

**ABORIGINAL  
SELF-GOVERNMENT  
IN URBAN AREAS**

Proceedings of a Workshop  
May 25 and 26, 1994

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# Foreword

Despite the failure to ratify the constitutional reform proposals in the "Charlottetown Accord" of 1992, much discussion continues in Canada about Aboriginal self-government. Yet for all the discussion and research on this topic, there has been relatively little attention given to Aboriginal Peoples living in urban areas, and how they would exercise their inherent right of self-government. This is not surprising, given the importance of the land and the existing reserve base to the culture and economy of Aboriginal Peoples. Still, probably half of Canada's Aboriginal population lives in cities. More focus on urban self-government is therefore an urgent issue.

This book brings to a wider audience the research and perspectives of a diverse group of analysts, activists, government officials, and elders who came together at Queen's University in May 1994. The conference was, to our knowledge, unique in providing an opportunity for sharing perspectives and prescriptions among Aboriginal leaders, officials from all levels of government (especially Canada's municipal governments), and academic specialists. The result in this volume is a mixture of original research papers providing new information and ideas (Part I), as well as a variety of perspectives on the issues (Part II). Among the issues addressed in this volume are the economic, social, and geographic profile of Aboriginal Peoples living in urban areas; the range of Aboriginal organizations and self-governing institutions currently operating in Canadian cities; models for self-government in urban areas to meet the diverse needs of Aboriginal Peoples, whether they are Métis, Inuit, Treaty, or "non-status"; and several issues related to implementation of self-government including funding. While no single way ahead is indicated in this book, it should provide essential background for those who wish to pursue the next important steps.

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On behalf of the Institute, I wish to thank Indian and Northern Affairs Canada and the Ontario Native Affairs Secretariat for their financial support of the conference on which this book is based.

*Douglas M. Brown*  
*Executive Director*  
*January 1995*

## Preface

While a substantial body of literature exists on self-government for Aboriginal peoples with a land base, there is relatively little published material on opportunities for Aboriginal peoples in cities. Researchers have most often pointed out the difficulties of implementing self-government off a land base and concentrated on land-base arrangements. A number of research initiatives have been undertaken by the Royal Commission on Aboriginal Peoples' focus on urban self-government, but these materials are not yet publicly available.

There are a number of reasons for addressing questions related to self-government for urban Aboriginal peoples. First, limiting the discussion of Aboriginal self-government to land-base situations inadvertently reinforces a perspective that equates the urbanization of Aboriginal peoples with their assimilation into non-Aboriginal society. Second, the apparent failure of general public service organizations to improve the socio-economic position of the urban Aboriginal population suggests that alternative approaches are required. Third, while a constitutional amendment is not necessarily a prerequisite, developments in the area of rights to self-government should apply to Aboriginal people in urban areas. Finally, a variety of urban Aboriginal institutions have developed since the early 1960s, and they will play an important role in emerging self-government arrangements.

In May 1994, the Institute of Intergovernmental Relations conducted a workshop on self-government for Aboriginal people in urban areas. The objective of this project was to bring together people involved in the practice and study of Aboriginal government with those involved in the practice and study of municipal planning, local government, and intergovernmental relations, in order to contribute in a substantive way to discussions about urban self-government.

The following pages contain the background papers prepared for the workshop, summaries of panel presentations, and a digest of the discussion at workshop roundtables. It is hoped that this work will facilitate the development of a broader network and knowledge base for research related to Aboriginal

governance in the urban context, and to the dissemination of information and analysis to the policy-making community.

A workshop of this kind could not go forward without the support and assistance of many people. Wayne Helgason and the executive of the National Association of Friendship Centres, and Bob Groves, formerly from the Native Council of Canada (now the Congress of Aboriginal Peoples) provided advice and guidance from the start. Brian Jonah and Peter Frood from the Department of Indian Affairs and Northern Development, and Marja Hughes from the Canadian Association of Municipal Administrators gave valuable advice. Donavon Young and Rosalee Tizya from the Urban Perspectives Team of the Royal Commission on Aboriginal Peoples responded graciously and quickly to our requests for information and feedback. We also owe thanks to our panelists and the people who attended the workshop and participated in formal and informal discussion.

Doug Brown, Executive Director of the Institute of Intergovernmental Relations, was involved from the beginning, in conceptualizing the project, contacting participants, overseeing the budget, and arranging for funding. The staff at the Institute of Intergovernmental Relations provided skilful technical and logistical support. Funding for the workshop was made available by the Department of Indian Affairs and Northern Development and the Ontario Native Affairs Secretariat.

*Evelyn Peters*



**PART I**  
**Background Papers**

# Demographics of Aboriginal People in Urban Areas

*Evelyn Peters*

## INTRODUCTION

A large proportion of the Aboriginal population lives in urban areas (Table 1). Until recently, however, most of the literature on the nature of and possibilities for Aboriginal self-government focused on land-based populations.<sup>1</sup> During the 1980s, researchers exploring the possibilities of Aboriginal self-government most often pointed out the difficulties in structuring and implementing self-government off a land base and concentrated on land-base arrangements.<sup>2</sup>

This focus changed somewhat in the 1990s. The Royal Commission on Aboriginal Peoples identified urban Aboriginal people as an important focus of research, indicating that the issue of governance required attention.<sup>3</sup> A number of recent studies have explored elements of urban self-government.<sup>4</sup>

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- 1 R. Groves, "Territoriality and Aboriginal Self-Determination: Options for Legal Pluralism in Canada," *Commission of Folk Law and Legal Pluralism, Proceedings of the VIth International Symposium* (Ottawa: 1991), 223-245.
  - 2 See, for example: Canada, House of Commons, *Special Committee on Indian Self-Government* (Penner Report) (Ottawa: Minister of Supply and Services, 1983); N. Lyon, *Aboriginal Self-Government: Rights of Citizenship and Access to Government Services* (Kingston: Institute of Intergovernmental Relations, Queen's University, 1984); and S. Weaver, "Indian Government: A Concept in Need of a Definition," in L. Little Bear, M. Boldt and J.A. Long, eds., *Pathways to Self-Determination: Canadian Indians and the Canadian State* (Toronto: University of Toronto Press, 1984), 65-68.
  - 3 Royal Commission on Aboriginal Peoples, *Integrated Research Plan*, Ottawa: 1993; Royal Commission on Aboriginal Peoples, *Aboriginal Peoples in Urban Centres* (Ottawa: 1993).
  - 4 K. Graham, *Report of the Urban Governance Working Group*, Royal Commission on Aboriginal Peoples, Unpublished, Ottawa, 1993; E. Peters, "Self-Government for Aboriginal People in Urban Areas: A Literature Review and Suggestions for Research," *Canadian Journal of Native Studies*, 12, 1, 1992:51-74; J. Wherrett,

TABLE 1: Location of Residence, Aboriginal Identity Population, 1991

	Total Aboriginal <sup>a</sup>	Registered North American Indian <sup>b</sup>	Non-Registered North American Indian <sup>c</sup>	Métis <sup>d</sup>	Inuit
Total	625,710	351,590	104,260	135,260	36,215
On-Reserve	(29.3%)	(49.4%)	(3.5%)	(3.4%)	(1.7%)
Urban <sup>e</sup>	(49.5%) <sup>f</sup>	(40.9%) <sup>g</sup>	(69.3%)	(64.9%)	(21.9%)

<sup>a</sup>Some respondents (approximately 1 percent) gave multiple Aboriginal identities; therefore, summing identity categories will result in overcounting. The "Total Aboriginal" category does not double count those giving multiple Aboriginal identities.

<sup>b</sup>The North American Indian population registered according to the *Indian Act of Canada*. This category *excludes* the following: 4,830 North American Indians with registration status not stated in the Aboriginal Peoples Survey; 17,060 Métis who reported being registered according to the *Indian Act* (they are counted as Métis); 2,080 Inuit who reported being registered according to the *Indian Act* (they are counted as Inuit); an estimated 58,000 persons residing on unenumerated Indian reserves or settlements, the majority of whom would likely be registered according to the *Indian Act*. The category *includes* those registered under the *Indian Act* who gave a multiple identity response including North American Indian.

<sup>c</sup>Those who identified themselves as North American Indian, who were not registered according to the *Indian Act*. The count *includes* multiple identity responses where one response was North American Indian.

<sup>d</sup>Those who identified themselves as Métis (including some who were registered according to the *Indian Act of Canada* and those reporting multiple identities where one response was Métis).

<sup>e</sup>The urban Aboriginal population listed here does not include urban reserves.

<sup>f</sup>This percentage would drop slightly if non-enumerated reserves were included.

<sup>g</sup>This would drop to 35 percent if non-enumerated Indian reserves and settlements were included in the total population.

Source: Research Directorate, Royal Commission on Aboriginal Peoples, *Customized Data from the 1991 Aboriginal Peoples Survey*, 1994: 22-23.

Formulating strategies that enable Aboriginal people to meet their collective interests and needs in urban areas requires an adequate information base. Historically, research on Aboriginal people has been sparse, and attempts to explore their characteristics and circumstances are plagued with a number of problems.<sup>5</sup> Possibly one of the most troublesome gaps in the literature is the absence of comparisons among cities. This paper has two main objectives: to explore the characteristics of Aboriginal people in cities, and to compare Aboriginal people in different urban centres.

In 1991 Statistics Canada conducted a post-censal survey of the Aboriginal people of Canada (Aboriginal Peoples Survey, or APS). The data from this survey is in the process of being released, and it, together with information from the Census, provides the basis for the discussion that follows. The paper describes urban Aboriginal populations and compares metropolitan areas with respect to the characteristics of Aboriginal populations. It explores patterns of self-identification and legal status in different cities, provides estimates of change in urban Aboriginal populations between 1981 and 1991, and presents the socio-economic characteristics of Aboriginal people in different cities. The available information identifies some interesting patterns that need to be considered in planning and implementing self-government for Aboriginal people in cities.

