



ABORIGINAL RESEARCH AND POLICY: UNDERSTANDING THE CHALLENGES OF METIS, NON- STATUS INDIANS AND URBAN ABORIGINAL PEOPLES

Summary Report on Workshops at the
Congress of Humanities and Social Sciences
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Vancouver, BC

**Event organized and hosted by the Office of the Federal Interlocutor for Métis and
Non-Status Indians**

Report prepared by the Institute On Governance

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WORKSHOP SUMMARY REPORT

I. Introduction

A. The Workshops in Brief

The workshops collectively entitled “Aboriginal Research and Policy: Understanding the Challenges of Métis, Non-Status Indians and Urban Aboriginal Peoples,” were held on June 5 2008. They were hosted by the First Nations Longhouse located on the University of British Columbia campus in Vancouver. Held as part of the 2008 Congress of the Humanities and Social Sciences, this event had been organized by the Aboriginal Policy Research Network (APRN) of the Office of the Federal Interlocutor for Métis and Non-Status Indians in partnership with the Canadian Federation for the Humanities and Social Sciences.

The goal of this one-day event was to present and discuss research relevant to Métis, non-status Indians and urban Aboriginal peoples. It had two specific purposes:

- To explore the issues raised by the scholarly research in greater depth and from a policy-making perspectives
- To provide scholars with a better sense of which issues are relevant to Métis, non-status Indian and urban Aboriginal peoples as well as to policy-makers.

The workshops were open to the public. Including chairs and speakers, approximately sixty people attended. Participants came from across Canada and from a wide variety of backgrounds, including academia, government and Aboriginal representative organizations. Assistant Deputy Minister of the Office of the Federal Interlocutor (OFI) Fred Caron presided over the sessions. Ian Peach, Special Advisor to the OFI facilitated. Jodi Bruhn, Senior Researcher with the Institute On Governance, took notes in preparation for this report.

The workshops lasted three and a half hours each. One was held in the morning and one in the afternoon.

B. Welcome and Opening Remarks

Dr. Richard Vedan, Director of the First Nations House of Learning and Senior Advisor to the President of the University of British Columbia, began the meeting. He introduced Elder Rose Point of the Musqueam First Nation, who opened the event with a prayer.

Dr. Vedan then introduced participants to the space where the workshops would occur. He explained the placement and carving of the cedar beams of the longhouse and pointed out their relationship to some of the traditions of First Nations living in the area. Welcoming everyone to the event, Dr. Vedan also cautioned against committing “random acts of research.” Aboriginal people do not enjoy being subjected to an endless series of research projects with no unified or coherent purpose. Dr. Vedan concluded his introduction by singing the Coastal Salish anthem with other First Nations participants.

Fred Caron of the OFI then addressed participants. Mr. Caron declared that he was very pleased to be able to co-host the workshops with the Canadian Federation for the Social Sciences and Humanities. The aim of the workshops was precisely to bring some of these random acts of research together in a way that would help both policy-makers and the people their policies should be serving. The Aboriginal Policy Research Network had been created in order to gain a coordinated, informed direction on policy for Aboriginal people within the federal government. A second aim had been to help inform both Aboriginal organizations and provincial governments in their policy-making efforts.

Ian Peach then added his own thoughts on the purpose of the APRN and of these workshops: to gather research as well as bring some coherence to policy development for Métis and non-status Indians and urban Aboriginal peoples. This intention had implications for how he would facilitate the sessions. Because a major element would be participant response to the research presentations, he would be generous in the time he left for group discussion. Ideally, the presentations would stimulate thoughts that participants could share in the discussion. These thoughts would help locate priorities for the research community and connect the research and policy processes. Mr. Peach then introduced the first presenter for the morning.

II. Morning Workshop: Increasing the Social and Economic Inclusion of Métis, Non-Status Indians and Urban Aboriginal People

The morning workshop outlined the present socio-economic conditions of Métis, non-status Indians and urban Aboriginal people, seeking insights on how to include these peoples and further to reduce the persistent socio-economic gap between off-reserve Aboriginal and non-Aboriginal populations.

A. Morning Presentations

Presenters at the morning panel included Andy Siggner of Siggner & Associates Inc; Russell Lapointe of the Research Directorate at Indian and Northern Affairs Canada; Christopher Adams of Probe Research; and Gregg Dahl of the Office of the Federal Interlocutor. A fifth presentation had been scheduled but was cancelled due to unforeseen circumstances. Denielle Elliot of the University of British Columbia was unable to present her paper, “Improving Urban Aboriginal Health: Indigenous Knowledge, Collaborative Research and Urban Marginalization.”

The first to present was Andrew Siggner, who had produced his report on behalf of the Office of the Federal Interlocutor.

"An Overview of the Latest Findings from the Census and Labour Force Survey"

Andrew Siggner, Siggner & Associates

2008 had been an exciting year for statistics in Aboriginal policy, one when important new data sources had become available. In addition to the results of the 2006 census, released throughout 2008, analysts also now have access to Aboriginal data in the Labour Force Survey. This data has been available in the Western provinces since June 2004 and will be released for the eastern provinces in late 2008. According to Mr. Siggner, the advantage of this survey is that Aboriginal people living off-reserve were asked about their labour force activity on a monthly basis. These two datasets would be the basis of his work for the next while. His talk would present some of the significant results of these two new data sets and would raise some policy-relevant questions related to those results.

Findings of the 2006 Census

Mr. Siggner first presented some basic numbers from the 2006 census. The major finding of the 2006 survey was that the Aboriginal population had grown. Nearly 1.2 million people reported being Aboriginal in the 2006 census, up from nearly 800,000 ten years earlier. This represented a huge growth of the Aboriginal population over the past ten years. The greatest growth areas were in Métis and non-status Indian populations, which expanded from just over 200,000 in 1996 to almost 390,000 by 2006 for Métis and from nearly 87,000 to 133,000 for non-status Indians. The Métis population is of particular note, having almost doubled in the past ten years. The non-

status Indian population grew by 54 percent in the same time period, representing twice the growth of its status Indian and Inuit counterparts.

Why would such growth occur? It could not be explained solely by the natural growth (fertility and mortality) of these populations. In the case of the Métis, Mr. Siggner presented the hypothesis that the Métis have been affected in the past ten years by a number of events affecting their cultural consciousness. In 2003, the Supreme Court *Powley* decision affirmed an Aboriginal right to hunt for the Métis. In the same ten-year period, Louis Riel had been named a Father of Confederation. Events like these increase Métis identity to the point where people now self-identify as Métis on the census. The rapid growth phenomenon was also observable for indigenous peoples in Australia and the United States. Researchers had begun calling this phenomenon “ethnic mobility” – the situation whereby people change their ethnic identification from non-Aboriginal to Aboriginal from one census to the next.

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In explaining the growth of the non-status Indian population, things are slightly different. Identification of oneself as non-status Indian may also have been conditioned by a rise in cultural consciousness. However, the major factor here has likely been the impact of the 1985 *Indian Act* amendment known as Bill C-31. While this amendment allowed for many former non-status Indians to regain their legal Indian status, it also disallowed children of intermarried status Indians from gaining legal status after two generations of out-marriage. The impact of this legal factor is likely starting to contribute to the growth of the non-status Indian population.

As questions to ponder on the increasing identification as either Métis or non-status, Mr. Siggner asked the following:

- Will Métis and non-status Indian populations continue to grow at this accelerated pace?
- Will they surpass the registered Indian and Inuit populations in the long run?
- Will the Métis continue to see their growth affected by ethnic mobility at the same rate over time?
- How will the non-status Indian children of second generation out-married status Indians report themselves in the census?
- Will these children, as they age, continue to identify as First Nations without legal Indian status, or will they begin to identify as “Métis”?

Mr. Siggner noted that researchers are not yet certain whether children who no longer qualify for status will identify as non-status or as Métis.

A further pronounced trait in the past ten years has been the increase of the urban Aboriginal population. Compared to 49 percent in 2001, 53 percent of the Aboriginal population resided in urban areas in 2006. Three of ten Aboriginal people live in one of Canada's largest cities. About 69 percent of Métis are urban-based. The non-status Indian urban population for 2006 is not yet known, but in 2001 it was almost 75 percent. The non-Aboriginal urban population of 81 percent is much higher – but the gap between the two has been closing over the past few years. Thus, a clear trend for Aboriginal people in Canada is increasing urbanization.

As the next significant result, Mr. Siggner focused on the age distribution of the Métis and non-status Indian populations. Nearly one-third of the non-status Indian population is under 15. This number falls to 25 percent for the Métis population. Nonetheless, Métis and non-status Indian populations – like other Aboriginal groups – are very young compared to the populations of non-Aboriginals, for which only about one-sixth is under age 15. For the Métis again, there has been a growth in the population at *all ages*. The non-status Indian population is also growing fairly rapidly, with a positive growth in the age cohorts over time.

What could explain such growth? Here too, Mr. Siggner explained that once born, and given very low external migration rates among Aboriginal peoples in and out of Canada, an age cohort should decline over time due to mortality. Another reason for the growth of an age cohort over time would be a change in survey coverage from one census to the next. In a previous study, however, he had shown that under-coverage in the 1996 and 2001 censuses was very small and did not come close to explaining the overall growth of the Métis and non-status Indian populations. Thus, we are again left with the influence of “ethnic mobility” as the primary explanation.

On age composition, Mr. Siggner noted the following emerging trends:

- The Métis age structure is already taking the general shape of the non-Aboriginal age structure. This suggests that the Métis population growth is not wholly due to natural growth.
- If Métis fertility begins to decline in the future, this population may begin having the same proportional age distribution as its non-Aboriginal counterpart.

Some policy-related questions to ask of these trends are:

- Will the growth of the Métis population over all ages, except at the older ages, continue in the future?
- What are the characteristics of the newly-declared Métis?
- What are their impacts on planning and programming moving forward?

Examining the Métis and non-status Indian populations by region, Mr. Siggner found the largest combined population in Ontario. The largest regional share of Métis is located in Alberta at nearly 22 percent, followed by Ontario at 19 percent and Manitoba at over 18 percent. Notably, nearly 5 percent of the Métis population is reported in the Atlantic region. This indicates that people are declaring themselves as Métis in that region as well. The non-status Indian population is distributed quite differently: Ontario has the largest share at almost 37 percent, British

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Columbia is second at 22 percent and Quebec is next at 13 percent. The Atlantic region has about 8 percent of the non-status Indian population.

Findings of the Labour Force Survey

Mr. Siggner then turned to the Labour Force Survey, for which results are already in for the Western provinces. For the West, the survey indicates that unemployment rates for off-reserve Aboriginal people declined between 2004 and 2007. From November 2007 to March 2008, unemployment rates had been climbing again – and at a faster rate than that of their non-Aboriginal counterparts. Clearly, then, Aboriginal people in the West have benefited from the economic boom. Yet the fact that the rates have fallen off raises a question: has the recent softening of the economy there affected Aboriginal workers sooner than non-Aboriginal ones? The Aboriginal unemployment rate has been hanging in about 2.5 times that of non-Aboriginal groups – a statistic reinforced by the lower employment rates among Aboriginal people. The Métis as an Aboriginal sub-group have significantly lower unemployment rates than non-status Indians.

Mr. Siggner then moved on to the sectors where these groups tend to work. About 70 percent of Aboriginal workers are private sector and service industry employees; about 20 percent work in the public sector and about 10 percent are self-employed off-reserve. Both North American Indian and Métis workforces have higher shares in public sector work than their non-Aboriginal counterparts did for most of the 2004–2008 period examined in the survey. By March 2008, this workforce now has almost the same share in the public sector as did the non-Aboriginal workforce. The share of the Métis workforce has been increasing over the four year period, although it dipped somewhat in the first quarter of 2008.

