nunavut, NIRB only required the proponent to do so “where relevant” (MGP 2004a; CEAA 1997; NIRB 2004). However, though many Indigenous women made explicit connections between gender, development, and decision-making, these interventions were not accounted for as important analyses central to the outcomes. All three EAs situated gender as a variable in their panel guidelines and reports, public hearings, and environmental impact statements. In failing to adequately account for gender by way of systematic data generation and gender analysis, EAs fail the fairness test requiring that all necessary information be incorporated to provide a comprehensive picture of the potential impacts of the proposed development.

In recognition of the gendered impacts of development, women in Nunatsiavut and the NWT called for regulatory agencies and proponents to move beyond the use of gender as a *variable* towards the use of gender as a *framework* for the assessment of major development initiatives in their respective regions and communities. For example, during the scoping hearings for the Voisey’s Bay Mine, one of the presentations by a women’s group makes the case that while there may be some issues of specific concern to women, *all* the issues and topics considered in an environmental assessment are, in fact, “women’s issues”:

Women should be mentioned in all discussions on all facets of community, bush, and industry life, in services and facilities, in politics and community development, in harvesting and land use, in hospital and medical facilities, on individual, collective and Aboriginal rights, and on social problems, such as violent crime and family breakdown (Voisey’s Bay Mine and Mill Environmental Impact Assessment Joint Review Panel 1997b, 54–55)

Across all three regions, women are characterized as an “interest group,” rather than as an integral part of participatory EA processes and full members and participants with an interest in the future of their communities that is equal to their men counterparts. Indigenous women in particular are repeatedly characterized as vulnerable, victims, disadvantaged, and in need of protection, without an acknowledgement of how women’s vulnerability is socially constructed as the product

of patriarchal social structures (Iorns 1993; Jaggar 2009). Both the environmental impact statements and panel reports paint a negative picture of women, as do some of the presentations made by women and women's organizations themselves (Cumberland Resources 2005; Mackenzie Gas Project 2004b; Vale Inco 1997; Voisey's Bay Mine and Mill Environmental Impact Assessment Joint Review Panel 1997c, 3).

Moreover, all three environmental impact statements paint a very negative picture of northern community and social life in general, relying primarily on government statistics as evidence. In all three cases, the proponents state that it is difficult to measure social impacts and that, because rates of unemployment, family violence, poverty, drugs and alcohol use, and so on, are already higher in northern communities, it becomes very challenging to assess whether the project has made matters better or worse (Cumberland Resources 2005; Mackenzie Gas Project 2004b; Vale Inco 1997). Such statements, however, are not only incorrect but also objectionable and could be seen as mere attempts to diminish or deny the roles and responsibilities of the proponent with respect to social problems in Indigenous communities. As noted in the introduction, there are a number of studies both from the Canadian North and globally that clearly demonstrate the link between the arrival of economic development projects and the increase in violence, including rape and other sexual violence against women and children, and substance abuse, for example.

Existing research, however, is not always readily available and accessible to Indigenous communities, making it difficult for communities to validate their own experiences. Some of the interventions made by Indigenous women's organizations highlighted how difficult it was for them to find relevant statistics or research about women that they could use to support what they knew to be true—that social impacts of mining disproportionately affect women. Even if industry or intervenors themselves do gender-based analyses, there is another hurdle to overcome, which is that resources also need to be available to do such analyses well.

Excluding Gendered Impacts from the EA Frame

EAs were first conceived of as a form of environmental regulation, as a governmental mechanism to reduce the pollution from large-scale industrial development. Over time, the scope of EAs broadened to include diverse environmental and, secondarily, socio-economic effects in anticipation of development—with the result that they are now viewed as a form of environmental planning and decision-making (Gibson 2002). Though the aim and scope of EA processes differ across jurisdictions,

all are triggered by resource development proposals. The planning that results from EAs in northern regions therefore is often focused on whether or how to integrate (often industrial) development into local communities and societies rather than starting with community visions for development in their region. Furthermore, although EAs arise from government legislation designed to minimize the environmental (and to some extent social and cultural) impacts of development, the processes are driven by project proponents, and thus are inherently pro-development. Even when null alternatives are considered, as was the case with the Mackenzie Gas Project in the Northwest Territories, industrial development becomes the starting point for environmental planning rather than one of many options that local communities can pursue to benefit their economies. As a result, resource development is often positioned as inevitable and as the only economic development option (cf. Kuokkanen 2011b).

