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Policy Brief

Indigenous Governance in Winnipeg and Ottawa: Making Space for Self-Determination

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by

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Introduction

Despite the growth of urban Indigenous populations in Canada,¹ the study of political arrangements that facilitate urban Indigenous self-government remains neglected. This failure to enhance Indigenous self-government in urban settings continues to exacerbate the marginalization experienced by many Indigenous people, given current funding practices, lack of access to Aboriginal-controlled services and lack of political representation.

Drawing on interview data from Winnipeg and Ottawa, this policy brief examines constraints on the ability of local and regional First Nations, Métis, Inuit and Aboriginal organizations to deliver culturally appropriate services, build capacity and adequately address the social, economic, political and cultural priorities of their communities. It is argued that it is necessary to transform processes, relationships and structures of urban Indigenous² governance to better reflect the needs, rights and aspirations of Indigenous communities.

Background

Although Aboriginal populations differ significantly in Winnipeg and Ottawa with respect to their size, cultural and class compositions, level of services and political representation, they follow similar

¹ Statistics Canada, *Aboriginal Peoples in Canada in 2006: Inuit, Métis and First Nations, 2006 Census* (Ottawa: Statistics Canada, 2008), Catalogue no. 97-558-XIE.

² In this paper, “Indigenous” is used to refer to the descendants of the original inhabitants of what is now Canada. For a discussion on terminology see Taiaiake Alfred and Jeff Corntassel, “Being Indigenous: Resurgences against Contemporary Colonialism,” *Government and Opposition*, 40, no. 4 (2005), 597. The state-centered term “Aboriginal” is also used to denote First Nations, Métis, and Inuit peoples, as defined in section 35(2) of the Constitution Act, 1982.

demographic trends. In particular, Aboriginal populations in both cities have grown significantly between 2001 and 2006, almost doubling in Ottawa.³

Aboriginal residents in Winnipeg and Ottawa generally live in conditions significantly worse than non-Aboriginal residents, with higher unemployment, lower income, poorer health status, poorer housing, higher rates of homelessness, lower levels of education and greater dependence on government support.⁴ But there are significant differences between the two cities in terms of the degree of social disparities, as the following table demonstrates:

*Characteristics of Aboriginal Identity Pop, Ottawa and Winnipeg, 2006*⁵

	Ottawa	Winnipeg
% aged 15 or over	79.8	69.6
% without grade 12	27.7	39.5
Unemployment rates (%)	8.8	11.3
Average Earnings (\$)	35,508	25,379

In Winnipeg, unemployment and poverty rates are higher and the average earnings are considerably lower than in Ottawa. In Ottawa, the gap between Aboriginal and non-Aboriginal populations in terms of income and education levels is the smallest among census metropolitan areas – largely

³ Statistics Canada, *Aboriginal Peoples in Canada in 2006*.

⁴ Andrew Siggner, “The Challenge of Measuring the Demographic and Socio-Economic Conditions of the Urban Aboriginal Population,” David Newhouse and Evelyn Peters (eds.), *Not Strangers in These Parts: Urban Aboriginal Peoples* (Ottawa: Policy Research Initiative, 2003), 119-130.

⁵ Statistics Canada, *Aboriginal Population Profile, Census Metropolitan Area/ Census Agglomeration*, 2008.

due to a high number of professionals working for national Aboriginal organizations and the federal government. However, the Aboriginal population is more polarized along class lines, and these statistics hide a significant and increasing need for Aboriginal-specific, especially Inuit-specific, social services.⁶

The Urban Aboriginal Policy Context

While urban Aboriginal populations have been growing steadily since the 1940s,⁷ academic and public policy discourses have firmly “placed” Indigenous identities in remote and rural areas.⁸ This is problematic, given that the majority of Indigenous people live in urban areas,⁹ that a number of reserves are adjacent to or within city limits, and that Canadian cities are located on traditional Indigenous territories, often in

locations of pre-existing Indigenous settlements. The false dichotomy between Aboriginal and urban is also rendered misleading in accounting for mobility patterns which show the actual fluidity of these socio-spatial boundaries.¹⁰ The implications for the public policy community are evident: “... it is crucial that we recognize that the urban Aboriginal population in Canada is not distinct from the ‘non-urban.’ They are interconnected in terms of mobility, culture and politics.”¹¹