It is important to recognize that the way data are presented in official publications reflects decisions about definitions and geographies that may not match those of Aboriginal peoples. The urban — rural/reserve dichotomy has been reinforced by various government policies, and does not necessarily reflect the realities of Aboriginal peoples' lives and communities.<sup>6</sup> Second, the published information about the size of the urban Aboriginal population must be interpreted carefully, both because "Aboriginal" does not have a straightforward definition and because this population may be undercounted, particularly in urban areas.<sup>7</sup> These elements should be taken into account in interpreting the information that follows.

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and D. Brown, *Self-Government for Aboriginal Peoples Living in Urban Areas*, prepared for the Native Council of Canada (Kingston: Institute of Intergovernmental Relations, Queen's University, 1992).

- 5 W.G. Kastes, *The Future of Aboriginal Urbanization in Prairie Cities: Select Annotated Bibliography and Literature Review on Urban Aboriginal Issues in the Prairie Provinces* (Winnipeg: Institute of Urban Studies, University of Winnipeg, 1993).
- 6 Groves, "Territorial and Urban Self-Determination"; P. Falconer, "Urban Indian Needs: Federal Policy Responsibility and Options in the Context of the Talks on Aboriginal Self-Government," unpublished discussion paper, Winnipeg, 1985.
- 7 Dansys Consultants Inc., *Aboriginal People in Manitoba: Population Estimates for 1986 and 1991*, prepared for the Manitoba Inquiry into the Administration of

## METROPOLITAN AREAS AND ABORIGINAL PEOPLE

There is no published research available that explicitly compares cities with respect to the characteristics of their Aboriginal populations. Yet inter-urban comparison is important because processes work themselves out differently in different locales. The following sections employ data from the APS to describe the urban Aboriginal population, and to compare metropolitan areas with respect to the characteristics of local Aboriginal populations.

It is important to note that the tables that follow rely on published APS data, and focus primarily on selected Census Metropolitan Areas. A Census Metropolitan Area (CMA) is a very large urban area, together with the adjacent urban and rural areas that have a high degree of economic and social integration with that urban area. A CMA has an urbanized core of at least 100,000 based on the previous census. Unfortunately, the size of the Aboriginal population in smaller urban areas interviewed in the APS does not support the production of detailed tables. As a result, there is no separate analysis in this report of the characteristics of Aboriginal people in smaller urban centres. It is not clear that the characteristics of Aboriginal populations in smaller centres mirror those of large metropolitan areas.

### COMPOSITION OF THE URBAN ABORIGINAL POPULATION

The logic of establishing self-governing institutions is not predicated only on the existence of certain threshold populations. It is also linked to unique Aboriginal cultures, to Aboriginal rights to self-government that extend to urban residents, and to the need for initiatives to improve the situation of Aboriginal people in urban areas. The extent of institutional development in a particular place, however, will be affected by the size of local Aboriginal populations.

However, Aboriginal people in urban areas are not homogeneous with respect to their aspirations concerning and access to self-government. The following section explores variations among urban Aboriginal populations associated with self-identification and with legal status. The focus is on Census Metropolitan Areas because published data are not available for smaller centres. A dimension missing from the discussion concerns how Aboriginal people living

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Justice and Aboriginal People, Winnipeg, 1990; J. Hull, "1981 Census Coverage of the Native Population in Manitoba and Saskatchewan," *The Canadian Journal of Native Studies*, 4, 1, 1984:147-156; Native Council of Canada, "Statistical Overview," *The First Peoples Urban Circle: Choices for Self-Determination*, (Ottawa: Native Council of Canada, 1993).

in urban areas define their own Nation of origin. There are no published data available to explore this question.

### *Ancestry and Identity Populations*

In 1991 information on peoples' ancestry was collected through a Census question which asked "To which ethnic or cultural group(s) did this person's ancestors belong?" In comparison, the 1991 Aboriginal People's Survey asked individuals who indicated they had Aboriginal ancestry whether they identified with an Aboriginal group. This "identity" population is smaller than the population which has Aboriginal ancestry or cultural origins.

Table 2 shows the Aboriginal "ancestry" and "identity" populations in larger metropolitan areas. The proportion of people with Aboriginal ancestry who identify *themselves* as Aboriginal people varies from 15.2 percent in Montreal to 86.3 percent in Regina. The proportion of metropolitan residents who identify themselves as Aboriginal people varies from 0.2 percent in Toronto to 4.1 percent in Regina. While the identity population is most likely involved in Aboriginal organizations currently active in urban areas, the size of the identity

TABLE 2: Aboriginal Ancestry and Aboriginal Identity Populations, Major Metropolitan Centres, 1991

	<i>Population with Aboriginal Ancestry<sup>a</sup></i>	<i>Percent of Ancestry Population Identifying as Aboriginal</i>	<i>Percent of Metro Population Identifying as Aboriginal</i>
Halifax	6,710	17.7	0.4
Montreal	44,645	15.2	0.2
Ottawa-Hull	30,890	22.4	0.8
Toronto	40,040	35.5	0.4
Winnipeg	44,970	78.2	5.5
Regina	12,765	86.3	5.7
Saskatoon	14,225	83.8	5.7
Calgary	24,375	57.5	1.9
Edmonton	42,695	68.5	3.5
Vancouver	42,795	58.5	1.6
Victoria	10,215	43.4	1.5

<sup>a</sup>Includes people who identified single and multiple ethnic or cultural origins.

Source: Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 94-327.

population could shift through changes in patterns of self-identification. Some individuals with Aboriginal ancestry may also be eligible for reinstatement as Registered Indians following amendments to the *Indian Act* in 1985.<sup>8</sup> The ancestry population then, may represent the source of the future identity population. The potential for growth in the Aboriginal identity population, independent of in-migration, appears to be greatest in cities like Montreal, Halifax, Ottawa-Hull, Toronto, and Victoria, where a relatively small proportion of people with Aboriginal ancestry identify themselves as Aboriginal people. At the same time, it is important to recognize that the population that recognizes its Aboriginal ancestry is also a dynamic one, with potential for growth as well.

### *Métis and North American Indian Populations*

Metropolitan areas also vary in terms of the proportion of individuals who identify themselves as Métis (Table 3). Métis approaches to self-government for urban populations may vary from those of other Aboriginal groups. The proportion of Aboriginal people who identified themselves as Métis varies from 5.6 percent in Toronto to 46.9 percent in Saskatoon, with numbers ranging from 345 in Victoria to 13, 515 in Edmonton. While cities on the Prairies report the highest number and proportion of Métis residents, Table 3 also shows that there are substantial numbers of Métis in eastern cities and in British Columbia. The Native Council of Canada's (1993:15) submission to the Royal Commission on Aboriginal Peoples suggests that these numbers: "betray a significant association with that term [Métis] outside of the 'Red River' context of Manitoba or the 'scrip' system applied through the West" and suggests that "Métis" is used by Aboriginal individuals to differentiate themselves from North American Indian and Inuit groups.

### *Registration and Band Membership*

Table 3 differentiates individuals who identify themselves as Aboriginal people by whether or not they are registered according to the *Indian Act*, and by whether or not they are band members. Under Bill C-31, passed in 1985, registration and band membership were separated. After Bill C-31, bands were

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8 In June 1985, Parliament enacted a series of amendments to the *Indian Act*, known as Bill C-31. A Department of Indian Affairs publication indicates that the main objectives of this Bill were to remove discrimination on the basis of gender from the Act, to restore Indian status and band membership rights to eligible persons and to enable bands to assume control over their members. (See Canada, Department of Indian Affairs and Northern Development, *Impacts of the 1985 Amendments to the Indian Act*, Vol. 1, Ottawa: Minister of Supply and Services, 1990:1).

TABLE 3: Cultural Origins, Registration and Band Membership, Aboriginal Identity Population, Major Metropolitan Areas, 1991

	Aboriginal Identity Population	Percent of Identity Population <sup>a</sup>			
		North American Indian	Métis	Registered	Band Member <sup>b</sup>
Halifax	1,185	95.8	—	67.5	62.9
Montreal	6,775	79.7	24.7	56.6	47.6
Ottawa-Hull	6,915	75.1	20.6	55.0	38.7
Toronto	14,205	90.9	5.6*	38.3	33.5
Winnipeg	35,150	57.6	21.3	44.6	39.3
Regina	11,020	66.2	33.8	60.2	53.0
Saskatoon	11,920	53.5	46.9	53.4	47.1
Calgary	14,075	70.1	30.4	39.9	36.3
Edmonton	29,235	54.4	46.2	40.1	34.8
Vancouver	25,030	87.3	16.3	48.9	42.6
Victoria	4,435	93.1	7.8*	83.4	73.6

<sup>a</sup>The only published statistic for Inuit peoples was for Ottawa, where that group comprised 4.5 percent of the Aboriginal identity population.

<sup>b</sup>Statistics for percent registered and band members were calculated using the Aboriginal identity population as a base. Some individuals in the registered population may not consider themselves to be Aboriginal people. These inaccuracies are assumed to be relatively small, and the table should reflect the basic dimensions of the urban populations, along these variables.

\*Figures to be used with caution. The standard deviation of the estimate is between 16.6% and 33.3%

Source: 1991 Census and Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 94-327.

given the opportunity to draw up and adopt codes governing membership. Registration continues to be governed according to (revised) *Indian Act* regulations.