Presenting industrial development as the only viable form of economic development invariably involves narrowing how people conceive of both the impacts and benefits of development. Although in more recent years there have been promising efforts to expand the scope of EAs, the tendency to focus on environmental impacts rather than socio-economic ones remains. In this context, the scope of socio-economic impact assessment is often reduced to direct impacts and benefits only, with wage employment being the central focal point for discussions about impacts and benefits to the neglect of traditional economies as part of the larger mixed economy. In each of the environmental impact statements we examined, employment was highlighted as the primary way that development would benefit communities. Proponents in all three cases outlined specific measures for the inclusion of women employees. In all three cases, women and women's organizations expressed an interest in employment but also raised serious concerns about women's safety and security in a man-dominated workplace as well as issues such as the effects of industrial development and rotational labour on all aspects of family and community life. Though the EAs recognized the broader impacts of development, the impacts were often presented as inevitable consequences that could not be addressed.

This was evident in the case of Voisey's Bay where the limited ability of EAs to fully address the socio-cultural effects of development was also recognized by industry proponents seeking to limit their responsibility to local communities. Though employee counselling or assistance programs were included in the EAs as mitigation plans, proponents were careful to draw boundaries that limited their responsibility for socio-economic

outcomes. For example, in the background section of the letter outlining their commitment to women and employment, Voisey's Bay Nickel Company effectively washed its hands of responsibility for promoting job equity and safe workplaces for women:

Much of what is needed to address the challenges which women face [in entering the mining field] is outside the purview of private sector employers and rests with individuals, governments, and society. The view of many in society, which emanates from social construction, as an example, what is considered appropriate work for men and women, points to a need for a transition, which is well beyond the scope and responsibility of industry. (Voisey's Bay Mine and Mill Environmental Impact Assessment Joint Review Panel 1998a, 2)

Excluded from the frame of industry responsibility, social issues are logically detached from the rubric of decision-making in the EA context. As a result, these social impacts—many of which are gendered—are positioned as obstacles to development rather than as impacts of development. An important example of how the narrowed scope of EAs has gendered effects is the treatment of mixed economies in EA processes.

Gendering Mixed Economies

In general, EAs tend to interpret northern Indigenous economies through a Western, masculine lens with strong emphasis on the limited wage-based opportunities in northern communities. In our three cases, Indigenous women did make efforts to draw attention to parts of the economy beyond the wage economy, often speaking to the role that women play as caregivers and relationship builders in communities. They also drew attention to activities typically carried out by Indigenous women and how these fit into the larger social and economic picture. For example, at the Voisey's Bay hearings, TIA suggested that the proponent examine women's craft production in relation to harvesting activities, and how it would be affected by the project including the following: identifying raw materials; crafts produced for local vs. tourism industry; and craft production as a source of income and the marketing of these crafts (Voisey's Bay Mine and Mill Environmental Impact Assessment Joint Review Panel 1997d, 50).

In all three regions, a majority of presentations did dedicate time to documenting and explaining the relationship between Indigenous people

and the land. Proponents were required to show that they had taken this relationship into account, and to assess the possible impacts of their proposed projects on it (MGP 2004; CEAA 1997; NIRB 2004). In each of the three EAs, there are EIS chapters or reports dedicated to Indigenous land use, traditional knowledge, and culture. In the case of Voisey's Bay, the proponent actually funded land-use surveys as part of their due diligence but women's labour/roles in the mixed economy were not featured prominently in these studies.

While land-based and traditional economy activities are recognized as having cultural importance in EAs, it is not clear whether proponents understand their ontological and socio-economic importance as the key for the survival and well-being of northern Indigenous communities. Where reference is made to land-based economic activities, the focus is on masculine activities of hunting and fishing. Despite the demonstrated importance of the relationship between women and the land, women in the NWT and Nunatsiavut felt that women's knowledge of the land was not adequately included in the EIS process. Notwithstanding the best efforts of women to describe their contributions to the mixed economy in EA proceedings, these inputs are largely left out of the final EA documents and panel reports.

The Ad Hoc Committee on Women and Mining in Nunatsiavut called on the proponent to include women's concerns about land and water damage and accompanying changes in the spiritual relationship with the land brought on by the project (Ad Hoc Committee Presentation, Scoping Hearings April 17, 1997, 65). Fran Williams, who presented at the scoping hearings on behalf of the committee explained:

I believe that Aboriginal women, Inuit women, view the land and environment differently ... the women appreciate the more subtle things about the land and the environment. They value the quietness, they can hear the birds, they can hear the wind in the willows, they can appreciate the running brook or the splashing of water on the seashore, those types of things. (Ad Hoc Committee Presentation, Scoping Hearings April 17, 1997, 66)

