

Insolvency, Indigenous Research & the Uncertain Future of Laurentian University

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The views expressed in this article are those of the authors and do not necessarily represent the position of any research program, funder, or community research partner.

ON FEBRUARY 1ST, 2021, Laurentian University (LU), situated in Greater Sudbury, Ontario on the traditional lands of the Atikameksheng Anishnawbek and the Wahnapiatae First Nations within the Robinson-Huron Treaty territory, declared itself insolvent.

With a projected \$322 million in debts, depleted lines of credit, and barely enough liquidity to cover payroll to the end of February, the institution was (and still is) in financial distress due in part to historical underfunding and institutional mismanagement of funds and could not meet its obligations to creditors (Ulrichsen, 2021). In an unprecedented response, university administration sought Companies Creditors' Arrangement Act (CCAA) protection, a process typically used by private sector companies. Through court-mediated negotiations with stakeholders and creditors and limited support from a relief fund for staff and faculty salaries, administration has until April 30th, 2021 to devise an institution-wide restructuring plan (Ulrichsen, 2021; LU, 2021a; Ontario Superior Court of Justice Commercial List, 2021).

Many researchers were shocked to learn that prior to declaring insolvency, the university spent research funds on general operations in — as one professor put it — an attempt to “keep the lights on and pay our salaries” (Rushowy, 2021).

LU's list of creditors (those to which it owes money) includes research funders and Indigenous organizations (Ernst & Young Inc., 2021). Amidst the many debts owing are student and faculty funding earmarked specifically for Indigenous research. It is still unknown whether researchers will recover these spent funds.

At present, incoming research funds to LU are being deposited in a separate account to prevent future university misappropriation, but researchers' access to those funds is heavily restricted.

As the university transforms through the CCAA — a process designed for businesses in distress, not public academic institutions — to what has been dubbed “Laurentian 2.0” we ask ourselves: *what does all this mean for the future of Indigenous research at LU?* This Brief considers what the LU community stands to lose, what it has already lost, and if there is a path to restore relationships with Indigenous collaborators.

INDIGENOUS PRESENCE & CONTRIBUTIONS AT LU

LU is historically known for its small class sizes, a high number of Indigenous faculty, and its cultural responsiveness to Indigenous students (LU, 2020; Manitowabi, 2018). Decades' worth of relationship-building and community connectedness — created in part through Indigenous research efforts — has led to increased cultural awareness in Ontario and across the country.

In fact, in its most recent strategic plan (2018–2023), the university committed to being a “leader in the process of reconciliation through transformative postsecondary education and research” (LU, 2018) and to “fostering an environment that promotes responsible conduct by embracing standards of excellence, trustworthiness, and ethical practices” (LU, 2019, p.3). LU's motto, “*Ensemble. Together. Maamwi*” is a reflection of its tri-cultural mandate, which includes a comprehensive approach to Indigenous and Francophone education (LU, n.d.).

Even during the COVID-19 pandemic, which has exacerbated LU's financial problems (Jeffords, 2021), relationships with Indigenous communities have been ongoing.

Our search of award databases for the Tri-Agencies showed that, during this time, LU researchers brought in around \$67 million in research grants to the university.

Based on our scan of project titles, descriptions, and keywords, we estimate that almost \$7 million (approximately 10%) of these funds were awarded for Indigenous-specific projects. Even more of these funds were likely awarded for projects with the potential to impact Indigenous nations through research involving Indigenous lands or Indigenous information. It is also worth noting that faculty and students bring in millions of dollars each year from funding sources outside of the Tri-Agencies.

The positive impact of Indigenous research, in many ways, is a tremendous asset for LU.

THE IMPACTS OF INSOLVENCY ON INDIGENOUS PARTNERS

For many faculty, support staff, researchers, and swaths of critical curriculum, the restructuring process won't matter. Many have already been cut away from the fabric of LU, with deep and reverberating impacts.

The highly disputed CCAA process has eliminated bargaining and labour rights for union members, and has left many people without a job or forced into early retirement without proper notice and the guarantee of severance or adequate pensions. Beyond the devastation for students, staff, and faculty now and in the future, the CCAA process has far-reaching implications and precedent-setting potential for universities across the country.

These developments have also resulted in uncertainty for the day-to-day work of Indigenous researchers and communities. Restricted access to research funds has and will continue to limit training and mentoring opportunities for graduate students, create delays of all kinds in community partnerships, and will likely result in canceled projects and initiatives. Throughout this process, researchers are unable to provide honoraria that were promised to participants, Elders, community members, and students whose guidance and knowledge contribute to the integrity of research.

For Indigenous research, this is all the more significant given the care and time spent grounding relationships in Indigenous values such as respect, relevance, and reciprocity (Wilson, 2008; Kirkness & Barnhardt, 1991).

While these examples may seem like minor inconveniences to someone who is not familiar with the context of decolonial Indigenous research, this CCAA process is already having profound and harmful consequences.

Longer-term impacts of the misuse of research dollars intended for Indigenous faculty, staff, and students are still unfolding. Among them may be the end of relationships with many Indigenous partners — some that have been built and maintained over decades (Corbiere & Manitowabi, 2021). The recent CCAA developments have cracked a foundation of trust and compromised the dedication and spirit fundamental to Indigenous research at LU.

Many Indigenous nations were already wary of academic institutions given the long history of unethical and exploitative research that has been conducted *on* Indigenous Peoples across Turtle Island rather than *with* them. The developments at LU have given nations yet another reason to distrust the very institutions that have issued commitments to reconciliation, serving as a bitter reminder that institutional policies and promises mean little when they are not meaningfully implemented.

Moreover, how can any Indigenous community take a public university's reconciliation or decolonial commitment seriously when it can be so easily superseded by the unnecessary and destructive CCAA process that ultimately prioritizes the discretion of anonymous financial managers?

MOVING FORWARD TOGETHER?

In recent years, significant steps have been taken to accelerate Indigenous-led research at LU and elsewhere in the country. Indigenous nations are asserting themselves at the center of research and are building capacity within their communities to develop and implement research processes independently. When nations choose to seek support from university-based researchers in order to advance nation-based priorities, it is typically under a self-determination framework.

It is no secret that considerably more work needs to be done at universities to acknowledge Indigenous-led research and data governance. While little to no Indigenous community engagement has been undertaken thus far, at least to our knowledge, university administration is framing the CCAA process as one “at a crossroads of change and renewal” (LU, 2021b). Yet, so far, the merciless process has left many wondering where the LU we once knew and loved has gone.

Given this critical moment, we call on LU to speak to Indigenous nations, to involve Elders, youth, and whole communities, and to carefully consider Indigenous protocols around research funding and governance.

Along the lines, for instance, of the Tri-Agencies commitment to revising grant eligibility criteria to ensure that Indigenous organizations with a clear research mandate can hold research grants themselves (Government of Canada, 2019).

It is well past time to more fully create frameworks within the university that support Indigenous community-centred models. Now is the time to reflect on the devastation that this process is causing and to reconsider the path that our once-loved university is on. We hope for a future where Laurentian 2.0 takes greater care in (re)gaining and (re)building the trust of Indigenous Peoples, nations, researchers, and organizations. Until that happens, we cannot speak of “*Ensemble. Together. Maamwi.*”

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