The final noteworthy result of the Labour Force Survey concerns education. Among the total Aboriginal labour force that had completed post-secondary schooling, the employment rate for Aboriginal respondents is as high as the non-Aboriginal rate is. This indicates that, if Aboriginal students complete a schooling level (such as high school graduation), they enjoy employment rates approaching that of non-Aboriginal people. At the university level, the employment rates of the two groups are on par. The Métis have employment rates that either match or exceed non-Aboriginal workforce rates – except those with Grade 8 or less or with trades certificates.

Major Themes Emerging from the Data

What do all these new statistics mean? Mr. Siggner concluded his presentation with a summary of the themes that emerged from his research. One major one was education. This seems to be the key to improving employment rates for the Aboriginal workforce, even in periods that are economically more depressed. Parity with non-Aboriginals in employment rates can be achieved with completed levels of schooling among Aboriginal people. Further, an emphasis on education may help mitigate the impact of a downturn in the economy.

In light of the importance of education to employment and other related indicators of well-being, it would seem that more policy attention should be paid to keeping Aboriginal children and

youth in school. To this end, more research is needed on the factors associated with increasing school retention among Aboriginal children and youth.

As further areas for focus, economic development for both urban and rural off-reserve areas appear to be a key to improving Aboriginal socio-economic conditions. Finally, the skill capacity and occupational mix of working Aboriginal people should also be examined – researchers do not know whether current occupations are more vulnerable to an economic downturn. To this end, universities, research institutions and governments should sponsor research partnerships that could facilitate this kind of research: evidence-based decision-making, policy development and planning.

"The Well-Being of Communities with Significant Métis Population in Canada"

Russell LaPointe, Indian and Northern Affairs Canada

The next speaker was Russell LaPointe, Statistical Officer at the Strategic Research and Analysis Directorate, Indian and Northern Affairs Canada. Mr. LaPointe was the lead author on a piece co-authored with Sacha Sénécal and Eric Guimond of the same research division at INAC. Their study sought to apply the community well-being index (CWB) developed for First Nations communities to communities with a significant Métis population in Canada. Such application would provide the opportunity to compare the well-being of these communities to that of other Aboriginal and non-Aboriginal communities in Canada. Mr. LaPointe noted that the research marks a further step in examining the well being of Aboriginal communities using the CWB methodology. Thus, his presentation was about two stories. The first story presented findings of the research about Métis “communities” in Canada. And the second concerns the challenges of applying the CWB methodology to Métis communities.

Methodology

Briefly, Mr. LaPointe outlined the methodology the study used. As a means to ensure a rough equivalence between the Métis and other Aboriginal communities compared, the study examined only Métis communities that meet the following criteria:

- The populations of the communities examined had to be at least 65 people
- More than 25 percent of the overall population had to be Métis according to the 2001 census.

These requirements ruled out a city like Winnipeg, for example. Although many Métis people live in the city of Winnipeg, the population of Métis in any given area was not enough to allow the researchers to study Métis communities located within Winnipeg.

The geographical boundaries used were those established by the census subdivision (CSD). In terms of understanding who is a Métis, the study relied solely on the self-identification process of the census. As with the census, it did not enter into the legal definition of who is a Métis – a definition Mr. LaPointe noted differs even among Métis organizations.

As Andy Siggner had pointed out earlier, there has been a consistent increase in the number of people who have identified themselves as Métis in the last three censuses. From 1996 to 2001 to 2006, the share of the Métis population of the overall Aboriginal population has increased from 25.55 to 29.94 to 33.24 percent. By contrast, the share of First Nations has decreased from 66.21 to 62.36 to 59.52 in the same time span. Because the community well-being (CWB) scores have yet to be established for the 2006 census, the data this study relied on was from the 2001 census.

The Community Well-Being Index

Mr. LaPointe then provided the background on the community well-being index. Derived from the Canada census, the index is founded on the methodology of the Human Development Index (HDI) without replicating it entirely. It was created in order to examine the socioeconomic living conditions of First Nations in Canada and later applied to examine other Aboriginal communities. The index is comprised of four equally rated indicators, including education (literacy and high school diploma or degree attainment), labor force (participation and unemployment), income (total per capita) and housing. For housing, both quality and quantity indicators are used: quality means that dwellings are not in need of major repairs and quantity indicates the proportion of population containing no more than one person per room. The scale of the index runs from 0 to 1, with 1 being the highest score and 0 the lowest. It has been calculated for all Canadian communities with a population of 65 or over. Scores for the separate indicators were calculated for communities with populations of greater than 250.

When it was originally designed, the CWB index was developed to measure the disparities between Aboriginal and non-Aboriginal communities. Analysis of disparities would help researchers identify such things as: past (1981 to 2001) and future trends in the well-being of various First Nations; prosperous First Nations communities that might serve as role models; communities having serious socio-economic difficulties; and determinants and correlates of well-being in First Nation communities. Ultimately, such analysis would provide a means to help assess the impacts of specific programs and policies in order to improve them. Mr. LaPointe underscored that the goal is simply to create an understanding of the levels of well-being in these communities. It is not to label the communities or to define well-being for them; rather, it is simply to get the basic data on some major elements of well-being.

Mr. LaPointe conceded that the CWB had some limitations. For example, it cannot measure well-being in a cultural, physical or emotional sense. It is also unable to measure the well-being of sub-groups within larger census communities. Its methodology is relatively new and continues to develop. However, it also has several strengths: it is a unique way to compare well-being at a micro, municipal level. It is easily comparable across communities, urban or rural, reserve and non-reserve. Although the methodology remains to some extent a work in progress, it also provides a good means to gain some comparability over time. Finally, the CWB is an excellent tool to educate the public by providing a single, simple number that can be compared with that for other communities.

Results of the CWB Applied to Métis Communities

Returning to the present study, the researchers identified 43 census sub-divisions meeting the criteria of the study. The Métis populations' percentage range for these sub-divisions was 25.9 to 87.6 percent. Five of these Métis 'communities' are located in Alberta, twenty-three in Saskatchewan, nine in the Northwest Territories and four in Newfoundland/Labrador. With a score of 0.73 of a maximum of 1, the average CWB for Métis communities was the highest among Aboriginal groups. First Nations average score was the lowest at 0.66 followed by the average score for Inuit communities of 0.69. All Aboriginal scores were significantly lower than the average CWB score for non-Aboriginal communities, which was 0.81.

Regionally, there were discrepancies in how the Métis communities scored across the provinces and territories. Saskatchewan's Métis communities rated the lowest with an average score of 0.71 followed by Newfoundland and Labrador at 0.72. Manitoba communities obtained an average score of 0.76. Alberta and Northwest Territories communities rated highest of all Aboriginal communities, with average scores of 0.78 each – just three points below the non-Aboriginal average for Canada.

Mr. LaPointe then analyzed the scores for the component parts of the index. Métis communities evinced some variations across the national averages for education, labor, income and housing measures. Scores for income were the lowest (0.65) bettered by those for education (0.71) and labour (0.75). Perhaps most striking was the overall national Métis average score for housing. At 0.85 percent, it was significantly higher than the national average for either First Nations communities (0.70) or Inuit communities (0.71), although still somewhat lower than the average score for non-Aboriginal communities (0.93).

A similar discrepancy among Aboriginal communities can be found on the income indicator. Researchers found a national average score of 0.65 for Métis communities compared to 0.60 for Inuit and 0.50 for First Nation communities. Such discrepancies provide valuable material for analysis, leading one to ask: what is their source?

“In general, we have the highest Community Well-Being scores for Métis communities of all Aboriginal communities and we will have to monitor this over time. Why are they doing so much better? Is it ethnic mobility or is something more involved?”

Challenges of Applying the CWB Index to Métis ‘Communities’

Mr. LaPointe then stated that there are some unique challenges posed in attempting to measure Métis community CWB scores. In part, these might account for the drastic variations compared to other Aboriginal communities. The main challenge involves analyzing the well-being of Métis communities over time. With self-identification as Métis increasing, this means that some

of the 43 communities identified in the 2001 Census would not have been regarded as Métis communities prior to 2001. This leads one to ask whether analysis based on the census subdivision is the best approach to identifying Métis communities. Another challenge is presented by the imprecise process of self-identification: where there is no agreed upon definition of a Métis, the CWB is more or less bound to using self-identification to determine Métis identity. This process of self-identification is a very democratic process, yet it lacks the stability that a secure definition provides. As a result, the data for this shifting population can and will change. A reliance solely on self-identification may also mean a bias in the new populations added: ethnic mobility may well mark an increase within communities that tends toward better incomes, education levels, housing, etc. These are some of the challenges related to ethnic mobility in attempting to monitor trends over time with the CWB.

As a means to clarify such issues, Mr. LaPointe recommended that the broader issue of defining the Métis population should remain at the forefront of the policy agenda – also from a research standpoint. The work in understanding the wellbeing in communities with significant Métis populations would continue. However, this research study had demonstrated that it is difficult to examine a population that does not have a stable definition and hence no stable population to analyze.

The general conclusion remains, however: Métis communities as now defined enjoy the highest CWBs of all the Aboriginal communities. This begs an answer to the question why: why are Métis communities faring well compared to other Aboriginal communities – in housing, for example? Can it be attributed strictly to ethnic mobility? Does the uniqueness of the situation of Métis community mean that Métis communities should be analyzed some other way?

In the view of Mr. LaPointe, the next step was to understand why Métis people have such high housing scores accompanied by lower rates of income and education – two factors one would predict to have an influence on the ability to purchase or rent good housing. He and his colleagues would examine these and other issues as this research continued.

"Indigenous Voices: the Probe Research Survey of Aboriginal People in Manitoba"

Christopher Adams, Probe Research

The third speaker of the morning's workshop was Christopher Adams, Senior Research Director of Probe Research in Winnipeg. In introducing the study entitled, "Indigenous Voices: the Probe Research Survey of Aboriginal People in Manitoba," Dr. Adams first provided some background on his Winnipeg-based research organization and its prior work with Aboriginal communities and clients. The study itself began in response to the interest of Indian and Northern Affairs Canada in conducting surveys of Aboriginal people living in Manitoba. Probe Research then designed and launched a province-wide syndicated research service in an attempt to capture the attitudes, perceptions and activities of Aboriginal people in a wide range of areas – similar to other studies conducted by other firms regarding issues among the broader Canadian population. Dr. Adams' presentation provided some of the results of that survey.

Methodology

Dr. Adams first outlined the methodology. It could be broken down into key demographics: whether respondents lived in or outside Winnipeg, for example, or whether they lived on- or off-reserve, whether they were Métis, status Indian or non-status Indian. The sampling principles used were standard for the social sciences. Regular random calling across the province obtained n=400 interviews from a total of 5,000 interviews with the general population. For remote First Nations communities where use of the traditional method of land-line telephones was not as a reliable, the study used print and local radio advertisements asking First Nations people to call in to do the survey for a compensation of 15 dollars per household. By this means, the study was able to get data from First Nations people living on-reserve – a population group that would otherwise be underrepresented.

The survey results were then weighted to reflect the Aboriginal populations in the province according to the 2001 census. The resulting respondent profile contained 523 total Aboriginal respondents: 35 percent of them Métis, 34 percent status Indian living on-reserve, 26 percent status Indian living off-reserve, 2 percent non-status Indian and 2 percent identified as “other.” Dr. Adams stated that the study now has a good sample and a good-sized database of Aboriginal people so that findings could be projected onto the entire Manitoba Aboriginal population with a margin of error of +/- 4.4 percent.