Although some efforts were made to include women Elders in research regarding traditional knowledge (i.e., Hattie Manik, NIRB 2006b), the vast majority of participants in these studies were men harvesters in spite of studies that have shown false the gender dichotomy of "man the hunter/

woman the gatherer” in northern Indigenous communities (Brumbach and Jarvenpa 1997). Scholars have critiqued studies that reproduce the problematic, inaccurate gendered dichotomies of man the hunter and woman the gatherer. The term harvesting has been used in contemporary treaties as a more broadly scoped concept alluding to gathering (from a Latin root *carpere* “pluck”). Indigenous women also engage in harvesting, including hunting, fishing, and trapping, and their roles overlap in significant ways with men’s roles, yet the nature and scope of their activities may differ from those of men in their communities. Moreover, the important role of women in hunting-related activities such as processing and preparing the meat, fur, and hides is often neglected. Scholars have suggested that one of the reasons for the “myopia concerning the role of women” in traditional economies is the primacy placed on hunting as an activity focusing on the act of killing the animal. This falsely isolates not only the hunter from family and society but also “the act of killing from a complex system of travel, preparation, and logistics preceding the kill and the intricacies of butchering, processing, and distributing following the kill” (Brumbach and Jarvenpa 1997, 418). A more inclusive view of harvesting would see it as “an enterprise that produces food, clothing, tools, and other necessities of life and requires interdependence of female and male labor in any foraging society” (Ibid.).

The problem of EAs is that the characterization of “traditional knowledge” in the environmental reviews tends to be limited to knowledge about hunting and land travel for the purposes of hunting, which has been problematically constructed as a masculine activity. This narrower interpretation of Indigenous knowledge has made it possible to leave out peoples’ views or comments on the relationship between community life and being on the land, on the mixed economy as an integrated economy as opposed to “traditional vs. wage economy,” and on the cosmological connection between Indigenous peoples and the land. Such a narrow, gendered view is also highly problematic because it excludes the entire sphere of Indigenous women’s relations, roles, and responsibilities on the land as well as in the communities, which are critical to Indigenous traditional economies but are commonly quite different from those of men (see for example Monture 2004; Napoleon 2009).

Conclusion

Our analysis of three northern EAs has revealed deeply gendered structures that privilege men in both traditional and wage economies to the exclusion of full, equitable, and meaningful participation by Indigenous

women, even in the best of circumstances as was the case with the Voisey's Bay proceeding. EAs are hugely expensive and time-consuming proceedings with important consequences for development projects and thereby for neighbouring Indigenous communities and their traditional territories. Failure to include Indigenous women as full participants and community members on par with men in EAs represents a major lapse in fulfillment of the Canadian state's constitutionally enshrined fiduciary duty to consult and accommodate Indigenous peoples. It reinforces the existing marginalization of Indigenous women, Indigenous traditional economies, and other critically important activities on the land. Although created to mitigate the effects of resource development in northern Indigenous communities, we argue that in their current form EAs in fact contribute to the ongoing colonization of Indigenous peoples in the North.

While our research suggests that greater participation of Indigenous women and in particular women's organizations does make a difference with respect to the treatment of gender in EAs, it is not sufficient. Notwithstanding women's interventions calling for a more holistic and comprehensive understanding of community life, the EA process is structured in extremely narrow terms, reflecting the colonial and patriarchal bias that is neither able nor willing to grasp or confront the gendered aspects of community life or gendered impacts of the proposed development activities. The general lack of knowledge and understanding of gender-based analysis coupled with a lack of related data and research specific to the communities in question exacerbates the problem. The EAs are characterized by a systemic disregard for Indigenous women's input and contributions as full members of their communities. Instead, women are problematically treated as a separate interest group, and gender is considered a variable that is ostensibly accounted for but in practice not adequately understood or analyzed.

The foundational problem with the EA processes described here is their pre-defined, narrow, Eurocentric, and patriarchal scope, which results in the systematic exclusion of Indigenous women's concerns and needs. The limited scope is linked to a highly problematic approach to the land and economy, in which the former is treated as a resource and the latter is understood only in terms of wage economy. Where they do attend to the subsistence or social economy, EAs tend to reproduce false binaries and a narrow, incorrect understanding of land-based activities.

Women, and especially women's organizations in the case of Voisey's Bay, presented nuanced and detailed accounts and analyses of the complex and multiple ways in which development will impact their

lives, families, and communities. In all three regions, women were deeply concerned about the impacts of resource development on the health of their communities and traditional territories. They raised concerns especially about the continuance of land-based economies and cultural practices that are widely regarded as the precondition for the survival of their communities and identities as Indigenous peoples. Moreover, Indigenous women often sought to conceptualize and call attention to the history of colonialism, and the ways in which it manifests in a number of concrete ways as social ills in Indigenous communities, as well as to the colonial present that informs the structure and process of the EAs. Environmental impact statements and panel reports are designed in such a way that they not only oversimplify and ignore these complexities but also lack the framework to engage with them.