Giving meaningful expression to this interconnectedness, however, remains a challenge. Currently, a highly uneven array of institutional actors and configurations constitute the terrain of urban Indigenous governance. A major challenge for Indigenous peoples who reside in urban areas is the lack of clarity with regard to the roles and responsibilities of different levels of government, Aboriginal governments, and local institutions. The Urban Aboriginal Strategy (UAS), announced in 1998,¹² indicates a shift in federal policy towards a greater recognition of urban Aboriginal peoples and a concomitant redistribution of resources to urban Aboriginal communities. This shift has been significantly reinforced

⁶ Urban Aboriginal Task Force, *Ottawa Final Report*; Personal communication, August 20, 2008. The names of participants will not be used in this paper.

⁷ Evelyn Peters, “Geographies of Urban Aboriginal People in Canada: Implications for Urban Self-Government,” Michael Murphy (ed.), *Canada: The State of the Federation. Reconfiguring Aboriginal-State Relations* (Montreal/Kingston: McGill-Queen’s University Press, 2003), 42.

⁸ Evelyn Peters, “‘Urban’ and ‘Aboriginal’: An Impossible Contradiction?” Jon Caulfield and Linda Peake (eds.), *City Lives and City Forms: Critical Research and Canadian Urbanism* (Toronto: University of Toronto Press, 1996), 47-62. See also Belanger, Yale et al., *Urban Aboriginal Youth in Winnipeg: Culture and Identity Formation in Cities* (Ottawa: Canadian Heritage, 2003); David Newhouse, “The Invisible Infrastructure: Urban Aboriginal Institutions and Organizations,” David Newhouse and Evelyn Peters (eds.), *Not Strangers in These Parts: Urban Aboriginal Peoples* (Ottawa: Policy Research Initiative, 2003), 247; Chris Andersen and Claude Denis, “Urban Natives and the Nation: Before and After the Royal Commission on Aboriginal Peoples,” *Canadian Review of Sociology and Anthropology* 40, no. 4 (2003), 385.

⁹ Statistics Canada. *Aboriginal Peoples in Canada in 2006*.

¹⁰ Nathan Cardinal, “The Exclusive City: Identifying, Measuring, and Drawing Attention to Aboriginal and Indigenous Experiences in an Urban Context,” *Cities* 23, no. 3 (2006), 217-228; Mary Jane Norris and Stewart Clatworthy, “Aboriginal Mobility and Migration within Urban Canada: Outcomes, Factors and Implications,” David Newhouse and Evelyn Peters (eds.), *Not Strangers in These Parts: Urban Aboriginal Peoples* (Ottawa: Policy Research Initiative, 2003), 51-78.

¹¹ Katherine Graham and Evelyn Peters, *Aboriginal Communities and Urban Sustainability* (Ottawa: Canadian Policy Research Networks, 2002), 23.

¹² The UAS received funding in 2003 (\$50 million). It was renewed as the enhanced UAS in 2007 (\$68.5 million). Winnipeg was one of the original eight target cities. Ottawa was the latest of 13 cities to be included under the UAS in 2007.

by Indigenous activism and a range of strategies employed to affect change in this regard (perhaps one of the most effective is litigation, as the *Corbiere* and *Misquadis* cases illustrate).¹³

Making Space for Indigenous Self-Determination

The recalibration of governing responsibilities under neoliberalism has expanded the spheres of the private and voluntary sectors, opening up space for greater Aboriginal community involvement in the delivery of services.¹⁴ In this sense, downloading services to lower levels of government and civil society appears to converge with Indigenous struggles for control over the administration of programs and services based on constitutional rights. However, neoliberal urban governance practices have not provided urban Aboriginal community organizations with a meaningful degree of decision-making power, autonomy and resources.¹⁵

¹³ *Corbiere v. Canada (Minister of Indian and Northern Affairs)*, [1999] 2 S.C.R. 203; *Ardoch Algonquin First Nation v. Canada (Attorney General)*, [2003] 2 F.C. 350.