Having established an appropriate sample, the study canvassed Manitoba Aboriginal people on a whole range of items and issues, spanning from use of cell-phones to political opinions.

Survey Results

One question the Probe survey asked was, ‘What concerns about your community come to the top of your mind?’ The top concern for all Aboriginal people in Manitoba was crime and safety followed by jobs and employment – a response not far off from the data for their non-Aboriginal counterparts. Notably, the Winnipeg Aboriginal population had somewhat different issues of concern from other populations. Here, infrastructure issues were followed closely by crime and safety, then healthcare. Employment was not a top concern for Winnipeg Aboriginal people, most of whom are Métis.

Another set of questions asked how people rated their public services – such things as hospital and medical services, drinking water, quality of schools and housing and access to recreational facilities. To this, only a minority of Aboriginal people gave their public services high ratings (an 8, 9 or 10 out of 10) regardless of community type. First Nations residents rated their conditions and services consistently lower than Aboriginal people living in Winnipeg. With drinking water, for example, only one-third on reserve gave high scores for the quality of their water. Similarly, for housing, 40 percent of Aboriginal respondents in Winnipeg stated that their housing was of good quality, whereas this number drops to 20 percent on-reserve. First Nations members were also much less optimistic about the economic future of their communities. Compared to Métis respondents, whose financial outlook was similar to the general population, only 35 percent of First Nations on-reserve were ‘somewhat optimistic’ in their economic outlook for 2005.

Eighteen percent of First Nations living on-reserve were ‘very pessimistic’ compared to 8 percent of Métis.

Dr. Adams then moved on to respondent views about vocalizing their concerns or ‘making your voice heard loud and clear.’ Sixty percent of all Aboriginal people thought that it was definitely time to make Aboriginal demands known. For Métis respondents alone, that figure dropped to 46 percent. The Aboriginal organizations also gained different ratings as vehicles for voicing these concerns. With a rating of 31 percent for Winnipeg Aboriginal people, the Manitoba Metis Federation rated highest among the organizations for how much they helped Aboriginal people in Manitoba. 29 percent of status on-reserve respondents rated the Assembly of Manitoba Chiefs high. This was compared to a much lower rating for the Manitoba and federal governments on addressing Aboriginal concerns – these received no more than 22 percent satisfaction from any Aboriginal demographic.

Turning to political engagement, the survey question asked: “Do you have a party preference?” The study used this question as a proxy for measuring levels of political engagement. Métis respondents showed a higher tendency to not have a party preference than most Manitobans with 33 percent of Métis not having a preference compared to 26 percent of all Manitobans. In terms of engagement in current events, the study found that newspaper readership is fairly high within the Aboriginal population, whether on-reserve or off-reserve. At least 80 percent of Aboriginal Manitobans had read a newspaper in the past week. The majority of these had read the *Winnipeg Sun* with lower numbers showing for the *Winnipeg Free Press*. For radio, there was no clear preference. Worth noting is that new data from the 2007/08 communications results will include information on Aboriginal-specific newspapers and cell-phone and internet usage.

In concluding, Dr. Adams stated that his company was very proud of this study. With a database now exceeding 1,000 interviews, it is the only one of its kind in Manitoba.

"Thoughts on Métis Economic Development"

Gregg Dahl, Office of the Federal Interlocutor

The next speaker was Gregg Dahl, Senior Policy Analyst at the OFI. As a caveat to what was to come, Mr. Dahl noted that his paper began as a research project for the 2006 Aboriginal Policy Research Conference. What he was about to say reflected the views neither of the OFI nor of the federal government, only the views of the presenter. Likewise all responsibility for errors or “egregious leaps of logic” rested solely with him.

Mr. Dahl’s talk would present a “thought experiment” on the possibilities for promoting Métis economic development through capitalizing a claim that Canada might owe the Métis or Half-breeds as they were named in the *Manitoba Act*. The thought experiment was informed by literature on business development and in particular on Aboriginal business development. That literature states that access to capital is the primary hurdle to initiating economic development.

The Thought Experiment and Its Underlying Assumptions

The literature on business development prompted Mr. Dahl to wonder: how might the Métis come up with some more capital? In this context, he recalled that Canada might be found to possess a legal obligation to the Métis and the Honour of the Crown could also be involved. So he began thinking of a settlement. This settlement would occur along the same lines as those undertaken with the Inuit and First Nations, but this time issued to the Half-breeds, as they were named in the *Manitoba Act*.

This thought experiment would outline the contours of such a settlement. If a final agreement could be formulated to provide capital transfers from Canada to the Métis, what should it look like? Specifically, what should it look like in order to provide economic benefits to all parties to such an agreement?

Mr. Dahl then presented the assumptions lying at base of this experiment:

- That the term “Métis” relates to those people who are the descendents of the population labeled “Halfbreeds” in Sec. 31 of the *Manitoba Act*, although not exclusively
- That Canada would treat any outstanding obligation to the Métis in the same way it has treated its obligations to the Indians and the Inuit
- That Canada would negotiate to fulfill any outstanding obligations it may have in relation to the Métis
- That the Métis indeed possess an outstanding claim against Canada
- Finally, that settlement of the claim could provide access to capital set aside for economic development purposes

Mr. Dahl clearly recognized that the assumptions he just outlined can be and have in fact been contested. For the purpose of the experiment, however, the contestations are not the focus. It assumes that an outstanding obligation to the Métis/Half-breeds of Manitoba in fact exists, despite the recent decision in *MMF v. Canada and Manitoba*, which is now under appeal. Canada may also wish to settle with the Métis of the area that was formerly Rupert’s Land regardless of the outcomes of any court decisions.

Outlining a Potential Settlement

In examining how a settlement with the Métis might look, Mr. Dahl engaged a statistical analyst to help him analyze the final agreements for First Nations and Inuit claims. Typically, an agreement has two components: the financial and land mass components. Examining all agreements, they determined a per capita amount of money and a land quantum for each agreement. When they asked, “How much money did individuals receive and how much land did they receive?” the range of money was somewhere between \$15,000 and \$23,000. The land quantum was not huge either, especially if only the percentage of fee-simple owned land was counted. These, then, would be the two things a settlement for the Métis would involve: a land quantum and a dollar figure.

Investigating which form capitalization of a claims settlement could take, Mr. Dahl turned again to the example of First Nations and Inuit claims. These typically relied on one (or some combination of) the following forms:

1. Land in fee simple
2. Land in reserve
3. Impact benefit agreements
4. Cash

Mr. Dahl recommended impact benefit agreements for the geographic area of Rupert's Land and cash as the appropriate forms of capitalization in the Métis case. Asking what the Métis would receive in land, Mr. Dahl and his colleague concluded, "probably nothing." So they converted the land in fee simple quantum of existing claims into a dollar amount to arrive at a dollar figure for the entire settlement. The amount they came up with was about two billion dollars for an assumed number of Métis persons (those who had accepted scrip under the *Manitoba Act*). This amount would provide a 'rationally constrained amount' to be transferred to contemporary Métis communities as described in the recent Supreme Court *Powley* decision.

Another possible agreement would employ the notion of a settlement area in addition to cash. In this case the final agreement would contain cash money, a settlement area and access to resource project-based impact-benefit agreements on that settlement area. The land element would not entail decision-making powers about the use of land within the claim area. A settlement in this vein would entail an evolving relationship between the Crown and the Métis – created according to the principles outlined in the Supreme Court of Canada's *Taku* and *Haida* decisions. It would also correspond in principle to the *Powley* decision, which implies that harvesting rights could be implemented through agreements for access to rather than ownership of land.

Recommendation: A Trust Fund for Métis Economic Development

Thinking again of economic development and the need to for start-up capital Mr. Dahl suggested that this large sum could be used in a trust fund set up for the purpose of business development. This would provide both the Crown and the Métis with the most positive impacts. Economic development for the Métis would lead to a better quality of life for them. Canada would benefit from the newly attained prosperity of these members of its society. By having the trust available only to contemporary *Powley* communities, the financial impact for Canada could be spread out over many years, as the number of confirmed *Powley* communities would grow only slowly as they were identified over time.

If the Government of Canada were proven to have an obligation to settle a claim with the Métis, Mr. Dahl hoped that his thought experiment could someday inform a serious discussion between Canada and a ratified representative body of the Métis and Half-breeds.

B. Morning Discussion Session

Following the presentations was a brief plenary discussion session, after which participants broke into groups to identify priorities that had arisen from the research results just heard.

Plenary Discussion

John Richards of Simon Fraser University began the discussion session with a question about improving education outcomes. Andy Siggner's slides in particular had indicated the incredible importance of education as a means to improve employment outcomes. Yet if one examines the gaps in education attainments by age cohorts, one distressing thing is that among younger Aboriginal cohorts the gaps are increasing – even though Aboriginal education profiles are going up. Dr. Richards found this an issue of deep concern.

Mr. Siggner responded that we have clearly seen some improvements over time, although some may have been due to ethnic mobility. For younger cohorts, it would be necessary to disentangle how much the improvements in education attainment came from increased self-identification as Aboriginal. To Dr. Richard's point he added that, in shaping education policy, the goal should be to improve the retention of children in the education system in earlier years – rather than in later years where other factors such as single-parenthood could creep in. But he again stressed that despite the difficulties in measuring education outcomes the rates are still clearly improving.

Christopher Adams confirmed Mr. Siggner's suggestion that the biggest concern should be about grade school years. This conclusion arose from his survey of Aboriginal people in Manitoba: there have been a lot better outcomes at the post-secondary school level, but primary schools remain a key concern. There were serious doubts about the quality of the primary schools among the Aboriginal people his study surveyed.

Another participant now addressed the room. Stating that she is a First Nations person and also a social worker teaching at the University of Northern British Columbia, she asked how many people in the room were social workers. No one raised a hand. Noting this, she said, "I thought so."

“There is a serious disconnect between what we are doing here in this room and what is being done on the ground.”

The problem with Aboriginal policy as she saw it is that there is never money to implement all the wonderful policies discussed at forums like this. The result is a serious disconnect between what was being done in this room and what is being done on the ground. Her question was this: how can we traverse the gap, take up the ideas, the highest principles about what should be done, when the conversation does not include people who are supposed to be implementing them? She recommended bringing together the people making the policy and the people implementing it

and concluded by calling on presenters to get out of their offices, set aside their statistics and come out and talk to the communities.

Mr. Adams wished to respond to this comment. As a researcher, he himself knew the alienation between the research and practice on the ground. In crafting its research questions, his study had tried to integrate these two perspectives. But as a social scientist he took the remark to heart. The issues are poverty and marginalization, whereas researchers wear nice suits and still have the sense of being in a lofty tower.

Mr. Dahl also indicated that he found the comment a good one before answering the next question, which had been addressed to him. One participant asked why he thought any settlement for the Métis with Canada would include only money. Why not both money and land? And if so, why would he talk about setting aside money for infrastructure and roads? To this Mr. Dahl responded that he does not include land in any Métis settlement due to the Aboriginal title of First Nations and the possibility of any Métis land claims overlapping with the claims of First Nations.