Band membership involves rights and privileges, such as voting in band elections and on issues under the responsibility of the band council, as well as rights of residency on the reserve. Currently, access to many federal programs is based on whether an individual is a Registered Indian under section 6 of the *Indian Act*. Registered Indians are also exempted from paying federal and



provincial income taxes if they earn their income on the reserve. While the mandate of the Department of Indian Affairs is primarily focused on Registered Indians living on reserves, the federal government has provided reimbursement for some services to Registered Indians in urban areas. This has varied, historically, according to agreements with individual provinces. The number of Aboriginal people registered according to the *Indian Act* varies from 15,670 in Winnipeg to 800 in Halifax, with proportions ranging from 38.3 percent in Toronto to 83.4 percent in Victoria. The implication of this variation is that, in the current situation, the proportion of the Aboriginal population that is eligible for federal funding for programs and services varies substantially across urban areas.

The number of Aboriginal people who have band membership varies from 745 in Halifax to 13,780 in Winnipeg, with the proportion varying from 33.5 percent in Toronto to 73.6 percent in Victoria. If the focus for self-government is on land-base situations, then it is primarily urban residents with band membership who could have access. However, the majority of the Aboriginal "identity" population in eight of the eleven metropolitan areas described in Table 3 would not have access to this form of self-government at present. This underlines the necessity of exploring and supporting approaches in addition to the "citizenship model" in the interest of providing all urban Aboriginal people with access to self-governing institutions. The variations among metropolitan areas also indicate that the configuration or combination of approaches to self-government could vary for each urban area.

### *Bill C-31 Populations*

While there are no published data available to explore the issue, metropolitan areas probably vary in terms of the size of local Bill C-31 populations. Table 4 shows that the proportion of the provincial Registered Indian population composed of Bill C-31 registrants varies by province. Because individuals who became enfranchised under the pre-1985 *Indian Act* had earlier lost their band membership, many Bill C-31 registrants live in urban areas. When a 1990 survey asked registrants living off reserve: "Ideally, would you like to live on a reserve, that is, a reserve or Crown land administered by a band?" only 32 percent responded positively and a further 18 percent gave a conditional "yes."<sup>9</sup> It is likely that metropolitan areas with a large population of Bill C-31 registrants are more likely to have a core group of residents that supports approaches to self-government which are based in urban areas.

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9 Department of Indian and Northern Affairs, *Impact of the 1985 Amendments to The Indian Act (Bill C-31): Summary Report* (Ottawa: Minister of Supply and Services Canada, 1991), 17.

TABLE 4: Registered Indian Population and Bill C-31 Population, by Province, 1991<sup>a</sup>

	<i>Registered Indian Population</i>	<i>Bill C-31 Population,</i>
Atlantic	19,935	2,998 (15.0%)
Quebec	50,728	9,424 (18.6%)
Ontario	117,152	24,993 (21.3%)
Manitoba	76,793	10,466 (13.6%)
Saskatchewan	78,573	9,077 (11.6%)
Alberta	63,169	8,957 (14.2%)
British Columbia	87,135	14,511 (16.7%)
Yukon	6,450	2,050 (31.8%)
Northwest Territories	11,856	1,596 (13.5%)

<sup>a</sup>Population as of 31 December 1991.

Source: Communication from Darrell Buffalo, Management Information and Analysis, Indian and Northern Affairs Canada.

#### POPULATION CHANGE, 1981 TO 1991

Table 5 describes changes in the size of the Aboriginal population in CMAs between 1981 and 1991. Interpretations of the table must first take into account the fact that the methods used to collect data on Aboriginal people were not identical in 1981 and 1991 and there is therefore some room for slippage in the comparison.<sup>10</sup> Second, changes in the Registered Indian category include the addition of people reinstated under Bill C-31, as well as migration and natural increase. Third, while preliminary analysis suggests that, at the Canada level, the Registered Indian and the Métis populations appear to be least affected by changing patterns of self-definition between 1981 and 1991,<sup>11</sup> it is not clear

10 The table uses data from the 1981 Census question on ethnic origins, the Department of Indian Affairs customized data based on this question, the 1991 Census question that identified Registered Indians, and the 1991 Aboriginal Peoples Survey. The 1981 Census question on ethnic and cultural origins asked individuals to identify their or their ancestors ethnic or cultural group, and it did not encourage multiple responses. The Aboriginal data from the 1981 Census and the 1991 APS data are probably comparable for Registered North American Indians, Métis, and Inuit, at the aggregate (i.e., Canada) level (Andy Siggner, Research Statistics, Royal Commission on Aboriginal Peoples, personal communication, March 1994).

11 Andy Siggner, personal communication, March 1994.

TABLE 5: Population Change, Total Metropolitan, Total Aboriginal,<sup>a</sup> Registered Indian, and Métis Populations, Major Metropolitan Areas, 1981 to 1991

	<i>Total Metropolitan</i>	<i>Total Aboriginal</i>		<i>Registered Indian</i>		<i>Métis</i>	
	%	No.	%	No.	%	No.	%
Halifax	15.4	—	—	—	—	—	—
Montreal	10.6	-7,675	-53.1	-6,145 <sup>b</sup>	-61.6	-440	-20.8
Ottawa-Hull	28.3	2,545	58.2	1,715	82.1	525	58.3
Toronto	29.8	710	5.3	-1,205	-18.1	-740	-34.1
Winnipeg	11.5	18,575	112.1	7,480	91.3	8,600	134.6
Regina	16.7	4,145	60.3	2,495	60.3	1,750	88.8
Saskatoon	36.2	7,570	174.0	4,020	172.2	4,100	276.1
Calgary	27.2	6,765	92.5	2,430	76.4	1,830	74.5
Edmonton	57.8	15,485	112.6	7,115	154.8	6,455	91.4
Vancouver	26.4	8,950	55.7	3,695	43.2	1,260	44.8
Victoria	23.3	1,635	58.4	2,040	123.3	-55	-13.8

<sup>a</sup>The Registered Indian count for 1991 came from the Census. Information for the 1981 Total Aboriginal, Registered Indian and Métis populations was obtained from DIAND's customized data base in order to avoid problems with the data emerging from answers to the 1981 Census question on ethnic and cultural origins. See: W.O. Boxhill, "1981 Census Data on the Native Peoples of Canada," *Canadian Statistical Review*, Statistics Canada, February, 1985; S. Klein, and W. Wright, *The Development of Customized Status Indian Variables Using 1981 Census Data* (Ottawa: Department of Indian Affairs and Northern Development, 1985).

<sup>b</sup>The population for the Kahnawake and Kanesatake Reserves, which are in the Montreal CMA boundaries, were estimated in 1981, but were not enumerated in 1991. Their respective populations in 1981 were estimated to be 5,218 and 618.

Source: 1981 Census; 1991 Census; 1991 Census and Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 94-327.

whether these patterns work themselves out differently in particular metropolitan areas. Despite these caveats, Table 5 should provide some indication of the trends in major urban centres between 1981 and 1991.

Table 5 shows that between 1981 and 1991 there was a very substantial increase in the Aboriginal population in most of the CMAs. At the same time, the rate of change of Aboriginal population numbers varies tremendously among major metropolitan areas. While cities experiencing growth in their total populations also tended to have a growing Aboriginal population, the two populations did not change at the same rate. Toronto, for example, experienced the third highest total growth rate between 1981 and 1991, but it was tenth in terms of the growth of its Aboriginal population. Winnipeg was tenth in its total growth rate, but third in terms of the growth of the Aboriginal population. Moreover, the relative growth in the Aboriginal population is much higher than the growth in total populations.

A comparison of Registered Indians and Métis shows that cities that experienced large increases or losses of one population for the most part also experienced large increases or losses of the other. Winnipeg was the only city where the increase in the Métis population was substantially larger than the increase in the Registered Indian population. Montreal and Toronto lost both Registered Indian and Métis populations during the decade, although Montreal's recorded loss of Registered Indians would have been smaller if Kahnawake and Kanesatake had been enumerated. Major centres on the Prairies experienced the largest influx. Winnipeg and Edmonton were the major destinations of both Registered Indians and Métis. Saskatoon experienced the largest relative growth of both Registered Indian and Métis populations (141 percent and 276 percent respectively). Of particular interest is the variation between cities within some provinces. In Alberta, there was much more growth in the Aboriginal population of Edmonton, both absolutely and proportionately, than of Calgary. In Saskatchewan, Saskatoon was preferred as a destination over Regina.

While surveys have identified reasons Aboriginal people move to urban areas there is very little information describing why Aboriginal individuals choose particular cities.<sup>12</sup> There are few studies on the location choice of immigrant

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12 There is some anecdotal evidence that suggests some cities develop a reputation as being "good cities" for Aboriginal peoples. Saskatoon appeared to be developing this reputation in the early 1980s (S. Clatworthy, personal communication, 1984; D.L. Anderson, "Government Policies and Programs Relating to People of Indian Ancestry in Saskatchewan" in R. Breton and G. Grant, *The Dynamics of Government Programs for Urban Indians in the Prairie Provinces* [Montreal: The Institute for Research on Public Policy, 1984], 325), and the 1982 Institute of Urban Studies Aboriginal data base indicated that there

groups, but Bartel's study of U.S. immigrants concluded that "about the only thing that can be said is that all of the immigrants prefer to live in cities where their fellow-countrymen are already located."<sup>13</sup> The availability of socio-cultural infrastructures including ethnic foods, support groups, and cultural institutions also appears to be important in attracting in-migration.<sup>14</sup> Increased populations in turn support an expanded institutional structure with the result that concentration in particular centres is further reinforced.