¹⁴ While a more in depth discussion cannot be pursued here, this shift is generally characterized by “new forms of political-economic governance premised on the extension of market relationships” (Larner, 5), that is, welfare state retrenchment through privatization and deregulation. Entailing a composite logic of rule and contingent set of governing practices, the core values underpinning neoliberal projects are individual self-sufficiency, freedom of choice, and minimal government. See Wendy Larner, “Neo-liberalism: Policy, Ideology, Governmentality,” *Studies in Political Economy* 63 (2000), 5-25; Ryan Walker, “Aboriginal Self-determination and Social Housing in Urban Canada: A Story of Convergence and Divergence,” *Urban Studies* 45 (2008), 185.

¹⁵ Walker, “Aboriginal Self-determination and Social Housing in Urban Canada;” Ryan Walker, “Searching for Aboriginal/ Indigenous Self-Determination: Urban Citizenship in the Winnipeg Low-Cost Housing Sector, Canada,” *Environment and Planning A* 38 (2006), 2345-

The principle of Indigenous self-determination provides a normative basis for significantly more jurisdictional space for Indigenous governing institutions. The internationally recognized Indigenous right to self-determination is not restricted to remote or rural areas.¹⁶ And in fact, self-determination has been central to the philosophies of Aboriginal organizations in cities. Here, self-government is used as the concept that gives institutional expression to this right. As Article 4 of the UN Declaration on the Rights of Indigenous Peoples specifies, “Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.”¹⁷

The public policy community in Canada has not developed the institutional configurations necessary to make urban Indigenous self-government a reality. A reason for the absence of sustained engagement with the notion of urban Aboriginal self-government is that it challenges the dominant political imaginary. Urban Aboriginal self-government is considered a relatively unwieldy political arrangement due to the following:

2363; Douglas Durst, *It's not What, But How! Social Service Issues Affecting Aboriginal Peoples: A Review of Projects* (Regina: Social Policy Research Unit, 2000).

¹⁶ The United Nations Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly on September 13, 2007, against the votes of Canada and three other settler states. Article 3 of the UN Declaration states that “Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development,” United Nations, *United Nations Declaration on the Rights of Indigenous Peoples* (New York: United Nations, 2007), 4.

¹⁷ United Nations, *United Nations Declaration on the Rights of Indigenous Peoples* (New York: United Nations, 2007), 4.

1. The heterogeneity of urban Indigenous populations
2. Its association with land-based governance
3. Issues of jurisdiction and the related matter of financial responsibility

First, urban Indigenous populations are heterogeneous and the “urban Aboriginal” category as the basis for defining community for First Nations, Métis, and Inuit peoples who reside in urban areas is a limited one. The multi-national composition of urban Aboriginal communities has made claiming collective Indigenous rights more challenging.¹⁸ In addition, different legal categorizations imposed and normalized by the Canadian state continue to complicate the notion of urban Indigenous citizenship.¹⁹

Second, the lack of a land base²⁰ has been used as a key argument to refute the application of the concept of self-government to Indigenous communities in cities. Furthermore, land-based Indigenous communities are increasingly assuming responsibility for off-reserve or out of territory citizens. While the small but growing literature on urban Aboriginal realities appears to suggest that there is consensus among practitioners that urban Aboriginal self-government will likely be urban-focused and pan-Aboriginal,²¹ this is,

¹⁸ Robert Groves, *Urban Aboriginal Governance in Canada: Re-Fashioning the Dialogue* (Ottawa: National Association of Friendship Centers, 1999).

¹⁹ Bonita Lawrence, *“Real” Indians and Others: Mixed-Blood Urban Native Peoples and Indigenous Nationhood* (Lincoln: University of Nebraska Press, 2004).

²⁰ Apart from reserves located within cities and newly created urban reserves, which are generally not residential, see Laurie F. Barron and Joseph Garcea (eds.) *Urban Indian Reserves. Forging New Relationships in Saskatchewan* (Saskatoon: Purich Publishing, 1999).