Mike Evans of the University of British Columbia commented that he had enjoyed Mr. Dahl's paper and regarded his thought experiment as "non-trivial" work. He encouraged him to take it further. But he was wondering how Mr. Dahl had arrived at his calculation of how much land would be available to the Métis and to whom it would be available. To this, Mr. Dahl responded that there is a long and interesting history behind allocating the land in the various treaties and settlements. But he had arrived at his amount simply by running the numbers in an attempt to arrive at a per capita land quantum in fee simple for the First Nations and Inuit settlements and then applying this number to a potential Métis claim. The recipients, again, would be ancestors of the original scrip recipients as identified following the *Manitoba Act*.

Another participant asked Mr. Dahl how the authenticity of Métis status should be determined in allocating those kinds of resources. For First Nations people, there is a control on entitlement to resources through status. This becomes problematic if people are receiving resources solely on the basis of self-identification. Mr. Dahl responded that the control would be the *Manitoba Act* and how it was negotiated. At that point, there was a set of people whose names were recorded and who had to be verified by a friend in order to be registered. So there was this historically identified set of people. One could then project the numbers based on this set. So the numbers would be objective, even if they were hidden. We should also recall that a lot had been hidden with self-identification as Métis. In his view, it was a generational thing: his own grandparents were not proud of being Métis and would even have tried to hide it. His parents joked about it. But he himself was actually proud of his Half-breed heritage.

To this remark, Dr. Adams added that his survey also showed that younger Aboriginal people in Manitoba are demonstrating higher levels of concern for retaining their culture than the older people; they are more aware about this and are more concerned to preserve their culture. This is unusual for younger populations, which are usually far less interested in cultural preservation than older cohorts.

At this point, Ian Peach broke the discussion into groups. The task of the smaller groups would be to identify future research priorities that should arise from the papers just presented. This is why the APRN had planned the sessions in the first place: to help establish research priorities. The Office of the Federal Interlocutor and the federal government more broadly needed the help of both the larger research community and practitioners in the community to help focus its energies.

Setting Research Priorities: Results of Small Group Discussions

Following a half-hour of discussion in smaller groups, Mr. Peach called on each group to present its research priorities. Spokespeople from each of six groups were given two minutes to present the group's conclusions.

Group 1: Put the Data into Action

The first group focused on the need to put existing research into practice. We have all the hard data we need; now is the time to do something with it. Now is the time for research teams to go out into the communities and try to achieve the benchmarks they have identified. Only then can we begin to understand the linkages between the activities and policies that are needed to help achieve stated goals. One practical issue the group identified was the need to regain parenting skills after a period when these had been lost through the residential school experience. We know the parenting issues already. The next questions should be: how can we give people back the skills that they need to raise children properly? How can we help families live together? Practical experience will tell us that if people are crammed together in a small house, these other problems will follow. Here again, we have the data; now it is time to act.

Group 2: Identify Factors Influencing Education Outcomes

The second discussion group focused on education and employment priorities. It found the issue of high school completion paramount. Whether in income, employment, or health outcomes, the failure to complete high school opens up the gap for these other measures of success as well. Therefore more work should be done on the reasons behind that. A gender analysis is also required. Seventy-five percent of Aboriginal people in university are women and only 25 percent are men. Why is that? How can we improve outcomes for young Aboriginal men? This group was also concerned that improved employment outcomes for Aboriginal people in the West were due solely to the economic boom. What about after the boom? Now, many people enjoy employment when they might not have the skills to be employable in the post-boom era.

The group also discussed such health issues as FASD as a factor in finishing high school and the importance of prenatal health to attaining good education outcomes. It also mentioned the importance of math, chemistry, biology and physics in high school completion. As a final note, it added that we have to study what we do and do not know about Aboriginal people with chronic disabilities and handicaps. They should be using the services the most. And if they are not using them, why not?

Group 3: Coordinate Research Agendas, Research and Engage Leadership Traditions

The third group addressed coordination between federal and provincial research programs as a major priority. It noted that there is no access at the provincial level to what the federal level is doing. Maybe there is a need to form a meta-data source that provincial governments, the federal government, and all governments could draw on in order to avoid doing parallel projects. Like the first group, this one stressed conducting more work in the field and out in the communities as a major priority. It also discussed traditional governance and leadership as areas that should take more priority, where gaps at the program level are not only funding issues but also leadership issues. The group thought more work should be done on working out how traditional governance institutions and practices could be engaged.

Group 4: Nuance Identity, Jurisdiction, Build Trust with Aboriginal Governments

The priorities of the fourth group centered largely on questions of identity. It suggested that identification of Aboriginal people has to become more of a focus now. What psychological, sociological and economic factors explain why people did not identify in the past and why they identify now? Governments should be aware of these factors. There is also the question of jurisdiction: some Aboriginal governments serve *both* urban and rural areas. There are communities to be served in both areas regardless of federal/provincial jurisdictions.

Another thing policy-makers should recall is context. They talk about Aboriginal versus non-Aboriginal communities but there is a level of detail and nuance that has to come in here. What are the schools in each community? What are the recreational facilities in those communities? What are the other intangible factors that would help contribute to the well-being of community members? For example, when the Manitoba Métis Federation asked what would enhance the flourishing of their citizens they said ‘recreation’ – we need recreation facilities to become better, more prosperous, tax-paying citizens.

A final note this group made was on partnerships. It is difficult for researchers to work with Aboriginal governments because there is often not the level of trust needed. But researchers need to have partnerships with the Aboriginal governments to do the research properly.

Group 5: Study Ethnic Mobility, Acknowledge Grave Flaws of Current Research

The fifth group focused first on ethnic mobility. What does this new phenomenon mean in practical terms – for example, in terms of providing resources?

The group then identified some fundamental methodological barriers of most current research. One was manifested in the workshop itself. Would this event be the primary point of consultation on what research priorities should be? If so, the title of the workshop itself presents difficulties. We are supposed to be identifying the challenges faced by Métis, non-status and urban Aboriginal peoples. Are the people in this room representative of those whose challenges they are supposed to identify? A further methodological barrier involved the cultural bias of the research now done: it is 95 percent non-Aboriginal people doing this research and they are not using Aboriginal methodologies. Why for example is anecdotal research not valid? The group supported more community involvement in research, but noted that this should entail some

money flowing to the communities rather than solely to a research facility located there – one that likely would not even employ Aboriginal people.

As a result of this research bias, Aboriginal people still are not seeing themselves in history books. A lot of Aboriginal people don't know who they are and they are searching for who their parents are. Existing research provides them with little help here.

Group 6: Make Education Key Priority, Don't Neglect Rural Aboriginal Populations

The sixth group agreed with prior ones that education outcomes should take priority in future policy and research initiatives. It recommended more research on the reasons Aboriginal people have had more success: does the mobility of Aboriginal populations play a role, for example? The group then discussed rural Métis and non-status Indian Aboriginal communities, noting that very little is known about the situation of these rural off-reserve populations. Are Aboriginal communities in rural municipalities integrated into the governance structures there, for example? As a final point, the group indicated that more case studies should be done about communities or individuals who are falling into the jurisdictional cracks – whether they are urban or rural.

Wrap-Up of Morning Workshop

Ian Peach thanked all groups for their insights of the morning and indicated that the priorities identified would help shape future sessions. Because he and his colleagues at the OFI were “incrementalist by nature,” this session would mark only one of a series of events aimed at engaging community and research practitioners.

Fred Caron closed the session by thanking all participants and reiterating Ian's statement that this would by no means be the final session addressing these issues.

III. Afternoon Workshop: Challenges to Aboriginal Identity and Self-Governance in Diverse Urban Communities

The afternoon workshop convened after a lunch break. Elder Rose Point opened with a prayer. The facilitator, Ian Peach, then introduced Assistant Deputy Minister at the OFI, Fred Caron. Mr. Caron reiterated that the event marked the beginning of a sustained conversation on off-reserve Aboriginal issues; it was by no means the end of this conversation. The government does not have a monopoly on the best and brightest minds but needs all the help it can get, whether from the academic research community or the broader community of practitioners with first-hand knowledge of the challenges faced by Aboriginal people living off reserve.

Ian Peach reiterated that these workshops provide an occasion not only for researchers to present their results but for informed discussion identifying a potential research agenda.

A. Afternoon Presentations

Presenters at the afternoon workshop included Nicole O’Byrne of the University of Victoria, Bradford Morse of the University of Ottawa, Julie Tomiak of Carleton University, Paul Kershaw of the University of British Columbia and Mike Evans of University of British Columbia (Okanagan). Whereas the morning workshop had focused on the socio-economic conditions of Aboriginal peoples and policy directions that should address them, the afternoon workshop emphasized questions surrounding off-reserve Aboriginal identity and themes involved in self-government.

The first presenter at the afternoon workshop was Nicole O’Byrne, PhD Candidate at the Faculty of Law, University of Victoria.

“A Rather Vexed Question...”: The Federal-Provincial Debate over Constitutional Responsibility for Métis Scrip”

Nicole O’Byrne, University of Victoria

Ms. O’Byrne began her presentation by noting that the quotation in the title, “A Rather Vexed Question,” had been issued in 1934 by a beleaguered deputy attorney general for Manitoba. The full citation states, “This matter of half-breed scrip is a rather vexed question and goes back to the beginning of things in Manitoba.” This descriptor of the Métis scrip issue as “rather vexed,” although old-fashioned, was in Ms. O’Byrne’s view an apt characterization of the debate over constitutional jurisdiction surrounding Métis and non-status Indians – both historically and into the present.

Her presentation would provide a broad overview of three phases of this debate. The first spanned the years 1867 to 1930, the period when the federal government issued Métis scrip (a form of currency that could be used to purchase land). The second phase covered the Great

Depression, disastrous years on the prairies as elsewhere, and the debates sparked by the Natural Resources Transfer Agreements concluded in 1930. And the third phase spanned from 1939 to the mid 1950s, a period when the federal and provincial governments experimented with various cost-sharing programs for Métis citizens. Time constraints would limit her discussion to the situation in Saskatchewan for this period, although similar experiments occurred in Alberta and Manitoba. Ms. O’Byrne’s presentation would conclude with observations on the “remarkably consistent” policy of the federal government toward the Métis through these three periods.

Phase I: 1867 to 1930

Turning first to Phase I (1867 to 1930) she outlined the seminal events of Manitoba’s inclusion into Confederation in 1870. Louis Riel, as leader of the provisional government of the Red River Settlement, insisted that Manitoba enter Confederation on a constitutional basis equaling that of the other provinces. In other words, the provincial government would have to gain administrative control over its natural resources and the revenues flowing from them. For various reasons – foremost among them the dictates of the National Policy – this transfer did not occur and the federal government retained administrative control over Manitoba’s resources.

However, the federal government did perceive its obligation to recognize the interest in the land that Aboriginal peoples, including the Métis, retained in the area. This interest was said to derive from their prior occupation and use of the land. The federal government recognized this interest via the same instruments it used to extinguish it: Indian treaties and Métis or half-breed scrip. Whereas the treaties included ongoing obligations for the federal government such as education and annuities, scrip would mark a one-time land grant after which recipients would be treated as Canadian citizens. The federal government concluded treaties and issued scrip pursuant to its jurisdiction over Indians and lands reserved for Indians under Section 91(24). Thus, the Métis were legally characterized as Indians in the development of scrip – albeit for the sole purpose of extinguishing their interest in the land.

Ms. O’Byrne stressed the significance of this last point. Many assume that 1982 was the first time the Métis were included in Canada’s Constitution. Yet the mere existence of scrip indicated that the federal government had undertaken to fulfill its perceived constitutional duty to the Métis nearly a century before: its need to recognize and extinguish the Métis’ share in Indian title to the lands that would become Manitoba, Saskatchewan and Alberta. The real question therefore is not whether a constitutional obligation to the Métis existed under Section 91(24) – but whether scrip fulfilled that obligation.