There is little available to compare institutional development relevant to Aboriginal people in cities. Moreover, the extent to which Aboriginal peoples would demonstrate similar patterns is not clear in the context of attachment to ancestral territories, particularly if there are developments in self-government in rural areas and progress in land claims settlements.<sup>15</sup> However, it seems likely that opportunities for institutional development provided by existing population concentrations could reinforce concentrations in particular cities.

#### SOCIO-DEMOGRAPHIC CHARACTERISTICS

Studies in Winnipeg, Regina, and Saskatoon showed that the urban Aboriginal population had a higher proportion of women and younger age groups compared to the general urban population, lower education levels, high rates of unemployment, considerable poverty and a high degree of dependence on transfer payments, and poor housing conditions.<sup>16</sup> These studies are out of date and they represent a limited basis for comparison among cities.

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was a large flow of Aboriginal migrants from Regina to Saskatoon than from Saskatoon to Regina. Recent surveys of urban Aboriginal populations commissioned by the Native Council of Canada, however, suggest that Saskatoon's reputation may have changed (Native Council of Canada, 1993).

- 13 A.P. Bartel, *Location Decisions of New Immigrants to the U.S.*, Working Paper No. 2049 (Washington: National Bureau of Economic Research, 1988).
- 14 Canada, Employment and Immigration Advisory Council, *Immigration in the 1990s*, A Report with Recommendations presented to the Minister of Employment and Immigration (Ottawa: Minister of Supply and Services, 1991).
- 15 L.M. Gerber, "The Development of Canadian Indian Communities: A Two-Dimensional Typology Reflecting Strategies of Adaptation to the Modern World," *Canadian Review of Sociology and Anthropology*, 16, 1979:404-424; and "Community Characteristics and Out-Migration from Canadian Indian Reserves: Path Analyses," *Canadian Review of Sociology and Anthropology*, 21, 2, 1984: 145-165.
- 16 S.J. Clatworthy, *The Demographic Composition and Economic Circumstances of Winnipeg's Native Population* (Winnipeg: Institute of Urban Studies, 1980). S.J. Clatworthy and J. Hull, *Native Economic Conditions in Regina and Saskatoon* (Winnipeg: Institute of Urban Studies, 1983); E.J. Peters, *Native Households in*

The following paragraphs present data from the 1991 APS on socio-economic characteristics of Aboriginal people in urban areas. While these data underscore the poverty of much of the urban Aboriginal population, it must be emphasized that this population is not homogeneous and that Aboriginal people are represented in many occupations and at all levels of socio-economic status.

### Gender

The existence of differential migration patterns by gender are not emphasized in studies that have attempted to understand the process of Indian urbanization during the 1960s and 1970s.<sup>17</sup> Yet, the gender imbalance between reserves and cities is long-standing. Gerber's analysis of 1969 Department of Indian Affairs data showed that at that time Indian women were over-represented in urban areas, while men were more likely to be found on reserves.<sup>18</sup> Peters' analysis of 1982 data for Regina and Saskatoon found that women of child-bearing age considerably outnumbered men in those two cities.<sup>19</sup>

Data from the Aboriginal Peoples Survey show that, among North American Indians, women outnumber men in every city (Table 6). A comparison between men and women aged 25 to 54, shows that the ratio of women to men is very high in Winnipeg and Edmonton. Ratios are much more variable for Métis, ranging from .75 women per man in Vancouver, to 1.68 women per man in Calgary. Women are more likely to move as heads of mother-led families and may require different forms of assistance than men who are more likely to move as "unattached" individuals.

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Regina and Saskatoon, 1982: Some Strategies of Household Organization, Ph.D. thesis, Geography (Kingston: Queen's University, 1987); and *Native Households in Winnipeg: Strategies of Co-residence and Financial Support*, Research and Working Paper No. 5 (Winnipeg: Institute of Urban Studies, University of Winnipeg, 1984).

- 17 A.K. Davis, *Edging into Mainstream: Urban Indians in Saskatchewan* (Washington: Western Washington State College, 1965); E. Dosman, *Indians: The Urban Dilemma* (Toronto: McClelland and Stewart, 1972); M. Nagler, *Indians in the City* (Ottawa: Canadian Research Centre for Anthropology, St. Paul University, 1970).
- 18 Gerber, "Community Characteristics and Out-Migration," 1984.
- 19 Peters, *Native Households in Regina and Saskatoon*, 1987.

TABLE 6: Gender, Aboriginal Identity Population of Major Metropolitan Areas, 1991

	North American Indian			Métis		
	Total	Percent Female	Ratio Male:Female 25-54 Years	Total	Percent Female	Ratio Male:Female 25-54 Years
Halifax	1,135	57.71	-	-	-	-
Montreal	5,400	52.41	1:1.26*	1,675	54.93	-
Ottawa-Hull	5,195	54.38	1:1.28*	1,425	47.74	-
Toronto	12,920	55.07	1:1.29*	1,430*	44.41*	-
Winnipeg	20,255	57.84	1:1.76*	14,990	50.13	1:1.12*
Regina	7,300	55.82	1:1.23*	3,720	47.85	1:1.12*
Saskatoon	6,380	54.00	1:1.39*	5,585	54.61	1:1.57*
Calgary	9,870	53.14	1:1.43*	4,285	55.19	1:1.68*
Edmonton	15,910	55.19	1:1.77*	13,515	52.68	1:1.17*
Vancouver	21,845	53.15	1:1.37*	4,070	44.23	1:0.75*
Victoria	4,130	55.45	-	345*	-	-

\*The coefficient of variation of the estimate is between 16.7% and 33.3%. These estimates should be used with caution to support a conclusion.

Source: Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 94-327.

### Age

Table 7 shows that Aboriginal populations are considerably younger than total metropolitan populations.<sup>20</sup> The age structure of the North American Indian and of the Métis population appears similar, particularly in the West. There are major variations in age structure among the CMAs, with a low of 22.9 percent of North American Indians under 15 years of age in Halifax to a high of 44.9 percent of North American Indians and 44.8 percent of Métis under 15 in Saskatoon. High dependency ratios are probably related to low participation rates, high reliance on transfer payments, and resultant poverty levels. They also result in heavy family responsibilities, which has implications for the amount of time urban residents have available to participate in political organizations and activities.

20 Research from the 1991 APS suggests that urban and rural populations are roughly similar in age structure (Research Directorate, Royal Commission on Aboriginal Peoples, *Customized Data from the 1991 Aboriginal Peoples Survey*, 1994.)

TABLE 7: Age Group, Metropolitan and Aboriginal Identity Population, Major Metropolitan Areas, 1991

	<i>Age Group</i>	<i>Metropolitan Population (%)</i>	<i>North American Indian (%)</i>	<i>Métis (%)</i>
Halifax	0-14	19.9	22.9*	-
	55+	16.9	-	-
Montreal	0-14	18.6	29.3*	-
	55+	20.7	6.4*	-
Ottawa-Hull	0-14	20.0	31.0*	27.7
	55+	17.5	7.3*	-
Toronto	0-14	19.4	30.8*	-
	55+	19.2	6.2*	-
Winnipeg	0-14	20.2	36.5	35.5
	55+	21.2	4.4	5.8
Regina	0-14	23.1	40.9	40.1
	55+	18.7	4.0	6.3
Saskatoon	0-14	23.3	44.9	44.8
	55+	17.6	-	-
Calgary	0-14	22.1	38.7	33.5
	55+	14.9	3.5	-
Edmonton	0-14	22.8	42.1	38.8
	55+	15.9	3.5	5.0
Vancouver	0-14	18.6	29.6	29.0
	55+	16.4	4.5	7.7
Victoria	0-14	16.9	35.2	-
	55+	26.6	7.1	-

\*The coefficient of variation of the estimate is between 16.7% and 33.3%. These estimates should be used with caution to support a conclusion.

Source: 1991 Census; Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 89-527.



### Education

Table 8 compares the proportion of Aboriginal and total metropolitan residents with some post-secondary education. Once again, the differences among Aboriginal people in different metropolitan areas are striking, however, interpretations should take into account the high coefficient of variation for most of these figures. Individuals with some post-secondary education vary from half (49.9 percent) of the North American Indian population in Ottawa, to only 16.1 percent of the Métis population in Regina.

TABLE 8: Percent of Metropolitan and Aboriginal Identity Population 15 to 49 Years of Age<sup>a</sup> with Some Post-Secondary Education,<sup>b</sup> Major Metropolitan Areas, 1991

	<i>Metropolitan Population</i>	<i>North American Indian</i>	<i>Métis</i>
Halifax	57.7	31.8*	—
Montreal	48.3	47.0*	27.7*
Ottawa-Hull	56.8	49.9*	24.1*
Toronto	51.6	33.8*	—
Winnipeg	79.5	29.2*	25.2*
Regina	52.2	45.7*	16.8*
Saskatoon	54.3	25.3*	40.1
Calgary	58.2	43.5*	44.2*
Edmonton	54.1	39.9*	30.8*
Vancouver	56.0	46.8*	36.6*
Victoria	57.7	39.9*	—

\*The coefficient of variation of the estimate is between 16.7% and 33.3%. These estimates should be used with caution to support a conclusion.

<sup>a</sup>The coefficient of variation for the 50–64 age cohort was greater than 33.3% and was not published.

<sup>b</sup>Includes individuals with some post-secondary education, with a certificate or diploma, or with university education.

Source: Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 89-534; 1991 Census.