²¹ Aboriginal Council of Winnipeg, Institute on Governance and Centre for Municipal-Aboriginal Relations, *Aboriginal Governance in*

in fact, highly contested. Different notions of self-government and different definitions of community coexist in Winnipeg and, perhaps to a lesser extent, in Ottawa. These reflect differences around the goals of Indigenous nation building on the one hand and community building on the other.

Third, jurisdictional boundaries and uncertainties pose a major challenge. The federal government has generally interpreted section 91(24) of the Constitution Act, 1867 to narrowly apply to First Nation peoples on reserve. There has been an assumption that urban Aboriginal people are “ordinary citizens,” meaning without Aboriginal rights. And the provinces have been reluctant to assume responsibility for Aboriginal-specific programming.²² While there has been some movement, more clarity in this regard would aid in fostering coherence around policy and programming issues. However, as has been suggested elsewhere, section 91(24) may not be the issue so much as the question of financial liability.²³

While self-government is conventionally associated with separate institutions, self-government in cities would require some degree of participation and collaboration. As discussed above, needs-based claims and partnerships appear to be attractive vehicles of Indigenous self-determination because they mesh with dominant urban governance and social investment paradigms. But opportunities for urban Aboriginal self-

Urban Settings: Completing the Circle. Conference Summary and Conclusions (Ottawa: Institute on Governance, 1998); Peters, “Geographies of Urban Aboriginal People in Canada;” Jill Wherrett and Douglas Brown, *Self-Government for Aboriginal Peoples Living in Urban Areas* (Kingston: Institute of Intergovernmental Relations, Queen’s University, 1992).

²² Graham and Peters, *Aboriginal Communities and Urban Sustainability*, 12.

²³ Institute On Governance, *Roundtable on Urban Aboriginal Governance* (Ottawa: Institute On Governance, 2005), 16.

government are not necessarily enhanced.²⁴ Aboriginal organizations have been asserting their right to self-determination in cities, but are faced with severe constraints that negatively affect their capacities to be self-governing.

Constraints on Urban Indigenous Self-Determination

Key informants involved in urban Aboriginal governance in Winnipeg and Ottawa were interviewed, based on their professional roles in Aboriginal service delivery agencies, community organizations, political advocacy bodies and First Nation, federal, provincial and municipal governments. Despite their different political configurations, similar constraints on self-determination and self-government were identified in both cities around issues of funding, access and representation.

1. Funding

The level and stability of funding for Aboriginal services as well as reporting requirements constrain the ability of Aboriginal agencies to design and implement programming that reflects the needs and priorities of their communities. In the absence of core funding, many agencies have to rely on project-based funding which is not secure. It is also problematic that priorities are set by funders rather than by Aboriginal communities.²⁵

The climate of inter-agency competition for funds was seen as a major obstacle by all Aboriginal participants. Some referred to it as an adversarial system, noting that current funding practices are divisive and hinder much needed coordination and collaboration among Aboriginal agencies,²⁶ because “there’s only a limited number of dollars to

go around and everyone fights for that same pot all the time”.²⁷ Aboriginal organizations also find themselves in competition with non-Aboriginal service providers for program dollars.

2. Access

Individual and collective access to culturally appropriate programs and services can be difficult. As a community worker in Winnipeg explained, “most of the resources are not located where the majority of Aboriginal people live.”²⁸ Social position and geographical location greatly affect Aboriginal people’s access to culturally relevant services.

Furthermore, issues of legal status and jurisdiction – which have created complex configurations of inequality for urban Aboriginal peoples – can hinder access to culturally specific services. The majority of Aboriginal service providers in Winnipeg and Ottawa operate under an inclusive, status-blind mandate; but tensions exist with respect to the degree of inclusiveness of the Aboriginal category. Inuit and Métis organizations in particular have argued for separate funding streams in order to deliver identity-specific services based on constitutional rights. The status-blind approach is promoted as the most cost effective mode of service delivery for Indigenous peoples in cities,²⁹ but it does not address the actual diversity of Indigenous identities and cultural specificities.

²⁷ Personal communication, May 22, 2008.