Summing up the first phase, Ms. O’Byrne noted that the federal government continued to issue scrip until 1923 for the legal reason already mentioned. Even more interesting was the political reason provided for doing so. On this question she quoted Clifford Sifton, a former minister of the Department of the Interior, who stated that the main reason for issuing it had been political expediency and cost cutting – land was cheaper than military action. Thus, scrip’s main political purpose was to “grease the wheels of treaty negotiation.”

Phase II: 1930 to 1938

Ms. O’Byrne then turned to the debates sparked by the Natural Resources Transfer agreements of 1930. These transfer agreements followed a protracted campaign by the governments of Alberta, Saskatchewan and Manitoba to gain administrative control over their resources. The provinces resented the colonial status, constitutional inequality, and what they perceived as the mismanagement of their natural resources by the federal Department of the Interior. In 1930, the federal government agreed to transfer the administrative control over natural resources to the provinces – not because of the validity of their arguments but, as the diary of Mackenzie King attests, because the federal government’s purposes had already been fulfilled in the region. The West had been settled and most of its land alienated. Under these circumstances, continued administration of natural resources by the federal government would cost more than the revenue generated by the remaining crown land.

Ms. O’Byrne reported that this victory was a Pyrrhic one for the provinces, which gained control over their natural resources just as the Great Depression hit. Federal/provincial relations were strained through the 1930s as the two levels of government wrangled over the details of the transfers. Their debates occurred at a series of royal commissions, one for each province, during which Métis scrip was one issue of heated debate. Each NRTA specified that the province must fulfill all pre-existing obligations to third parties, including Métis scrip. Believing that it was a strictly federal obligation under 91(24), however, the provinces were reluctant to redeem scrip.

Ms. O’Byrne cautioned that the legal issues surrounding the nature of scrip are too complex to enter into in a fifteen-minute presentation. The main point of note was that the federal government maintained it had always considered the Métis to be Indians under Section 91(24) – but only to the extent that the Métis had a recognizable interest in the lands of the Northwest that needed to be extinguished. Notably the federal government refused to concede any responsibility for the socio-economic wellbeing of the Métis or non-status Indians. This position was further evinced by its refusal to appoint a member to the Ewing Commission established in 1934. Alberta had initiated the commission to study the socio-economic conditions of the Métis in that province.

Saskatchewan adopted a different strategy in attempting to force the federal government to recognize the claims of its Métis, providing the Saskatchewan Métis Historical Society with \$10,000 to pursue a legal claim against the federal government. The resulting legal opinion, known as the Hodges & Noonan report, found that the Métis had only a moral claim against the federal government, not a legal one. This decision – which Ms. O’Byrne noted is worth reexamining in light of Section 35 of the Constitution Act, 1982 and recent Supreme Court opinions – effectively ended pursuit of the matter by the Saskatchewan Métis Historical Society.

Phase III: 1939 to 1955

Despite the standoff at the royal commissions and threat of litigation over scrip, Phase III of this story marked some attempts at shared compensation by the provincial and federal governments. In Saskatchewan, for example, the two levels signed a 1939 joint agreement aimed at developing

and conserving such natural resources as fish, fur and timber – the basis of the economy for Métis, non-status and treaty Indians in the north of the province. The agreement that created the Northern Saskatchewan Conservation Board planned for an ambitious joint federal/provincial conservation plan.

The new body collapsed within a year, after its funding was redirected toward the war effort. But the two governments made a renewed attempt at coordination at the end of the war. The Northern Wildlife Conservation Programme established a coordinated fur policy, albeit with no plans for conserving fish or timber this time. The two governments agreed to spend up to \$50,000 per year on a 60/40 cost-sharing basis. The federal government agreed to pay 60 percent because that number roughly represented the proportion of treaty Indians under their jurisdiction in the north. When the program was renewed in 1956, however, the federal government decreased its share, claiming that it had to divert the money to defense spending linked to its NORAD commitments.

Summing up federal government policy through these three phases, Ms. O’Byrne submitted that it was “remarkably consistent on the matter of Métis scrip.” The federal government recognized the Métis as Indians under Section 91(24) – but only for the purpose of extinguishing the Métis share in Indian title. It accepted no responsibility whatsoever for the socio-economic wellbeing of Métis and non-status Indians. This policy effectively left the provinces to their own devices in establishing social policy for the Métis. Alberta went forward with the Métis Settlements and Saskatchewan pursued joint programs that operated on a formula requiring a federal contribution for Indian populations in the area.

Ms. O’Byrne concluded by noting that this cursory overview of federal/provincial relations on the issue of Métis scrip indicates that, historically, scrip was indeed a ‘rather vexed question.’ And with the collapse of the Kelowna Accord in 2006, it promises to remain one into the future.

"Is Aboriginal Self-Government Possible in Highly Diverse Cities?"

Bradford Morse, University of Ottawa

The next presenter was Brad Morse of the Faculty of Law, University of Ottawa. Professor Morse began his talk by acknowledging the Salish Coast Nation and in particular the Musqueam Nation on whose traditional territory the UBC campus lies. He thanked the First Nations House of Learning for hosting the session as well as the OFI for having extended him the invitation to speak at it.

Professor Morse conceded that the question he had set for himself in the title is a tough one, and one he has been struggling with for at least twenty-five years. His talk would offer no blueprints, no final or ultimate answers. The question had been sparked when he began working with the Native Council of Canada (the present-day CAP) from 1984 to 1993 through the series of First Ministers Conferences and the Meech Lake and Charlottetown Accords. It persisted through his work with off-reserve Aboriginal and Métis organizations. Professor Morse confessed that he

still struggles with its theoretical aspects, practical realities and overarching rationales; but he is prepared to offer at least some preliminary remarks at this point.

Jurisdiction: the Territorial Tie and its Exceptions

Probing the possibility of an urban Aboriginal jurisdiction, he first provided a brief background of accepted legal understandings of government jurisdiction. From a Western legal perspective, governments tend to be understood in territorial terms: there is a government for 'X' block of land. We have city-states with one and only one government for that territory; we have unitary states; federal states with national, regional and municipal governments; and indigenous governments within both unitary and federal states. All are different kinds of governments but they all share the territorial base.

For public governments with jurisdiction over peoples, jurisdiction is most commonly justified through an act of consent by the people governed. Professor Morse recalled that we can divide up jurisdiction so that authority comes from the same people but is exercised by different governments for different functions. But we can also have jurisdiction *tied* to people – to citizens residing in the government's territories but also outside its territories. Canada, for example, imposes domestic legal authority over people not residing in Canada by applying domestic criminal and tax laws to citizens living outside the country. As an indigenous government parallel, the Yukon First Nations have jurisdiction over their people living off reserve in the area of child welfare. Finally (and most often overlooked), governments can have jurisdiction tied to subject matter when a particular government has the ability to exercise jurisdiction over certain enumerated subject matters. So there is a tendency to think of government in strictly territorial terms, but this does not always obtain 100 percent in fact.

“Urbanization” of Aboriginal People and its Challenges

There is also a tendency among non-Aboriginal people, especially east of the Rockies, to think that the urbanization of Aboriginal peoples is a late and recent phenomenon. Most non-Aboriginals think of Aboriginal peoples as living in rural and remote areas and that they moved to cities only recently. But this is not how it was. Most Canadian cities are located in historical First Nations settlements – many of which became missions in the East or trading posts or forts with significant Métis populations in Ontario and the prairies from the 1800s onwards. In fact, the cities grew up around Aboriginal peoples. Professor Morse urged us not to lose sight of this fact when thinking about urban Aboriginal governments.

“Most non-Aboriginals think of Aboriginal people as living in rural and remote areas and that they moved to cities only recently. But this is not how it was.... In fact, the cities grew up around Aboriginal peoples.”

It is true, however, that there has been increasing urbanization of Aboriginal people who are now returning to the urban areas from the reserve. 54 percent of Aboriginal populations lived in urban centres in 2006.

While the urban Aboriginal population is growing, there has been little urban Aboriginal governance per se. There have been service delivery institutions – the Friendship Centres, for example – existing as non-profit organizations with no legislative base and no powers of a governmental nature. But Professor Morse stressed that he wanted to look at real governments: governments in legal terms, urban Aboriginal governments exercising power from within power centers.

Such jurisdictional authority has been easier for indigenous peoples to exercise in a rural context or where they are culturally homogenous. Initiatives are easiest to implement where Aboriginal people are of the same nation. In New Zealand for example, the Maori have instituted language programs and daycares within the general school system and have introduced Maori language, history and culture instruction within their own curricula. Likewise in Nova Scotia: First Nations are all Mi'kmaq in that province. As such, the general education curriculum was adapted relatively easily to provide programs promoting Mi'kmaq education as well as materials on the history, language, culture and contributions to society made by the Mi'kmaq people. Mi'kmaq Family and Children's Services can exercise all powers under the *Children and Family Services Act* for its own constituency. And there is also the new urban reserves model, with Aboriginal governments exercising government authority in an urban centre.

Yet it is clearly much harder to establish such models in cities with people from many different First Nations, Métis and in some cases Inuit communities. Professor Morse reminded people that the Western cities have highly diverse Aboriginal populations. In Ottawa and Montreal the situation becomes more complex through the substantial Inuit populations in those cities, and in British Columbia, the urban Aboriginal population is especially diverse. This diversity makes urban self-government a greater challenge than it is in rural areas or those that are culturally more homogenous.

But does the diversity in urban settings make it impossible for Aboriginal governments to exercise real jurisdiction in cities? “Not at all,” Professor Morse submitted, then provided some concrete examples.

Some Precedents: Entities with Statutory Powers in Urban Centres

There are many examples of entities that have served as more than non-profit organizations in recent experience. Such entities have gained statutory powers as alternatives to provincial government agencies. Some religious communities, for example, enjoy a statutory basis for their separate school systems. The same holds for various linguistic groups – especially those with English or French minority populations. Again, Professor Morse stressed that these agencies do not merely deliver the education services but exercise real control over them via recognized governance mechanisms.

In the Aboriginal context, one finds examples like the First Nations University and the Gabriel Dumont Institute in Saskatchewan. The Saskatchewan *Métis Act, 2001* acknowledges the representative character of the Métis Nation–Saskatchewan, albeit without conveying any clear authority to the institutions and corporations of the MNS. In Manitoba, the province began devolving authority for child and family services to Aboriginal organizations in 2003. One finds

Aboriginal schools in Ottawa, Winnipeg and in other cities. In Ontario, child and family service organizations for Aboriginal people off-reserve have existed for almost thirty years. There are also regional health authorities: Ontario possesses an Aboriginal and First Nations Health Council. And in British Columbia, Professor Morse reminded the participants, there are now five regional Aboriginal authorities with interim agreements with the province. Finally, provincial arbitration acts serve as the basis for alternative Aboriginal justice systems.

On the basis of such precedents, Professor Morse concluded that provincial governments *do* recognize the ability to establish alternative systems for Aboriginal people on a regional or community basis. To this point, statutory authority has been granted only for particular sectors. But one could envision moving beyond a single sector into a comprehensive enabling act that permits urban First Nations, Inuit and Métis peoples to establish their own governing institutions. Displacing provincial government institutions, the urban Aboriginal ones could be linked together to form the various departments of newly created Aboriginal governments.