*Labour Force Characteristics*

Early research on urban Aboriginal people assumed that, with time, they would be integrated into the labour force and inevitably experience economic mobility.<sup>21</sup> Work in the 1970s and 1980s challenged these assumptions, demonstrating the tenuousness of economic success in the city,<sup>22</sup> and undermining the notion that increasing time and familiarity with the city would facilitate the integration of urban Aboriginal people into the labour market.<sup>23</sup>

While Table 9 suggests that, in general, participation rates are lower and unemployment rates are higher for Aboriginal than for total metropolitan populations, the variations among metropolitan areas are striking. In Montreal, rates for North American Indians and the metropolitan population are almost identical. Aboriginal people in Ontario cities are somewhat disadvantaged in their employment situation. In the prairie cities, participation rates for North American Indians are considerable lower than those of the total metropolitan population, and unemployment rates are more than double. In Saskatoon, participation rates reach a low of 43.4 percent and unemployment rates reach a high of 50.8 percent. While Métis employment characteristics are closer to those of the total metropolitan population, Winnipeg and Vancouver demonstrate high unemployment rates of 25.7 and 30.1 percent respectively. While these are aggregate figures that do not take into account the gender or age composition of the labour force, they do suggest that there is little reason to be optimistic about the employment situation of Aboriginal people in some metropolitan areas. The tremendous variations among metropolitan areas, however, suggest that employment initiatives need to be locally specific.

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21 Davis, *Edging into Mainstream*, 1965.

22 Y.G. Lithman, *The Community Apart: A Case Study of a Canadian Indian Reserve Community* (Winnipeg: University of Manitoba Press, 1984), 50; K.A. Mooney, "Urban and Reserve Coast Salish Employment: A Test of Two Approaches to the Indian's Niche in North America," *Journal of Anthropological Research*, 32, 4, 1976:390-410.

23 S.J. Clatworthy, *The Effects of Length of Urban Residency on Native Labour Market Behaviour* (Winnipeg: Institute of Urban Studies, University of Winnipeg, 1982).

TABLE 9: Labour Force Participation and Unemployment Rates of Total Metropolitan and Aboriginal Identity Population, Major Metropolitan Areas, 1991

	<i>Metropolitan Population</i>		<i>North American Indian</i>		<i>Métis</i>	
	<i>P.R.<sup>a</sup></i>	<i>U.R.<sup>b</sup></i>	<i>P.R.</i>	<i>U.R.</i>	<i>P.R.</i>	<i>U.R.</i>
Halifax	71.0	9.2	80.5	—	—	—
Montreal	66.7	11.7	66.9	12.1	—	—
Ottawa-Hull	72.9	7.3	68.3	11.6	69.2	—
Toronto	71.7	8.5	71.5	11.2	—	—
Winnipeg	68.5	8.6	51.9	29.3	56.2	25.7
Regina	72.2	12.2	53.2	31.8	62.8	16.4
Saskatoon	70.9	13.4	43.4	50.8	59.3	16.7
Calgary	75.8	8.0	66.2	20.8	69.9	—
Edmonton	73.5	8.5	61.5	27.5	67.8	30.1
Vancouver	69.7	9.2	63.2	30.5	71.3	14.3
Victoria	64.2	7.7	64.5	20.0	—	—

<sup>a</sup>Participation Rate: percent of the population fifteen or older who were in the labour force.

<sup>b</sup>Unemployment Rate: the number of unemployed expressed as a percentage of the labour force.

Source: Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 89-534; 1991 Census.

### *Income*

Employment patterns are reflected in income characteristics for Aboriginal people in urban areas (Table 10). In general, Aboriginal people 15 years or older are more likely than the total urban population to receive no income and to receive an income of less than \$10,000. The proportions listed under the columns "government transfer payments" and "social assistance" are not directly comparable since the former includes all payments received from any level of government, and the latter refers to only one type of transfer payment. However, this information does suggest that dependence on transfer payments is much higher in the Aboriginal compared to the total metropolitan populations. Consistent with other characteristics of urban Aboriginal populations,

TABLE 10: Income of Those 15 Years and Older, Metropolitan and Aboriginal Identity Population, Major Metropolitan Areas, 1991

	Percent of Metropolitan Population Receiving:			Percent of Aboriginal Identity Population Receiving:		
	No Income	Less Than \$10,000	Government Transfer Payments	No Income	Less Than \$10,000	Social Assistance <sup>a</sup>
Halifax	8.7	24.6	9.6	—	34.4*	
Montreal	10.1	22.9	11.5	9.5*	41.3*	12.9
Ottawa-Hull	7.0	21.3	8.0	9.7*	35.6*	18.4
Toronto	8.8	20.1	7.5	9.5*	37.5*	13.4
Winnipeg	6.9	26.2	11.5	16.5	57.0	31.0
Regina	6.2	24.0	9.8	17.1	51.3	29.5
Saskatoon	6.9	26.7	10.8	20.8	56.9	43.6
Calgary	7.0	22.9	7.1	12.8	45.6	19.5
Edmonton	6.9	24.2	9.1	8.6	45.8	33.4
Vancouver	8.0	22.9	9.2	13.8	49.9	30.3
Victoria	5.0	23.8	13.3	11.0	47.6	20.9

\*The coefficient of variation of the estimate is between 16.7% and 33.3%. These estimates should be used with caution to support a conclusion.

<sup>a</sup>Excludes Family Allowance and Child Tax Credit.

Source: Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 89-534.

there are considerable variations among metropolitan areas. The percent of the Aboriginal population receiving no income varies from 8.6 percent in Edmonton to 10.8 percent in Saskatoon. Saskatoon has the highest proportion (43.6 percent) receiving social assistance and Montreal has the lowest (12.9 percent).

Despite the evidence of poverty shown in the previous table, Table 11 shows that there is a significant urban Aboriginal population earning a good income. Once again, there are considerable variations among urban areas.

TABLE 11: Proportion of Those 15 Years and Older with Annual Income of \$40,000 or More, Aboriginal Identity Population, Major Metropolitan Areas, 1990

	<i>North American Indians</i> %	<i>Métis</i> %
Halifax	—	—
Montreal	10.5*	—
Ottawa-Hull	9.6*	16.3*
Toronto	10.5*	—
Winnipeg	3.2*	4.6*
Regina	6.1*	—
Saskatoon	—	—
Calgary	9.2*	—
Edmonton	5.8*	5.6*
Vancouver	5.2*	13.7*
Victoria	7.1*	—

\*The coefficient of variation of the estimate is between 16.7% and 33.3%. These estimates should be used with caution to support a conclusion.

Source: Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 89-534.

## CONCLUSION

This conclusion summarizes some of the implications of the preceding analysis. The paper began with an analysis of published statistics about Aboriginal people in urban areas. The geographies of Aboriginal self-government do not match the political geographies of non-Aboriginal people. This has implications for the degree to which published statistics, based on non-Aboriginal geographies, can be used to explore different approaches to self-government for Aboriginal people. Statistics concerning the size of urban Aboriginal populations must be viewed critically, both because these numbers probably underestimate the size of the urban Aboriginal population, and because defining relevant populations requires paying attention to more than just metropolitan boundaries. The mismatch also has implications for implementing self-government. Some approaches may involve cooperation and negotiation among a large number of Aboriginal, municipal, provincial, and federal governments — others may be

much simpler. Approaches to self-government for Aboriginal people in urban areas must incorporate considerable flexibility in this respect.

Probably the most striking aspect of the analysis is the tremendous variation in the characteristics of Aboriginal populations in different metropolitan areas. These populations vary with respect to moving patterns and association with traditional languages and activities, the size of the ancestry population and the proportion of the population that currently identifies itself as Aboriginal, the proportion of the population that identifies itself as Métis, the proportion of the population that is registered or has band membership, and the proportion of the population that has been reinstated under the *Indian Act*. These differences are significant because they identify populations that may have differential access to and aspirations concerning self-government. As a result, there will be different approaches *within* metropolitan areas, and different combinations of approaches *among* metropolitan areas. Approaches to self-government and strategies to implement it must be flexible enough to accommodate this variability.

Statistics describing the socio-economic conditions of Aboriginal people in major metropolitan areas demonstrate their poverty, high dependency ratios, and disadvantaged labour market position. These conditions demand a policy response. However, the rate of population change and the nature of socio-economic characteristics vary widely among metropolitan areas. As a result, Aboriginal populations will have differing priorities and differing capacities to consider and implement self-government. These two issues — the need for steps to improve life for Aboriginal people in urban areas and the differing capacities of local Aboriginal populations — suggest that a variety of initiatives concerning Aboriginal people in cities is needed. Some of these initiatives could focus on providing immediate relief, others could require much more long-term planning and implementation. The varying capacities of urban Aboriginal populations also suggest that it could be extremely useful if information, strategies, and experiences concerning governance for urban Aboriginal people could be shared so that every community does not have to bear the entire burden of developing its own approaches to self-government.