In this article we have argued that the systemic exclusion of Indigenous women's interventions in the environmental assessment process is not only a problem of overlooking "Indigenous women's issues" as something that can be separated from the overall health and well-being of the community. It is also a fundamental failure of EAs and the institutions that govern them—with far-reaching ramifications for entire Indigenous communities dependent on the subsistence and social economy activities that play a significant role in the mixed economies in the North.

Our findings are consistent with a recent study commissioned by FemNorthNet on the gendered and intersectional impacts of resource extraction in northern Canada, which found that "current regulatory mechanisms, including environmental assessment (EA) and gender-based analysis (GBA) frameworks, provide neither a systematic, comprehensive analysis of the gendered and intersectional impacts of resource development and extraction, nor any guidance on how to mitigate these impacts" (Stienstra et al. 2016, 2). Looking ahead, however, there may be reason to be optimistic. Since the EAs for our three cases were completed, there have been a number of initiatives both state-led and grassroots-led, which may indicate a shift in the way(s) that governments and citizens are thinking about environmental assessments and resource governance more generally.

At the federal level in 2016, the Government of Canada initiated a formal review of the 2012 *Canadian Environmental Assessment Act* during which they sought input from Canadians on how to improve the regulatory and assessment process. The review has resulted in a proposal for a new system, which, if approved, would require a gender-based analysis for

every project requiring a federal review. The new regulatory system would also include, importantly, a mandatory early planning phase designed to engage Indigenous peoples, provinces and territories, and other stakeholders in project design, and “mandatory consideration and protection of Indigenous traditional knowledge alongside other sources of evidence in impact assessments” (Canada n.d.).

These three proposed changes—along with the explicit mention of Indigenous rights and a place for Indigenous governments as key actors in the regulatory process—are encouraging. Federal leadership is important in these matters, but it should not be forgotten that the federal government is just one actor in our complex regulatory governance system in Canada, with dozens of provincial and regional regulatory bodies operating across the country. At this stage, it is too early to know whether the new system will be adopted and what the practical outcomes of the proposed changes will be.

New grassroots initiatives in Indigenous environmental governance, although for the most part not specifically addressing gender issues, do however point to promising avenues for innovation in EA processes. The Digital Indigenous Democracy project has been a remarkably successful experiment encouraging Inuit to be “more fully involved and consulted in their own language” about a variety of issues, notably including the Baffinland Iron Mines Corporation’s Mary River Project (Cohn and Kunuk 2012). New challenges in caribou conservation have been a crucible for Indigenous innovations: the newly self-governing Délı̄ne Got’ı̄ne community in the Sahtú Region, NWT, is now implementing Canada’s first formally approved community-driven conservation plan for barren-ground caribou (Délı̄ne ʔekwé Working Group 2016); and the Ungava Peninsula Caribou Aboriginal Round Table (UPCART) has established a groundbreaking approach to cross-jurisdictional Indigenous caribou stewardship (Courtois 2017). Numerous Indigenous nations have also embraced opportunities to develop Indigenous Guardian Programs (Indigenous Leadership Initiative n.d.; TNC Canada 2016) and associated Indigenous Protected Areas (Indigenous Circle of Experts 2018).

Such initiatives demonstrate that the possibilities for Indigenous agency within EAs are far greater than those that have been framed by narrow legal definitions of the “duty to consult.” But it will be necessary to go further in exploring innovations required for fair accommodation of Indigenous women’s participation in EAs, and appropriate scoping of EAs to encompass gender issues. Simply including Indigenous governments or Indigenous peoples in EA processes does not automatically mean that

Indigenous women are effectively included or gender analysis scoped in. Measures to support Indigenous women's participation in initial EA scoping processes have potential to make a significant difference. Another critical factor in achieving fairness is to ensure that communities and women's organizations have the full range of resources for the self-organization required to effectively intervene.

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Notes

1. While the term social economy acknowledges the complexity of northern economies by clustering some wage activities together with voluntary activities and traditional activities, the term traditional economy distinctly refers to economic activities that Indigenous peoples were engaged in prior to contact and that continue to be practised in the present.
2. Note that as of December 2017, the Mackenzie Gas Project has officially been dissolved. For more information see Strong (2017).
3. Alternatives North is a coalition of community organizations, including women's groups. Although its primary purpose in the hearings was not to represent women, the organization did occasionally raise women's concerns during the hearings.
4. \$1,000 of \$150,000 for the scoping hearings.

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