Remaining Questions

Despite the manifest possibility of establishing urban Aboriginal governments, Professor Morse suggested that many enormous questions remain in proceeding. First and foremost: what is the rationale for moving forward? Should such governments be created in order to redress historical injustices or reflect the collective rights of rights-bearing peoples? Or should these governments simply represent an amalgam of rights-bearing individuals? Federal and provincial governments have typically responded to rights claims with economic development initiatives and social programs; their responses to urban Aboriginal people have always been based on needs. So this is the first question: what should be the basis of dealing with this?

The second large question he identified was: who would deal with whom? Who are the actors involved? Should the response be pan-Aboriginal or First Nation by First Nation, city by city? And third, which jurisdictions should we move forward with? Child and family services and education have been obvious to this point. But what about health, social services and justice? From the community's standpoint, what are the areas to move forward on? And should such movement be compulsory or on a strictly voluntary basis?

Obviously, Professor Morse noted, there are membership issues, which can be huge for Métis people but also for non-status Indians. How do we fit urban governments into the enduring sovereignty of existing First Nations? How do we reconcile self-determination as the collective right of a distinct, historic people with the current, multi-national urban Aboriginal population? Can we still see these as political communities or even as sovereign nations? How do we deal with non-Aboriginal and Aboriginal relationships, particularly mixed relationships or marriages?

Moving to the all-important question of funding, Professor Morse asked: how will urban Aboriginal governments be financed? Will it be through a tax on their members, who could then redirect part of their current taxes to the Aboriginal government, as Ontario does with its school tax allowing taxpayers to redirect from public to separate school boards? Would it be transfer payments from federal and provincial to these municipal governments?

Addressing the question of territory and jurisdiction, he wondered: what will be the boundaries of these entities? Will they be neighborhood or urban reserves within the entire city or metro area so there would be an overlap with the territory of the municipality? Will the land base be privately owned? How to deal with conflicts of laws? Should there be paramountcy rules as with self-government agreements? How to deal with fears of city governments and general publics about the loss of jurisdiction and power? And why not simply tie everyone back to their own home governments, which could then represent them within the urban centres as well?

Professor Morse noted that there have been periods of attention to these issues. The First Ministers conferences from 1983 to 1987, the Charlottetown and the Kelowna Accords, for example, considered the possible shape of urban Aboriginal governments. But we have not yet had either the sustained and in-depth thinking or the community discussions that would be required to make urban Aboriginal governments a reality. Such discussions are what need to be happening now.

"Urban Aboriginal Self-Governance in Ottawa, Winnipeg, and Vancouver: Trends, Problems, and Perspectives"

Julie Tomiak, Carleton University

The next to speak was Julie Tomiak, a PhD Candidate from Carleton University. Ms. Tomiak indicated that her presentation is based on her thesis proposal and initial interviews. Examining issues in urban Aboriginal self-governance in the cases of Winnipeg, Vancouver and Ottawa, her central questions were: how do both local and extra-local processes of Aboriginal governance shape current realities? Do those processes present possibilities for decolonized futures for Aboriginal people in these cities?

The focus on particular cities was deliberate. "Urban governance" must mean different things in different cities, given the cultural heterogeneity of Aboriginal populations, the differences in socio-economic status, level of available services, political representation and so on. Policy environments are also uneven from city to city: responsibilities vary between the federal, provincial, municipal and First Nations governments, Aboriginal political organizations and local service providers.

An Overview of the Data for Aboriginal People in Winnipeg, Vancouver and Ottawa

Ms. Tomiak presented a brief overview of urban Aboriginal realities in Winnipeg, Vancouver, and Ottawa. Aboriginal populations in all three cities grew significantly between 2001 and 2006, with Winnipeg being home to the largest number of Aboriginal people. Its 68,380 Aboriginal citizens as represented in the 2006 census comprised roughly 10 percent of the city's population. More than half of the Aboriginal people in Winnipeg are Métis. Vancouver has a population of 40,310 Aboriginal people. Representing a relatively small but growing proportion of the city's population, the Aboriginal population in Vancouver is heterogeneous in terms of both national affiliation and legal status. In Ottawa, finally, the Aboriginal population has grown rapidly since 2001. It numbered 20,590 in 2006 and included a significant and growing Inuit population.

Aboriginal residents in Winnipeg, Vancouver, and Ottawa live in conditions significantly worse than those of non-Aboriginal residents: they have higher unemployment rates, lower income, poorer health status, poorer housing, higher rates of homelessness, lower levels of education and depend more on government support. In Winnipeg, unemployment and poverty rates are very high, at 25.1 and 62.7 percent respectively. Vancouver falls in the middle, with rates of 20.4 for unemployment and 66.1 for poverty. In Ottawa, the gap is the smallest with percentages of 16.3 for unemployment and 51.2 for poverty – largely, Ms. Tomiak added, due to the high number of professionals working for Aboriginal organizations or the federal government.

She then stressed that relying on census data is problematic for making decisions related to funding policies and so on. For instance, Ottawa is home to a large and growing Inuit population – but estimates are that the population is at least twice as large as the census would suggest. In general, then, we can surmise that there are very likely higher unemployment rates, worse housing, higher levels of dependence on government support, et cetera than the data alone would suggest.

Issues Identified for Urban Aboriginal Self-Governance

Ms. Tomiak then outlined a number of issues in urban Aboriginal self-governance identified in the expert interviews she conducted. These were: self-government, political representation, the urban Aboriginal category, funding practices, collaboration, and political space. Her intention in discussing each was to highlight issues and generate discussion, not provide exhaustive analysis of the issues. Ms. Tomiak cautioned that this is an ongoing research project for which findings, based on initial fieldwork, were only preliminary.

On the question of self-government, the fundamental issue identified was how the inherent right of self-government for Aboriginal peoples should apply in urban contexts. To this point, she submitted, this question has been virtually ignored. Dominant discourses on urban governance centre on community economic development and social cohesion rather than inherent rights, self-determination and sovereignty. Policy-makers appear to consider the notion of urban Aboriginal self-government “inconvenient” for four reasons:

- The heterogeneity of social, political, economic and cultural circumstances, precluding any single solution
- The limitations of the ‘urban Aboriginal’ category as the basis for the communities of First Nations, Métis, and Inuit peoples who reside in urban areas
- Jurisdictional uncertainties and problems related to making multi-level governance work, mainly around issues of financial responsibility
- The continued relevance of and connection to land-based nations

A small but growing literature suggests a consensus among practitioners that urban Aboriginal self-government will be urban-focused and pan-Aboriginal. However, this notion is in fact highly contested – particularly in Winnipeg and Vancouver. The *Corbiere* decision, as well as the fact that specific reserves exist both in and around cities, further call into question the focus of the current literature.

The second recurrent issue identified in Ms. Tomiak's interviews was political representation for urban Aboriginal peoples. This, she submitted, is a highly complex issue. Relationships between First Nation, Métis and Inuit political organizations as well as those operating under the 'urban Aboriginal' umbrella are not always smooth. This is due largely to tensions over who represents who in the city. For community workers involved in service delivery, it becomes necessary at times to distinguish clearly between political advocacy and service provision as a means to deflect potential problems from both the communities and federal and provincial governments.

In part, this results from the different forms of Aboriginal governance that co-exist within cities. The two models of urban Aboriginal governance the Royal Commission on Aboriginal Peoples (RCAP) identified in its final report – “community of interest” and “nation-based” – are often at odds in a situation where First Nations governments, political organizations and community-based service providers compete for the same pool of resources.

A third and central issue arising was the nature of the urban Aboriginal category itself. A number of participants questioned 'urban Aboriginal' because the category does not account for differences based on legal status. Nor does it consider continued ties to land-based First Nations, Métis, and Inuit home communities. Despite these difficulties, this continues to be the dominant category in which policies are formulated.

Métis and Inuit organizations in particular struggle with the Aboriginal category, stating that, in most people's minds, Aboriginal means First Nations. This difficulty is reinforced by organizational structures. In Winnipeg, for example, Métis organizations perceive that their concerns are marginalized from the outset where the Métis representation on the Aboriginal Partnership Committee is only one representative on an eighteen-member committee. In Ottawa, Inuit organizations also stress the need for Inuit-specific services so that their members are not all treated as First Nations. The position of urban Inuit community organizations across Canada is that a pan-Aboriginal approach in services and programs is simply not working.

At the same time one finds a perception that the diversity and the differing interests present in urban settings provide a pretense for governments to exclude organizations dealing exclusively with urban Aboriginal people without distinction. Ms. Tomiak invoked the *Misquadis* decision in calling “misguided” the notions that Aboriginal people living in cities are somehow less aboriginal and that organizations representing them are less legitimate or accountable.

As the fourth issue of concern, interviewees noted funding practices. Here too, Métis and Inuit organizations perceive a particular disadvantage. Due to the relatively small numbers of Inuit in urban settings, Inuit organizations are frequently given a very small portion of Aboriginal funds. The climate of interagency competition was an issue all Aboriginal participants identified as a major problem. At times, this competition prevents much needed coordination and collaboration among Aboriginal agencies. Current funding practices are seen as divisive, and can also lead to duplication of or gaps in services.

“Aboriginal organizations operating in urban settings need more power and sufficient resources to be self-governing in the full sense. They need to design programming in areas identified by the communities themselves rather than by funders.”

A fifth decisive issue that emerged from the interviews was collaboration. Participants noted an urgent need for policy development in the areas of urban Aboriginal education, health, employment, childcare, youth and seniors. But policies cannot be unilaterally imposed. Federal, provincial and municipal governments, First Nations governments as well as First Nations, Métis, Inuit and Aboriginal political organizations and community-based service providers must participate in these processes. This requires the creation of formal structures that facilitate increased vertical and horizontal coordination.

The sixth issue, finally, was the perception that urban Aboriginal governance would require the creation of new political space for Aboriginal organizations operating in cities. These organizations needed more power and sufficient resources to be self-governing in the full sense. In other words, they need to design programming in areas that the communities themselves have identified rather than funders. This was the main problem interview participants identified: both the federal government and provincial governments are not attempting to create political space for organizations that represent and serve Aboriginal people in urban areas. In the absence of the required political will, several participants regretted that litigation seems the most promising route to opening up political space for Aboriginal communities in cities.

Ms. Tomiak concluded her presentation by urging policy-makers to regard urban Aboriginal populations as part of the solution, not the problem.

"Care, Identity and Inclusion in Pluralist Societies: Examining the Policy Implications For and From Aboriginal People"

Paul Kershaw, University of British Columbia

The next speaker was Dr. Paul Kershaw from the College for Interdisciplinary Studies at the University of British Columbia. Dr. Kershaw began his presentation by thanking the Musqueam First Nation for hosting the session, the Katzie First Nation for its stewardship of the territory where he currently lives, as well as the women involved with Aboriginal HIPPI, whose interviews and journals had provided the basis of his research.

His presentation turned first to Thomas King, whose 2003 Massey Lectures *The Truth about Stories* stated, "The truth about stories is that's all we are." In Dr. Kershaw's view, King's observation has methodological application. His research relied on stories to explore the significance of cultural identity retention among urban aboriginals pertaining to experiences of social inclusion. King's metaphysical observation shaped the methodology of this study, which

aimed to share the expertise of twenty aboriginal mothers in the Vancouver area by creating intellectual space for them to share their narratives. These women participated in the Care, Identity and Inclusion Project, a participatory study featuring 80 women of ethno-cultural minorities who would speak on the social and political significance of their care-giving.