# Urban Aboriginal Organizations: Edmonton, Toronto, and Winnipeg

*Stewart Clatworthy, Jeremy Hull, and Neil Loughren*

## INTRODUCTION

One of the goals of self-government for urban Aboriginal people is to have Aboriginal organizations assume a much greater role in the development and provision of programs and services to the urban Aboriginal population. The existing literature concerning Aboriginal self-government in urban areas identifies a variety of possible models and organizational arrangements for achieving this general goal. These models range from those based on the concept of extending the jurisdiction of Aboriginal land-based governments to all citizens regardless of where they live,<sup>1</sup> to those based on a concept of forming independent autonomous urban or neighbourhood-specific organizations.<sup>2</sup>

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- 1 See, for example: R.L. Bish, *A Practical Guide to Issues in Gitksan-Wet'suwet'en Self-Government*, prepared for the Gitksan-Wet'suwet'en Tribal Council, Victoria, B.C.: School of Public Administration, University of Victoria, 1986; T.J. Couchene and L.M. Powell, *A First Nations Province* (Kingston: Institute of Intergovernmental Relations, Queen's University, 1992); R. Groves, "Territoriality and Aboriginal Self-Determination: Options for Legal Pluralism in Canada," *Commission on Folk Law and Legal Pluralism, Proceedings of the VIth International Symposium* (Ottawa, 1991), 223-245; R. Tizya, "Comments on Urban Aboriginals and Self-Government," in D. Brown, ed., *Aboriginal Governments and Power Sharing in Canada* (Kingston: Institute of Intergovernmental Relations, Queen's University, 1992), 45-52.
  - 2 See, for example: M. Dunn, *Access to Survival: A Perspective on Aboriginal Self-Government for the Constituency of the Native Council of Canada*, NCC Constitutional Secretariat, Position Paper (Kingston: Institute of Intergovernmental Relations, Queen's University, 1986); Native Council of Canada, *The First Peoples Urban Circle: Choices for Self-Determination* (Ottawa: Native Council of Canada, 1993); W. Reeves, "Native Societies: The Professions as a Model of Self-Determination for Urban Indians," in J.R. Ponting, ed., *Arduous Journey: Canadian Indians and Decolonization* (Toronto: McClelland and Stewart

Much of the discussion and assessment of the various models of Aboriginal self-government in urban areas has transpired at an abstract and theoretical level. As noted by Wherrett and Brown<sup>3</sup> and Peters,<sup>4</sup> however, urban self-government is not an abstract concept. Processes that may eventually result in self-governing Aboriginal institutions appear to be already well underway in many larger urban areas of Canada. In most large urban centres, Aboriginal organizations are presently administering and delivering a range of programs and services to the population.

Although there exists a general awareness of the presence of a significant base of Aboriginal organizations in many urban areas, very little is presently known about these organizations. As these organizations may provide a part of the foundation for the development of Aboriginal self-government in urban areas, it seems appropriate that we learn more about them and the programs and services they provide to the urban Aboriginal population. Such information appears to be largely missing from most recent discussions of urban self-government, in spite of the fact that these organizations and their members represent important dimensions of the context in which any form of urban self-government must develop.

This study was undertaken to begin the task of achieving a better understanding of the structure and characteristics of Aboriginal organizations dedicated primarily to serving the interests and needs of *urban* Aboriginal residents. The study attempted to provide some baseline information to serve as a reference point for assessing alternative plans and approaches to developing and implementing Aboriginal self-government in urban areas. The goal was *not* to evaluate (nor advocate for) any particular form or arrangement of urban self-government. Rather, the goal is to take stock of what presently exists by way of urban Aboriginal organizations in such a way that this information may become part of the broader assessment and development process.

The financial resources and time frame available for the study required that the study's geographic scope be limited to three locations. The cities of Edmonton, Toronto, and Winnipeg were selected as study areas to provide the opportunity to explore the development of urban Aboriginal organizations in differing socio-political, demographic, and economic contexts.

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Ltd., 1986), 342-358.

- 3 J. Wherrett, and D. Brown, *Self-Government for Aboriginal Peoples Living in Urban Areas*, NCC Discussion Paper (Kingston: Institute for Intergovernmental Relations, Queen's University, 1992).
- 4 E.J. Peters, "Self-Government for Aboriginal People in Urban Areas: A Literature Review and Suggestions for Research," *Canadian Journal of Native Studies*, 12, 1, 1992:51-74.



The study sought to provide information related to several rather basic questions concerning urban Aboriginal organizations in the three study areas. The questions included:

- What organizations exist?
- How did they come about and for what reasons?
- Who do they serve?
- What range and scale of services do they provide?
- How are they governed, managed, and staffed?
- How are they financed?
- How do they relate to other organizations and the broader urban community?

This information was obtained through in-person interviews with senior level representatives of urban Aboriginal organizations currently operating in each of the three study areas.

The remainder of this report has three sections. Section I provides more detailed information on the study's scope, the criteria used to define urban Aboriginal organizations, and a brief discussion of the survey methods and range of issues explored in the interviews. Some basic data concerning the Aboriginal populations of each study area are also provided as general background information. Section II provides a summary of the survey findings as they relate to the characteristics of urban Aboriginal organizations and highlights similarities and differences among the organizations located in the three study areas. The final section (Section III) presents some general conclusions concerning the nature of organizational development in each study area and raises a number of issues related to the role of existing organizations from the perspective of Aboriginal self-government in urban areas.

## STUDY SCOPE AND METHODOLOGY

### DEFINING URBAN ABORIGINAL ORGANIZATIONS

Given the constraints of this study, it was not possible to explore the full range of Aboriginal organizations that currently exist in urban areas. Our focus was on a particular group of organizations that share a specific set of characteristics that make them a potential nucleus for urban self-governing arrangements. These characteristics, which served as screening criteria for purposes of defining the universe of organizations to be included in the survey, are

- the organization's primary mission involves the provision of services or benefits to Aboriginal people who are permanent (as opposed to

- temporary) residents of the city, and a majority of the organization's clients (or beneficiaries) are Aboriginal and permanent urban residents;
- the organization is a separate (although perhaps not legally separate) entity in that it has substantial decision-making and service-delivery discretion from senior governments or other organizational entities, including a "parent" organization;
  - the organization is owned or effectively controlled by Aboriginal people (i.e., a majority of the organization's owners or members of its board of directors (or the equivalent) are Aboriginal;
  - the organization's owners or board members (or the equivalent) exercise authority over either service policy or organizational finances;
  - the organization does not seek to make a profit for its owners.

The above criteria were designed to isolate (from the broader set of Aboriginal organizations) those organizations that have a distinct identity, are controlled (in practice) by Aboriginal people and exist primarily (if not exclusively) to serve the needs and interests of the permanent Aboriginal population residing in each study area. Throughout the remainder of this report we use the term *urban Aboriginal organizations* to refer to that group of organizations that shares all of the above characteristics

It should be noted that this operational definition of urban Aboriginal organizations excludes a large number of governmental and non-governmental organizations that currently provide services and benefits to urban Aboriginal residents, either exclusively or as part of their broader mandate to serve the needs of urban residents. The definition also excludes a number of Aboriginal-governed organizations that, although located in the city, do not provide services or benefits primarily to individuals who reside permanently in the city. This approach excluded national or provincial Aboriginal organizations, urban offices of non-urban tribal councils, and organizations designed primarily to provide services (such as health and education services) to temporary urban Aboriginal residents. The emphasis on permanent residents was intended to distinguish the interests of the urban Aboriginal population from those of the rural Aboriginal population, so that a focus could be maintained on organizations serving or representing this group.

Although Aboriginal organizations with a non-urban focus are excluded by the criteria, the criteria do not necessarily exclude all urban branches of provincial or national Aboriginal organizations. Such organizations would qualify for inclusion in the study if their activities and functions are carried out primarily for the benefit of permanent Aboriginal residents of the city in which they are located and they meet the other four criteria listed above.

## IDENTIFYING URBAN ABORIGINAL ORGANIZATIONS

As noted in the introduction, most of the information for this study was obtained through in-person interviews with representatives of the Aboriginal organizations located in each study area. The data collection process proceeded in three stages. In the initial stage, current lists of Aboriginal organizations located in each city were compiled using information contained in the Arrowfax directory of Aboriginal organizations and service agency directories compiled by Aboriginal service organizations and by local social planning councils. The list of organizations identified through these sources was augmented by information provided by local urban Aboriginal associations and by personal contacts living in the study areas. The list of potential urban Aboriginal organizations was amended to remove all of the urban branch offices of tribal councils and other organizations known to primarily serve non-urban residents (e.g., reserve-based education authorities located in the city). After deletion of these organizations, a total of 108 organizations were identified as possible candidates for inclusion in the study.

The second stage of the process involved attempts to contact each of the 108 potential urban Aboriginal organizations via telephone for purposes of identifying whether the organization met the screening criteria for inclusion in the survey. All but two organizations were reached through this process. Of the remaining organizations (106 in total), 53 failed to meet one or more of the criteria for inclusion in the survey. Table 1 identifies the number of organizations excluded and the main reason for their exclusion.

As illustrated in the table, 30 (57 percent) of the excluded organizations reported that permanent urban Aboriginal residents did not represent a primary clientele of the organization (according to their mission and in practice). An additional nine of the organizations were not presently operational; eight were not separate entities, five were either not owned or not controlled by Aboriginal people and one was being operated as a private business.

Fifty-three organizations met all of the screening criteria and were considered to be urban Aboriginal organizations under the definition used in this study. In the third stage of the data collection process, in-person interviews were held with 47 (89 percent) of these organizations. Interviews with six organizations could not be arranged within the study's time frame (one in Edmonton, two in Toronto, and three in Winnipeg).

