

Aboriginal Policy Research Initiative

Overview of Publications

The Institute On Governance, in partnership with the Aboriginal Policy Research Network, Office of the Federal Interlocutor for Métis and Non-Status Indians, has organized a research initiative on policy issues affecting Aboriginal people residing off-reserve. Particular areas of interest include:

- Demographic trends and shifts, and their implications for public policy
- Governance and administration
- Economic and community development
- Social policy
- Environmental policy

The goal of the initiative has been to encourage the development and publication of high quality, policy relevant papers that might promote dialogue and discussions among researchers, policy makers, and Aboriginal stakeholders. Since its inception, the Aboriginal Policy Research Initiative (APRI) has yielded twelve scholarly, peer-reviewed papers and accompanying policy briefs. Topics are diverse, yet share a focus on issues of particular relevance to Métis, Non-Status Indians, and urban Aboriginal people.

A brief overview of the papers appears below. For free copies of the papers and accompanying policy briefs, please visit the APRI webpage at: <http://www.iog.ca>.

Trafficking of Aboriginal Women and Girls in Canada

Anette Sikka, University of Ottawa (May 2009)

Aboriginal women and girls in Canada are at a higher risk of being trafficked for the purposes of sexual exploitation, yet the types of acts perpetrated against them are often not viewed as trafficking. Historical representations of Aboriginal women, poverty, racism, and criminalization of Aboriginal girls have worked together to cloak crimes committed against them in invisibility. This article discusses the ways in which Aboriginal women and girls in the Prairie Provinces are recruited into the sex trade under exploitative circumstances and how these acts fit within the definition of “trafficking in persons” in Canadian criminal law.

Politiques publiques et santé des Autochtones résident en milieu urbain

Thibault Martin et Eric Diotte, Université du Québec en Outaouais (mai 2009)

Cet article tentera de jeter les bases d’une réflexion sur le lien entre l’urbanisation des Autochtones et le développement de politiques publiques en santé qui leurs sont destinées. Il analysera les facteurs qui contribuent au départ des Autochtones pour les régions urbaines et à la réalité qui les attend une fois installés dans ces milieux. Il s’attardera sur les facteurs qui limitent leur plein accès aux services de santé. Puis, il analysera les politiques publiques en matière de santé afin de déterminer si elles répondent aux besoins des Autochtones vivant en milieu urbain.

Keeping the Circle Strong: Social Promotion through Community Networking to Strengthen Off-Reserve Aboriginal Child Welfare

Judy Gillespie, University of British Columbia (Okanagan), and Dennis Whitford, Northwest Alberta Child and Family Services Authority (August 2009)

The overrepresentation of Aboriginal children and families within child protection systems is symptomatic of a larger crisis that can be traced back to the colonization, marginalization, and oppression endured by generations of Aboriginal people. This paper presents initial results of a community-based research initiative aimed at understanding policy frameworks to enhance off-reserve Aboriginal child welfare through the promotion of social change and collective well-being. Emerging policy lessons suggest “community networking” as a viable approach to addressing off-reserve Aboriginal child welfare.

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

Julie Tomiak, Carleton University (August 2009)

Collaborative relationships between governments and Indigenous organizations have thus far failed to create sufficient space for Indigenous authority and decision-making power in cities. Drawing on data from Winnipeg and Ottawa, this paper examines how issues of jurisdiction, access, representation, and funding constrain local and regional Aboriginal organizations from addressing the social, economic, political, and cultural priorities of their communities. It is necessary to reframe the issues in a way that urban Indigenous peoples are seen as legitimate communities possessing inherent rights, thereby making space for urban Indigenous self-determination.

Reconceiving Notions of Aboriginal Identity

Ian Peach and Carrie Bourassa, First Nations University of Canada (November 2009)

State-imposed definitions of identity, and the attitudes they have fostered, are tools of colonization that have had profound effects on the health and well-being of Aboriginal peoples. This paper addresses the harm of state-imposed categorization of Aboriginal identity to individual well-being. It considers alternatives to replace the federal government’s role in determining Indian status with self-determined processes. It further argues that a return to self-determined understandings of community membership and, in particular, to Aboriginal traditions about community membership could have lasting, positive impact on the well-being of individuals.