Care-Giving Stories as Empowerment through Cultural Retention

Dr. Kershaw reinforced the significance of stories to our self-definition and agency, a fact that Aboriginal (and other minority ethno-cultural) mothers remind us of. The political significance of story-telling is manifest when researchers attend carefully to family practices of care-giving. Care-giving for children, he asserted, centrally involves story-telling: stories to resist; stories to ensure cultural continuity; and stories to promote community development. The resistance, cultural continuity and community development that all occur through stories are in turn critical for understanding experiences of social inclusion – and the meaning urban aboriginals ascribe to this concept. Dr. Kershaw advised that beyond such macro-level acts involved with law, formal political activity and employment, micro-level or ‘private’ activities like care-giving for children are socially and politically significant. Why? Because such care-giving empowers individuals and the groups to which they belong by serving as a means to preserve and transmit culture.

In this context, one must reflect on the hostile environment for parenting for Aboriginal people and what it means. The Aboriginal mothers interviewed confirmed that their parenting remains infused with fears of racism. “Are you afraid your children will face racism?” Mary was asked. She responded: “Every day.” Storytelling becomes a means to resist racism – or denigrating public stereotypes about Aboriginal people. Jenny, for instance, explains that the last time her daughter encountered racism, “We talked about our grandmother, about what she lived through [in the residential school system], the changes in lifestyle, the pain, the torture, the survivance.” She noted that she always attempts to handle such situations through a dialogue with her children culminating in a “game plan” for the next time and a means to resolve the situation at hand.

Dr. Kershaw stated that the aboriginal mothers reported deriving tremendous pride from raising their children in a way that prioritized cultural continuity across generations. Rebecca recounted, “I am proud. I am proud to pass down my culture. I want more. I want to make up for years of being separated or maybe even ashamed of who I am.... I feel ashamed that there was a time when I doubted my culture.” Similarly, Monica stated, “I think that our culture and language can bring pride to our community, and if everyone took the time to learn more, teach more, there would be much less shame in our culture.”

Care for retention of cultural identity across generations is integral for both child and parent to develop the self-esteem required to become agents in public spaces. Care-giving through story-telling thus also becomes a means of healing for the teller. The same experience is also recorded by a migrant to Canada. Stories shared by new immigrant participants (belonging to minority ethno-cultural groups also targeted by discrimination) included that of Bibi, an immigrant mother originally from a country in Africa. She explained: “For me, building my children’s identities is as important as providing them food and water because it will help them develop survival strategies... *I know from life experience that a strong ethnic identity can help anyone to develop self-esteem, the ability to cope with discrimination and racism, and succeed in life...*” Thus,

Aboriginal and immigrant experiences converge on the significance of care-giving as a means to transmit cultural identity.

The Colonial Legacy for Aboriginal Mothers: To “Want to Know” but “Have to Dig”

As a significant difference between the experiences of Aboriginal and immigrant women, Dr. Kershaw pointed to the effects of the Canadian colonial legacy, including the residential school system. All the Aboriginal women in the study faced the challenge of having to learn their Aboriginal culture(s) for themselves while also wishing, and feeling obliged, to teach it to their children. When asked to comment on Bibi’s observation and its relevance to her own parenting, Rebecca answered that she was not quite there yet. She is “working so hard for my kids to be proud. But it is a tough job. I am recovering from a system that beat us down as a people.... I can only teach what I know and *so many of us here [in Rebecca’s Aboriginal community] are just learning the culture. It’s so sad and painful. To want to be proud. To want to know. To have to dig.*”

To “want to know” but “have to dig” is a tremendous worry to some in Aboriginal communities. These realize that seemingly ‘private’ care-giving can contribute to community development. In the words of Jenny, “It is one and the same... *When we build identity in the home (care-giving) we build community and when we build community, we strengthen the power of the whole.*”

Jenny’s acute understanding of the relationship between personal care-giving and community well-being reflects in part the harm she and other Aboriginal citizens suffer as a result of the residential school system. By relocating children from their familial and community homes, Mr. Kershaw submitted, the system staged an “intergenerational attack” on cultural continuity by having disrupted the community development that flows from private care. Beyond the emotional, physical and sexual violence many individuals suffered while attending the schools, therefore, the schools systematically sabotaged future desire to share one’s aboriginality with successive generations. As Mabel explains, “My dad knows so much [about his aboriginal culture], but he stopped at a certain age teaching the kids [pause]. Each child was stopped at elementary school....To protect us, so we would not be targeted, abused or face racism.”

In Dr. Kershaw’s view, Mabel’s response indicates that the specific targets of residential schools included individuals who would never attend: the children and grand-children of survivors and the very future of aboriginal communities. In Rebecca’s words: “How long will it be until we can talk about the Residential School like it was the past, not a part of the present?”

Recommendation: Funds for Self-Defined Cultural Revitalization and Supporting Research

This observation led Dr. Kershaw to make a specific recommendation as Canadians enter the process set out by the Truth and Reconciliation Commission. Non-Aboriginal Canadians should acknowledge the significance of the intergenerational disruption of cultural transmission, the unique difficulty for Aboriginal people of simultaneously learning and teaching their cultures. Dr. Kershaw urged the same government institutions that had once established the residential schools to now allocate substantial resources directly to First Nations, Inuit and Métis so that members can engage in *self-defined* cultural revitalization. Culturally appropriate public activity

and spaces should be key sources of support for individual child-rearing strategies. Such spaces could be on reserve, with key support mechanisms including family and parent-child programs promoting cultural continuity and child care services prioritizing Aboriginal language exposure. Or they could be programs for cultural revitalization like the Aboriginal HIPPY (Home Instruction for Parents of Preschool Youngsters) program, which operates an out-reach service that fosters parent-child time in the family home. Although Aboriginal HIPPY now caters to families on reserve, financial investment from Canadian governments would permit its extension well beyond reserve boundaries. In Dr. Kershaw's view, provision of additional resources for such services merits serious consideration.

Another policy intervention mechanism that merits attention, Kershaw argued, is the narrative process that was honed by the Care, Identity and Inclusion Project itself. This Project created subsidized space for parents to take time in their own homes to talk about their care-giving and to explore why, or why not, it is important to them to pass down their cultural identity to their children. Rebecca commented on the cultural value of the process: "If we want to strengthen and/or save our heritage we need to do these things and often. It is not good enough to have one offs of practicing our culture... [We need to] reach to family, gather, listen and talk, share stories. Then the community will fall into place and time."

Persistent Challenges for Urban Aboriginal People

Whatever cultural reproduction strategies they choose, several challenges remain to urban Aboriginal people in exercising them. One challenge will inevitably be differences of opinion about what counts as aboriginal. These differences are far from trivial, involving such core orientations as attitudes toward the Christian faith and churches. Another challenge will be to navigate a 'politics of time' that privileges the majority cultural context—especially surrounding employment. Where such vital components of Aboriginal culture as longhouse ceremonies can run up to three days, for example, the work schedules of the dominant Canadian culture do not allow for much meaningful participation in such events.

Given the legacy of colonialism and the identity compromises that often associate with employment success in mainstream society, Kershaw observed that the aboriginal participants in his study often indicate that they do not aspire for social inclusion in Canada per se. Veronica's narrative was instructive on this point: "I don't deny that I am Canadian," she said. "But I don't wear it on my sleeve... I say that I come from the Coast Salish people and we are of the [Name removed] First Nation... And I will say that we are still in our traditional territory, and that encompasses all of what is now [a major urban area in BC].... *No, I don't want to be Canadian.*"

Kershaw observed that Veronica's disinterest in Canada as a context for belonging might alarm many Canadians. How should policy makers respond? He suggested that the divergence between stories shared by aboriginal and immigrant study participants is instructive. Many immigrant mothers point to Canadian constitutional commitments to multiculturalism as something that allows them to "bond" with other members of their minority culture. The resulting security to retain their minority identity that many feel, along with the respect that they perceive multiculturalism confers to their distinctiveness, positions them to "bridge" more easily with

different groups—including the majority cultural group. But the Aboriginal mothers in the study made a very different argument. They observed that recent generations of Aboriginal citizens had been robbed of the opportunity to bond with one another in a context of cultural security. They now wanted this opportunity. Rebecca emphasized, “I want us to be Indian again. Not white, not influenced by white, and not directed by white people.” Jenny insisted, “I feel rebellious towards the mainstream, a battle to be different, to disallow the other society to invade my right to be aboriginal, as it was for my parents and grandparents.”

Asking, “What is a little white boy to make of all this?” Dr. Kershaw concluded with a final broad recommendation. If the experience shared by immigrants in the Care, Identity and Inclusion Project is any indication, public policy that supports rather than obstructs the care needed for identity retention and transmission may lead to Aboriginal citizens developing future ‘bridging’ inclinations on a more regular basis. If properly supported with public investment, such care time could empower by providing a context for Aboriginal parents and community members to “self-define together through story-telling and story-rejecting.” The responses of women like Mary, Jenny and Rebecca to racism and colonialism—in other words, to other people’s stories about Aboriginal people—were in his view living testaments to Thomas King’s assertion. Quoting King, “It was Sir Isaac Newton who said, ‘To every action there is always opposed an equal reaction.’ Had he been a writer, he might have simply said, ‘To every action there is a story.’”

In the style of narrative scholarship modeled by Thomas King, Dr. Kershaw invited his listeners to “take Jenny’s story, or Rebecca’s or Veronica’s, or any of the others featured in this article” and “[d]o with them what you will.” “But don’t say in years to come that you would have taught, governed or even lived your own lives differently, if only you had heard their stories.”

“You’ve heard them now.”

"The BC Métis Mapping Initiative: Towards Establishing Long-term Aboriginal Community/University Relationships"

Mike Evans, University of British Columbia (Okanagan)

The final presenter was Dr. Mike Evans, World Indigenous Peoples Canada Research Chair in Community, Culture, and Global Studies at the University of British Columbia (Okanagan). Dr. Evans also presented on behalf of his co-author Dean Trumbley of the Métis Nation of British Columbia (MNBC). The presentation, Dr. Evans stated, would distill a five-hour presentation provided at an earlier date into fifteen minutes.

Before beginning, Dr. Evans acknowledged the financial contribution of the OFI to this research program he shared with the MNBC. The stable, long-term funding provided has ensured that the research could get done “in a good way, and how it needed to be done.”

The joint research program undertaken was to document the historic Métis community of British Columbia through research involving archives; secondary sources such as books, scholarly and

popular articles and dissertations; and community-based documentary research. This category included photos, letters and family documents and artifacts that members of the contemporary British Columbia Métis community still possess. The corner-stone in bringing these diverse materials together would be a historical document database developed in conjunction with the MNBC Métis citizenship registry.

The Historical Document Database Research Project

Dr. Evans then described the basic concept and features of the historical document database. Designed for use by MNBC researchers, staff and Métis citizens alike, the database has served as an essential repository of all the materials. Material can be downloaded from the database and also uploaded by users, enabling it to become a tool to support the Métis nation at the community level. Recent expansions of the initiative included the production of family and individual traditional harvest and land use histories; interviews with elders and other knowledge holders; creation of maps for all data collected to date; and creation of interactive DVDs about the history and culture of the Métis in British Columbia.

The purpose of the project contained at least three elements, including historical understanding, rediscovery of cultural traditions and engagement of the present Métis community. The project conducts historical research—but not for its own sake alone. Understanding the historic patterns of Métis settlement in British Columbia occurs in large part to support contemporary Métis people and communities in understanding and documenting their past and present and ultimately to engage them. The database serves as a tool for pro-active engagement of the Métis in BC in order to ‘maximize a range of benefits.’ Research therefore is also conducted in order to regain self-knowledge, for governance according to traditions, for rediscovery and revitalization of such cultural traditions as music and dance. Notably, the historical document database is only one of others located at the MNBC: besides the citizenship registry, there are also harvesting and genealogical databases.