The interviews probed for information concerning the structural and operational characteristics of the organization and were designed to explore the organization's relationship to the urban Aboriginal population and to other organizations, the level and nature of Aboriginal ownership and control of the organization, and the extent to which the organization exercises operational

TABLE 1: Summary of Organization Survey Process and Reasons for Exclusion of Organizations (Edmonton, Toronto, and Winnipeg, 1994)

<i>Organizations</i>	<i>Location of Organization</i>			
	<i>Edmonton</i>	<i>Toronto</i>	<i>Winnipeg</i>	<i>Total</i>
Identified	25	41	42	108
Contacted (screened)	24	39	41	104
Excluded by screening criteria	16	21	16	53
Meeting screening criteria	8	20	25	53
Interviewed	7	18	22	47
<i>Reason for Exclusion</i>	<i>Edmonton</i>	<i>Toronto</i>	<i>Winnipeg</i>	<i>Total</i>
Primary clientele not urban Aboriginal residents	11	12	7	30
Organization not separate entity	2	5	1	8
Organization not operational	1	3	5	9
Organization not Aboriginal owned or controlled	2	1	2	5
Organization a privately owned business	0	0	1	1
<i>Total Organizations Excluded</i>	<i>16</i>	<i>21</i>	<i>16</i>	<i>53</i>

independence.<sup>5</sup> Those interviewed were asked about the following characteristics of their organization:

- its history (age, original mission, individuals and organizations involved in its formation);
- current goals (mission, purpose and perceived role in relation to Aboriginal self-government);
- service policies, activities and client characteristics (services/functions provided, client characteristics, service volumes, constraints on service policy);
- ownership structure (legal status, ownership criteria, Aboriginal ownership, powers exercised by owners, owner benefits);
- membership structure (criteria or rules for voting membership, characteristics of voting membership, powers exercised by voting

5 A copy of the interview schedule used in the survey and a list of the organizations contacted and interviewed for the study follows this report. See p. 65.

- members, benefits associated with membership and size and characteristics of active voting members);
- management and staffing characteristics (decision-making structure, powers normally exercised by decision-making entities, Aboriginal role in decision-making, staff structure and Aboriginal component of staffing);
  - financial resources (distribution of finances by source, nature of contractual arrangements); and
  - relationships with other organizations serving the same clientele.

### THE STUDY AREAS

The three metropolitan areas selected for this study provide an opportunity to explore the development of urban Aboriginal organizations in different contexts. Institutional, economic, and political differences in these cities, both in the past and currently, can be expected to shape opportunities for developing organizations to provide services to the Aboriginal population.

The development of urban Aboriginal organizations is also expected to be influenced by the size and composition of Aboriginal populations. According to the 1991 Census of Canada, each of the three study areas contains large populations (40,000+) with Aboriginal *ancestry* (see Table 2). Although similar with respect to the size of the ancestry-based Aboriginal population, the three centres differ in terms of the size and composition of the population reporting Aboriginal *identity* (i.e., the population that identified with an Aboriginal group according to the Aboriginal Peoples Survey). In Toronto, only 35 percent of the population reporting Aboriginal ancestry identified with an Aboriginal group, and the identity-based population accounted for less than 0.4 percent of the total city population. By way of contrast, much larger portions of the populations reporting Aboriginal ancestry identified with an Aboriginal group in both Edmonton (68 percent) and Winnipeg (78 percent). In these centres, the identity-based populations are much larger and also account for a much larger share of the total city population (roughly 3.6 and 5.6 percent, respectively).

The Aboriginal populations of each centre also differ with respect to composition by identity group. The identity-based populations of Edmonton and Winnipeg are comprised largely of Registered Indians and Métis which account for roughly equal portions of the identity-based populations. Both centres, however, also contain sizable non-status Indian populations. Toronto's identity-based population is comprised primarily of Registered and non-status Indians and contains only a small Métis component (roughly 10 percent of the total identity-based population). In relation to Edmonton and Winnipeg, non-status Indians form a much larger segment of Toronto's Aboriginal population.

TABLE 2: Estimated Aboriginal Population and Aboriginal Identity Groups as Share of Total Population, (Edmonton, Toronto, and Winnipeg, 1991)

Population Group	Metropolitan Area					
	Edmonton	% of Total	Toronto	% of Total	Winnipeg	% of Total
Total population	832,155	100.00	3,863,110	100.00	645,610	100.00
Aboriginal ancestry population	42,695	5.13	40,040	1.04	44,970	6.97
Aboriginal identity population <sup>a</sup>	29,235	3.51	14,205	0.37	35,150	5.54
Registered Indian <sup>b</sup>	11,710	1.41	5,440	0.14	15,670	2.43
Métis	13,515	1.62	1,430	0.04	14,990	2.32
Non-status Indian <sup>c</sup>	4,200	0.50	7,480	0.19	4,585	0.71

<sup>a</sup>Identity sub-group counts may not sum to total due to multiple identity responses.

<sup>b</sup>Registered Indian population estimated from 1991 Census of Canada.

<sup>c</sup>Non-status Indian population estimated non-registered residual of North American Indian identity group.

Source: 1991 Census and Aboriginal Peoples Survey, 1991, Statistics Canada, Catalogue number 94-327.

## STUDY FINDINGS

This section of the report provides a summary of the main findings of the survey of urban Aboriginal organizations. The findings are presented, for the most part, in a fashion that highlights similarities and differences among the organizations in the three centres.

### HISTORY AND MISSION

#### *Age of Organization*

Although each of the three study areas contains a few urban Aboriginal organizations that have been operational for considerable periods of time (longer than 20 years), most organizations are relatively young and were formed during the last decade (see Table 3). This is especially the case in Winnipeg where more than 60 percent of the urban Aboriginal organizations were formed during the last decade. Winnipeg was also the only study area that contained urban Aboriginal organizations formed during the last three years.

The larger number of relatively young organizations in Winnipeg may reflect, in part, the effects of programming initiatives of the Winnipeg Core Area Agreement,<sup>6</sup> which provided substantial resources to community-based groups for the development of projects serving high-needs inner city residents. The city's Aboriginal population was targeted as a priority group by the agreement and represented a major beneficiary of the programming that resulted from it.

#### *Assistance with Formation*

As illustrated in Table 4, some differences among the three study areas exist with respect to how the organizations were initially formed. In contrast with Toronto, urban Aboriginal organizations in both Edmonton and Winnipeg were much more likely to have been formed through the efforts of existing organizations, especially other Aboriginal organizations. Most urban Aboriginal organizations in Toronto, on the other hand, traced their origins to the efforts of individuals or groups of individuals that were not associated with existing organizations. This may be because the Aboriginal organizations in Toronto are relatively new and have not had time to develop spin-off organizations. Moreover, the Aboriginal organizations in Toronto, like the Aboriginal population

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6 This was a joint federal/provincial/municipal inner city redevelopment agreement with a wide-ranging set of programs which operated from 1982 through 1992.

TABLE 3: Age of Urban Aboriginal Organizations, by Location

Age of Organization (Years)	Edmonton		Toronto		Winnipeg		Total	
	Orgs.	%	Orgs.	%	Orgs.	%	Orgs.	%
Less than 3	0	0.0	0	0.0	3	13.6	3	6.4
3-5	2	28.6	4	22.2	4	18.2	10	21.3
6-9	2	28.6	7	38.9	8	36.4	17	36.2
10-19	1	14.3	4	22.2	4	18.2	9	19.1
20 or more	2	28.6	3	16.7	3	13.6	8	17.0
<i>Total Organizations</i>	<i>7</i>	<i>100.0</i>	<i>18</i>	<i>100.0</i>	<i>22</i>	<i>100.0</i>	<i>47</i>	<i>100.0</i>



TABLE 4: Type of Organization Providing Assistance with Formation of Urban Aboriginal Organizations, by Location

Type of Organization Providing Assistance	Edmonton		Toronto		Winnipeg		Total	
	Orgs.	%	Orgs.	%	Orgs.	%	Orgs.	%
Other urban Aboriginal organization(s)	2	28.6	2	11.1	7	31.8	11	23.4
Urban local of Provincial Aboriginal political organization	3	42.9	3	16.7	4	18.2	10	21.3
Provincial Aboriginal non-government organization	0	0.0	1	5.6	0	0.0	1	2.1
National Aboriginal non-government organization	0	0.0	0	0.0	1	4.5	1	2.1
National Aboriginal political organization	0	0.0	0	0.0	0	0.0	0	0.0
Non-Aboriginal, non-government organization	1	14.3	0	0.0	1	4.5	2	4.3
Non-Aboriginal government organization	1	14.3	1	5.6	2	9.1	4	8.5
No supporting organization <sup>a</sup>	0	0.0	11	61.1	7	31.8	18	38.3
<i>Total Organizations Responding</i>	7	100.0	18	100.0	22	100.0	47	100.0

<sup>a</sup>Organizations that were founded by one individual or a group of individuals unattached to an organization.

itself, are widely dispersed and seem to have less interaction with each other than those in the other cities.

The development of urban Aboriginal organizations from initiatives of non-Aboriginal organizations appears to be relatively uncommon in each of the three centres. Across all three centres, only six organizations, or 13 percent of the total, traced their origins to the efforts of non-Aboriginal organizations.

Provincial Aboriginal organizations appear to have played a greater role in the establishment of urban Aboriginal organizations in the city of Edmonton. These organizations (or their urban locals or branches) accounted for three (or 43 percent) of the seven urban Aboriginal organizations identified in that centre. A smaller portion of organizations linked their origin to Aboriginal provincial organizations in both Toronto and Winnipeg, although in both locations provincial Aboriginal organizations were identified as instrumental in the development of some organizations.

#### CURRENT MISSION OF ORGANIZATION

Survey respondents were asked to identify the current mission(s) of their organizations and any changes in the organization's mission over its history. Although several organizations reported changes in the scale or range of services provided, none reported significant changes to the organization's main goal(s). Information concerning the current missions of the urban Aboriginal organizations, therefore, provides some clues concerning the reasons for their initial formation and continued operations.

Table 5 identifies the distribution of organizations by stated mission. As the response patterns in each study area did not vary, the table displays data aggregated for the three study areas. As indicated in the table, the vast majority (92 percent) of organizations viewed their mission in terms of improving the range and/or quality of social services available to Aboriginal people. Thirteen organizations were operating to promote or nurture Aboriginal culture and identity. The improvement of Aboriginal/non-Aboriginal relations was noted by five organizations as a formal organizational goal.