Developing Legal Frameworks for Urban Aboriginal Governance

Bradford W. Morse, University of Ottawa (January 2010)

For First Nations, Inuit, and Métis peoples living off a recognized land base – especially for those living in the populous southern portions of Canada – the challenge to survive as distinct peoples with their own unique needs, interests, and aspirations has been great indeed. Yet Canada has also been blessed with a long history of Aboriginal peoples seeking to fill critical voids in the provision of important services in urban centres. This paper examines legislative instruments that could enhance the institutional autonomy of urban Aboriginal organizations. It recommends the negotiation of new bilateral or tripartite agreements that could act as catalysts for statutory frameworks for Aboriginal governance in Canadian cities.

Finding a Place for Race at the Policy Table: Broadening the Indigenous Education Discourse in Canada

Tracy L. Friedel, University of British Columbia (January 2010)

A significant challenge facing those working in education is the gap between Indigenous and non-Indigenous educational achievement. To a large extent, the approach to addressing the education gap has been a focus on culture. This paper argues that the persistent achievement gap and the continuing prevalence of racism in the lives of Indigenous students present a compelling case for initiatives, in public schools, that move away from an often problematic focus on culture. The paper calls for an emphasis on policy measures that deal much more directly with issues of race and racism as causal factors in the education achievement gap.

The ‘Duty to Consult,’ Environmental Impacts and Métis Indigenous Knowledge

Annette Chrétien and Brenda Murphy, Wilfrid Laurier University (March 2010)

Environmental initiatives are increasingly acknowledging the legal obligation to consult with Canada’s Aboriginal peoples, including Métis, and are soliciting their input and knowledge. Since Métis communities are already involved in consultation processes, there is an urgent need to develop immediate, implementable approaches for effectively consulting with Métis rights-bearing communities. This paper addresses the basis for the Crown’s duty to consult with Canada’s Métis communities. After briefly examining the sources of Métis Indigenous Knowledge, it suggests how a consultation process could be designed to meet both the Crown’s duty to consult and the needs of Métis rights-bearing communities.

Thoughts on Métis Economic Development

Gregg Dahl, Office of the Federal Interlocutor for Métis and Non-Status Indians (February 2010)

This paper presents a thought experiment conducted to determine some rational limits on how Canada could settle a possible outstanding obligation to the Métis. It also considers how such a settlement might be used for Métis economic development by addressing the need for access to capital. The paper suggests that a promising way to settle with the Métis would be to set aside a rationally constrained amount in a trust fund from which Métis communities (as understood in the 2003 Supreme Court of Canada decision, *R. v. Powley*) could draw in order to participate in, or create, economic development opportunities.

The Duty to Consult Doctrine and Representative Structures for Consultation with Métis Communities and Non-Status Indian Communities

Dwight Newman, University of Saskatchewan (March 2010)

At a general level, the duty to consult doctrine has been acknowledged to open new opportunities for Aboriginal communities; however, the doctrine has been developed in the specific context of consultations with recognized First Nations. This paper analyzes the implications of recent duty to consult case law for Métis and Non-Status Indian communities as well as government interactions with them. It presents possible means for enhancing the opportunities of Métis and Non-Status communities to be involved in consultation and points to policy steps that could further this reality.

The Duty to Consult with Non-Status Indians: Mi'kmaq Politics and Crown Responsibilities in Nova Scotia

Bernard Huber, McGill University (March 2010)

The legal uncertainty around the harvesting rights of non-status Indians presents challenges for consulting with non-status Indians in resource management. This paper presents an instance of this reality through an analysis of the position of non-status Mi'kmaq as represented by the Native Council of Nova Scotia (NCNS) in tripartite negotiations in Nova Scotia. Drawing lessons from this case study, it suggests that both First Nation groups and government agencies need to support the political representation and consultation of non-status Indians and Métis people for all Aboriginal people to benefit from the duty to consult and establish viable agreements of self-government.

First Nations and Métis Youth in Northern Alberta: Toward a More Expansive View of Transitions

Alison Taylor and Lois Edge, University of Alberta, Tracy L. Friedel, University of British Columbia (March 2010)

This paper examines issues related to transitions to further education and work for First Nation and Métis youth in a municipality in northern Alberta. Its case study supports the need for a view of youth transitions that attends to historical and institutional contexts, adopts an expanded view of learning-to-work, and includes voices of Aboriginal youth. Effective education and training approaches would seek to broaden horizons of action for Aboriginal youth, attend to the knowledge they already possess, and validate alternative ways of knowing. An expansive and critical approach to youth transitions moves the discussion from individual risk factors to the social, political, and economic tensions that affect the lives of Aboriginal youth today.