²⁸ Personal communication, May 29, 2008.

²⁹ Calvin Hanselmann, *Shared Responsibility: Final Report and Recommendations of the Urban Aboriginal Initiative. A Western Cities Project Report* (Calgary: Canada West Foundation, 2003); Royal Commission on Aboriginal Peoples, “Chapter 7: Urban Perspectives;” Canada. House of Commons, *Building A Brighter Future for Urban Aboriginal Children*; Canada. Senate of Canada, *Urban Aboriginal Youth*.

²⁴ Walker, “Aboriginal Self-determination and Social Housing in Urban Canada.”

²⁵ Personal communication, September 5, 2008.

²⁶ Personal communication, May 15, 2008; May 22, 2008; May 28, 2008; September 11, 2008; September 25, 2008.

3. Political Representation

One participant in Ottawa noted, “We haven’t had the same political representation in urban areas... [but this appears to be changing] ...because we are now developing a critical mass, an economy of scale where you have a number of people that might want their rights politically expressed.”³⁰ The diversity of groups and interests, however, may preclude a unified political voice at the local level and, to a greater extent, at the national level.

In Winnipeg, the issue of representation appears to have at times rendered decision making contentious, as rights-based approaches do not always mesh smoothly with the prevalent pan-Aboriginal RFP processes. For instance, the Manitoba Metis Federation (MMF) has one seat on the 18-member Aboriginal Partnership Committee. There is thus a perception that Métis-specific issues and initiatives are marginalized, given that 60% of Aboriginal people in Winnipeg are Métis.³¹ This has also intensified the artificial distinction between political advocacy and service delivery.

Recommendations

For each of the constraint areas noted above, there are potential means to ease them. In the area of funding, for example, the provision of core funding would alleviate some of the stress on community-based service providers. Making core and block funding available, harmonizing terms and conditions across government departments, and allocating Aboriginal-specific dollars to urban Aboriginal agencies rather than mainstream agencies would constitute more sustainable approaches to urban Aboriginal self-determination. As an alternative to a

status-blind approach to service delivery, the notion of equitable access is much better suited to taking actual differences of Indigenous identities into account.³²

More broadly, making space for Indigenous self-determination in urban centres would require the following:

1. Increased Indigenous control over how individuals and communities in cities are governed through genuine decision-making power, adequate resources, and culturally appropriate governing institutions.
2. Addressing the collective rights of First Nation, Métis and Inuit peoples who live in cities through a comprehensive rescaling of Aboriginal governance, including but not restricted to the urban scale. This entails making space for differentiated governing arrangements, as compositions, priorities and aspirations of urban Indigenous communities vary both within and across cities in Canada.
3. More holistic approaches to urban Aboriginal governance that move beyond narrow silos³³ to include comprehensive urban Aboriginal policy development, particularly in the areas of education, health, employment, childcare, youths and seniors.
4. Formal structures that foster more collaboration around issues of services, priority setting, community development, social planning and place-making. First Nation governments, as well as First Nation, Métis, Inuit and Aboriginal political organizations and community-based service providers must have an opportunity to participate in these processes as equal partners.

³⁰ Personal communication, October 3, 2008.

³¹ Personal communication, May 14, 2008; May 27, 2008. For Inuit perspectives, see Tungasuvvingat Inuit, *National Urban Inuit One Voice Workshop, Ottawa, October 26-27, 2005* (Ottawa: Tungasuvvingat Inuit, 2005).

³² Graham and Peters, *Aboriginal Communities and Urban Sustainability*, 26.

³³ Personal communication, May 20, 2008; May 30, 2008; October 29, 2008; January 9, 2009.

5. Greater coherence within and among federal, provincial, and municipal governments as a precondition for more effective collaboration across scales.

Conclusion

The failure to enhance Indigenous self-government in urban settings continues to exacerbate the marginalization experienced by many Indigenous people. Reframing the issues so that urban Indigenous peoples are no longer seen as deficient and out of place, but rather as constituting legitimate communities and possessing inherent rights, will be part and parcel of making space for urban Indigenous self-determination.