Documentation of the Métis in British Columbia

Dr. Evans then provided a quick contextual word about the Métis in British Columbia. He reminded above all that “there are some” and that they were not recent arrivals to the province. The pattern of settlement, as with Western Canada in general, was linked to the fur trade.

The historical document database was designed to facilitate “data and community integration.” Community members transfer documents when they apply to register as MNBC citizens; they sign consent forms to contribute these documents to the database as part of the registry process. The database contains such things as photos, scrip records, fur trade inventories, oblate records, and census materials. But they can also access the historical documents on the database for their own purposes through the map of the province using Google Map. The map is organized according to families and watersheds. When one clicks on a watershed, the map will indicate what documents are at located that point for a particular family. “Mash-up” images, videos and text basically make the Métis presence on the landscape accessible so that communities can participate in the results of the research as well. The map provides a user-friendly structure to the archive.

Dr. Evans then demonstrated how the remote access database is used by opening up some documents sited at the Flathead watershed. Here, the community has uploaded documents about hunting and other activities of importance to them.

Dr. Evans concluded by noting that both he and the MNBC were very pleased with the project, a genuine research and community collaboration. Through it, community members had become both consumers and producers of the research documenting the history and present of their Métis families.

Ian Peach then invited workshop participants to ask questions of the afternoon's presenters.

B. Afternoon Discussion Session

The first participant to address the presenters was the same social worker teaching at the UNBC who had noted what she perceived as a severe disconnect between research and implementation in the morning session. After the morning presentations, she stated, she had asked herself whether she was in the right room. After the afternoon's presentations, she knew she was in the right room. These research presentations and their policy implications were what she had been looking for. Yet her initial question remained: how are we going to implement the philosophies the presenters of the afternoon had been using and advocating?

The first to respond to this comment was Nicole O'Byrne, who stated that the initial impulse for her work on constitutional jurisdiction for the Métis had been a course she had taken from James Youngblood Henderson at the Native Law Centre at the University of Saskatchewan. She took the course and at the end of it asked him, "What can I do to help out?" Professor Henderson recommended that she could conduct research herself. And that is why she went back and studied federal and provincial constitutional history: in order to get at the stories of the people who put the present system together in the first place.

Dr. Evans stated that he thinks about the question of implementation all the time. In his view, it is crucial to get the communities to participate themselves, "because they won't play if they're not engaged." Dr. Kershaw noted that the implementation element of his own research is built into the methodology, which presumes that the participants are the experts. Nor is it a coincidence that the project partnered with a program that the participants had already selected. This procedure made it easy for his research to feed back into and reify the implementation of the program. His assumption that the expertise rested in large part with the participants meant that he could both learn from them and share his own expertise with them.

Professor Morse indicated that, as a lawyer, his situation is somewhat different. In law "we don't go forth to do, we are asked to do." The community control of his research occurs at this level: the research he does occurs in response to requests from the communities. It struck him in the course of that research that non-Aboriginal governments will go to great lengths officially to recognize space for people who are not members of governments to do what governments do.

Why is it that we are so willing in Canada to recognize religious-based schools but not indigenous schools? There is so much difficulty recognizing Aboriginal schools off-reserve. So how did we get there? We are quite prepared to recognize agencies exercising the powers of government in other contexts. Thus, there has to be some way governments can recognize indigenous peoples as governments in urban environments.

Elder Rose Point had a question for Mike Evans. She asked about the prospects of doing long-term community planning with the Métis people in south-eastern British Columbia under the threat to that area by natural resource industries. How does a community make a long-term plan when it knows its traditional areas are being targeted for mining?

Dr. Evans responded that part of the long-term plan is to help limit this development. In this, they are interested in cooperating with the Coast Salish people and other First Nations trying to protect the Flathead territory. And certainly, any mining would impact the watershed in their area.

Another participant asked Dr. Evans for advice in establishing long-term research relationships with Aboriginal communities. Could he address how such a relationship developed in his case?

Dr. Evans indicated that his relationship with the MNBC had lasted over a decade. It was on the basis of this initial trust that the MNBC even started discussions about building a mutually advantageous, mutually respectful, and mutually leveraged relationship. The relationship has allowed the partners to bring in resources from a variety of different pools. The federally funded part has gone on for at least four years and they anticipate that it will continue for at least another decade. But it was that initial trust that allowed the partners to get things done quickly and to pool their skills and funds.

Another participant expanded on the initial question, asking: “Is the relationship really between the community and the university or is it more between the community and you?” Sometimes methods of participatory, active research work well and other times they do not. Does it depend on the project? Or does it depend on specific faculty rather than the project? How do these partnerships typically look?

The presenters had no concrete answer to this, but agreed that different sorts of advisory processes and participatory impulses are involved in their various partnerships.

Gregg Dahl then offered one question to Nicole O’Byrne and one to Brad Morse. Of Ms. O’Byrne he asked: what did she use as evidence for her claim that the federal government had actually accepted responsibility for half-breeds back in the nineteenth century and afterwards? And of Brad Morse he asked: what about Aboriginal title and how it plays out in the Ontario Haudenosaunee context?

Ms. O’Byrne responded that the evidence is in her paper. The British government did not want any transfer of the land of Rupert’s Land without first obtaining acceptance of the transfer by Aboriginals. There was no legislative regime for scrip in the first phase, no declaration that “because of their share in the Aboriginal title, we must issue scrip.” In the second phase,

however, this did occur. By that point, nobody knew where the responsibility to issue and honour scrip actually came from. But in the Saskatchewan negotiations of the NRTA, the federal government stated outright: “The federal government has always held the Métis to be Indians under Section 91(24)” and federal representatives were really emphatic about this.

Brad Morse indicated that Nicole's point provided an excellent lead-in to his. Lawyers make their arguments for the moment. Their arguments serve the purpose at the time but not for the future or the past. For example in *Catherine's Milling and Lumber v. the Queen*, Aboriginal title had been argued to constitute full ownership of the land – but then the land was sold through the treaty. Thus, what Nicole was describing is not the first time this kind of thing had arisen. The same issue has arisen with the forestry companies in British Columbia and other places. The Crown says, “Don't pay attention. They have no rights to the land; they have no interests, therefore do what you like.” The same thing is happening right now with Ontario: “Don't worry – they alienated their title.” And industry will sometimes argue, “We don't have to consult with First Nations; it is the Crown's responsibility to consult with First Nations.” But many companies realize that they have to do the same thing. Industry realizes that they need themselves to consult and so they do it.

C. Conclusion of Workshops

A final small-group discussion had been planned for the afternoon workshop, but participants preferred to chat individually about the themes instead. An organized setting of priorities did not arise from the afternoon session. That said, the afternoon presentations had been very well received by most participants and most presenters had identified some priorities themselves.

Ian Peach drew both the afternoon workshop and the day's session to a close by thanking all participants and wishing them a safe trip home. He reminded them that the organizers had their names and email addresses and hoped to see them again at a future event of this type.

Appendix: Biographies of Presenters

Chris Adams

Chris Adams is Senior Research Director with Probe Research and a graduate of Carleton University, where he obtained his Ph.D. He began his market research career in Toronto with Goldfarb Consultants and then moved to Winnipeg in 1997, where he became a vice-president with the Angus Reid Group. Chris is also an adjunct professor at the University of Winnipeg, where he teaches in the fields of politics and public administration, and in the MBA program at the I.H. Asper School of Business at the University of Manitoba. He is co-director of the study, *Indigenous Voices: The Probe Survey of Aboriginal People in Manitoba*.

Gregg Dahl

Gregg Dahl is a senior policy analyst with the Office of the Federal Interlocutor for Métis and Non-status Indians in the Department of Indian Affairs and Northern Development. He has worked on Aboriginal policy issues in a variety of areas for Canada, Ontario and Nunavut for the past nine years. His academic background includes degrees in math, economics and philosophy. Gregg is a proud descendent of the Half-breeds of the Red River Settlement, where his ancestors began to settle in 1817.

Mike Evans

Mike Evans (PhD McMaster 1996) taught at the University of Northern BC and the University of Alberta before joining Okanagan University College – later UBC Okanagan – as World Indigenous Peoples Canada Research Chair. His primary research relationships are with people in the Métis community in Northern BC, the Métis Nation of BC, the Urban Aboriginal Community of the Okanagan Valley, and the Kingdom of Tonga in the South Pacific.

Paul Kershaw

Dr. Paul Kershaw is a farmer morning and night and an academic by day. The latter role positions him at the cutting edge of research about family policy and gender in Canada. The Canadian Political Science Association has twice awarded him the Jill Vickers prize in recognition of his scholarship about gender and politics (in 2007 and 2005). He has published on a wide range of contemporary issues, including child care services, parental leave, work-life balance, taxation of care-giving and dependency, and fiscal federalism. Dr. Kershaw is now Assistant Professor at the University of British Columbia in the College for Interdisciplinary Studies and the Human Early Learning Partnership (HELP).

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Russell LaPointe graduated with a B.A. and M.A. from Simon Fraser University, concentrating in Political Science and Canadian Studies. He currently is a doctoral candidate at the School of Public Policy and Administration at Carleton University. Also a statistical officer at Strategic Research and Analysis at Indian and Northern Affairs Canada, he has worked on topics such as

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Own Source Revenues of First Nation communities on reserves as well as an examination of the food mail program.

Bradford W. Morse

Bradford W. Morse is a barrister & solicitor and professor of law in the Faculty of Law, University of Ottawa, where he has served in the past as vice-dean and director of graduate studies. His career includes appointments as executive director of the Native Legal Task Force of British Columbia (1974-75); research director of the Aboriginal Justice Inquiry of Manitoba (1988-91); chief of staff to the Hon. Ronald A. Irwin, Minister of Indian Affairs and Northern Development (1993-1996). Since 1974, he has served as legal advisor to many First Nations as well as national and regional Aboriginal organizations in Canada. Professor Morse was a consultant to various royal commissions, governments and Indigenous organisations in Canada, Australia and New Zealand and the chief federal negotiator on several land claims in Canada. He has published over one hundred books, articles, chapters and commission reports.

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Nicole O'Byrne is a Ph.D. candidate in Law and Society at the Faculty of Law, University of Victoria. Her LL.M. thesis, "The 'Answer to the Natural Resources Question': A Historical Analysis of the Natural Resources Transfer Agreements (NRTAs)," won the Pilarczyk Graduate Prize for legal history. Her dissertation focuses on interpretation of the NRTAs (also known as *The British North America Act, 1930*) and its impact on the rights of Aboriginal peoples in the prairie provinces. Having worked as a research consultant and at a law firm in Saskatchewan, Nicole has a B.Sc. from Queen's University, a B.A. from the University of Regina, a law degree from the University of Saskatchewan and a Masters in Law from McGill University.

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Andrew J. Siggner is Director of Siggner & Associates Inc., a consulting firm specializing in Aboriginal statistical research and analysis related to a variety of public policy issues affecting Aboriginal peoples. After thirty-four years in the federal public service, he recently retired from Statistics Canada as senior advisor on Aboriginal statistics. Between 1992 and 1995, Andy was appointed to the Royal Commission on Aboriginal Peoples, where he served as senior advisor on research statistics for the Commission. He holds a B.A. (1969) and M.A. (1971) in sociology from the University of Western Ontario.

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