Formal organizational objectives related to political and advocacy functions on behalf of urban Aboriginal peoples (as a collective) or to gaining control over the provision of services to Aboriginal peoples are not common among urban Aboriginal organizations. A relatively small number of organizations — four — described their formal mission in relation to these objectives.

TABLE 5: Stated Mission of Urban Aboriginal Organizations Surveyed

<i>Mission</i>	<i>Number</i>	<i>% of Organizations</i>
Improve range and/or quality of social services to Aboriginal people	43	91.5
Promote or nurture Aboriginal culture and identity	13	27.7
Improve Aboriginal/non-Aboriginal relations	5	10.6
Political/advocacy functions on behalf of Aboriginal peoples	3	6.4
Promote Aboriginal control of provision of services	1	2.1
Economic development	1	2.1
<i>Number of Organizations Responding</i>	47	—

Note: Some organizations identified more than one mission.

## SERVICES AND CLIENT CHARACTERISTICS

### *Aboriginal Philosophy*

The survey yielded only limited information with respect to the existence and nature of an Aboriginal philosophy in the operation of urban Aboriginal organizations. A substantial majority (79 percent across all three study areas) of survey respondents reported that their organization followed an Aboriginal philosophy.<sup>7</sup> With very few exceptions, however, efforts to identify the nature and features of the organization's philosophy did not produce much usable information. Responses concerning the features of the organization's philosophy tended to be vague, fragmentary, and imprecise (e.g., use of holistic methods). This aspect of urban Aboriginal organizations remains unclear.

7 Little variation exists among the three study areas with respect to reporting Aboriginal philosophy. The share of organizations reporting the use of an Aboriginal philosophy varied from 71 percent in Edmonton to 83 percent in Toronto.

### *Range of Services Provided*

Collectively, urban Aboriginal organizations in each study area provide an extensive range of services to the population (see Table 6). Although some variations among the study areas exist in terms of the proportion of organizations involved in specific types of service delivery, the overall scope of services provided tends to be quite similar in each location. Most frequently cited services relate to adult education and training, cultural/religious or spiritual services, employment referral or counselling, and political/advocacy services.

It is interesting to note that the number of organizations reporting political/advocacy services greatly exceeds the number of organizations that reported political/advocacy functions as part of their organization's mission. This situation may reflect, in part, different interpretations of advocacy (i.e., collective versus individual) among respondents. Our experience with the non-profit sector, however, suggests that most non-profit social service organizations perform these functions regularly even though they are not part of a formal mandate.

In relation to other service types, legal services and education, correctional services/programs, economic development, K-13 educational services, and grants or loans to individuals and/or organizations were identified less often as service areas of urban Aboriginal organizations.

There were differences among the study areas in the average number of types of services provided. In contrast with both Edmonton and Toronto, urban Aboriginal organizations in Winnipeg reported (on average) a smaller number of service categories (an average of 3.8 per organization, as opposed to 7.7 and 6.9 per organization in Edmonton and Toronto, respectively). This finding may suggest that a higher level of service specialization (or fragmentation) exists among urban Aboriginal organizations in Winnipeg.

### *Service Volumes*

Table 7 identifies the distribution of urban Aboriginal organizations by volume of clients (total as opposed to discrete individuals) served monthly, total monthly client volumes, and the estimated share of client volume accounted for by Aboriginal peoples. In absolute terms, organizations located in Toronto reported the largest number of total monthly clients (more than 9,000 monthly) and the largest number of Aboriginal clients (6,804 monthly).<sup>8</sup>

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8. In most instances, client volume information was estimated by respondents and related to total clients rather than discrete individuals served. Some (unknown) level of multiple counting of individuals exists in the information (both within a single organization and among several organizations). As such, the data should be regarded with caution and interpreted only as a rough indicator of service levels, especially in terms of the discrete number of individuals served.

TABLE 6: Types of Service Provided by Urban Aboriginal Organizations, by Location

<i>Types of Service Provided</i>	<i>Edmonton</i>		<i>Toronto</i>		<i>Winnipeg</i>		<i>Total</i>	
	<i>Orgs.</i>	<i>%</i>	<i>Orgs.</i>	<i>%</i>	<i>Orgs.</i>	<i>%</i>	<i>Orgs.</i>	<i>%</i>
Adult education/training services	5	71.4	12	66.7	8	36.4	25	53.2
Political/advocacy functions	5	71.4	10	55.6	10	45.5	25	53.2
Religious/cultural/spiritual services	5	71.4	12	66.7	8	36.4	25	53.2
Employment referral/counselling	4	57.1	11	61.1	6	27.3	21	44.7
Recreational services	3	42.9	9	50.0	6	27.3	18	38.3
Housing services	4	57.1	9	50.0	5	22.7	18	38.3
General community development	3	42.9	8	44.4	6	27.3	17	36.2
Youth programming/counselling	4	57.1	6	33.3	5	22.7	15	31.9
Child and family services	4	57.1	6	33.3	4	18.2	14	29.8
Communications services	3	42.9	7	38.9	3	13.6	13	27.7
Substance abuse programs	3	42.9	5	27.8	3	13.6	11	23.4
Health services	2	28.6	6	33.3	2	9.1	10	21.3
Child care	1	14.3	5	27.8	4	18.2	10	21.3
Legal services or education	2	28.6	4	22.2	2	9.1	8	17.0
Correctional services/programs	2	28.6	2	11.1	4	18.2	8	17.0
Economic development services	2	28.6	2	11.1	2	9.1	6	12.8
K-13 educational services	0	0.0	5	27.8	1	4.5	6	12.8
Grants/loans to individuals	0	0.0	1	5.6	3	13.6	4	8.5
Grants/loans to organizations	2	28.6	1	5.6	0	0.0	3	6.4
Other	0	0.0	1	5.6	4	18.2	5	10.6
<i>Total Organizations Responding</i>	<i>7</i>	<i>100.0</i>	<i>18</i>	<i>100.0</i>	<i>22</i>	<i>100.0</i>	<i>47</i>	<i>100.0</i>

TABLE 7: Total and Aboriginal Clients Served Monthly by Urban Aboriginal Organizations, by Location

Number of Clients Served (Monthly)	Location of Organization						Total	%
	Edmonton	%	Toronto	%	Winnipeg	%		
50 or less	0	0.0	8	44.4	6	37.5	14	35.0
51 - 100	1	16.7	3	16.7	2	12.5	6	15.0
101 - 200	1	16.7	2	11.1	2	12.5	5	12.5
201 - 500	2	33.3	1	5.6	2	12.5	5	12.5
501 or more	2	33.3	4	22.2	4	25.0	10	25.0
<b>Total Organizations Responding</b>	<b>6</b>	<b>100.0</b>	<b>18</b>	<b>100.0</b>	<b>16</b>	<b>100.0</b>	<b>40</b>	<b>100.0</b>
<b>Estimated Total Number of Clients (Monthly)</b>	<b>3236</b>	<b>-</b>	<b>9024</b>	<b>-</b>	<b>5563</b>	<b>-</b>	<b>17823</b>	<b>-</b>
<b>Estimated Number of Aboriginal Clients (Monthly)</b>	<b>3056</b>	<b>-</b>	<b>6804</b>	<b>-</b>	<b>5490</b>	<b>-</b>	<b>15350</b>	<b>-</b>
<b>Aboriginal Share of Clients (%)</b>	<b>94.4</b>	<b>-</b>	<b>75.4</b>	<b>-</b>	<b>98.7</b>	<b>-</b>	<b>86.1</b>	<b>-</b>

As expected, Aboriginal peoples form a substantial majority of the clients served by organizations in all three study areas. In Edmonton and Winnipeg, services provided by urban Aboriginal organizations are almost exclusively delivered to the Aboriginal population. Non-Aboriginal clients, however, form a sizable share (nearly one-quarter) of the population receiving services through urban Aboriginal organizations located in Toronto. This may be due again to the geographic dispersal of the Aboriginal population in Toronto, and the community-based nature of the services. A number of the Toronto organizations also noted that it was a condition of their funding agreements that their services not be limited to Aboriginal clients.

Although the aggregate service volume is lower, urban Aboriginal organizations located in Edmonton reported larger average client volumes (540 per month) than those located in Toronto (420 per month) and Winnipeg (348 per month). The study's findings with respect to service volumes also suggest that in spite of their larger average size, urban Aboriginal organizations in Edmonton collectively may be providing services to a smaller segment of the city's Aboriginal population than those of either Toronto or Winnipeg. Monthly Aboriginal client volumes reported by Edmonton's organizations represent only about 10 percent of the city's identity-based population. The proportions for Toronto and Winnipeg are 45 percent and 16 percent, respectively. Taken together, the findings concerning volume of services and the findings reported above concerning the average number of services provided, suggest that where there are larger Aboriginal organizations serving a broader range of needs, as in Edmonton, they reach a smaller portion of the population, and where there are a larger number of smaller and more specialized Aboriginal organizations, as in Winnipeg, they reach a larger proportion of the Aboriginal population.

#### *Characteristics of Population Served*

By definition, all of the organizations included in this study considered urban Aboriginal residents as a primary client group. Nevertheless, a minority of these organizations (38 percent) reported that services were delivered exclusively to urban Aboriginal residents (see Table 8). Non-urban Aboriginal peoples were identified as clients by 29 organizations and were regarded as a primary client group by eight of these organizations. Twenty-two organizations also reported services to non-Aboriginal city residents and six organizations identified this group as a primary client group. The large number of organizations providing services to non-Aboriginal residents (10 in total) reflects, only in part, the activities of organizations that identified improvements to Aboriginal/non-Aboriginal relations as a formal organizational mission. The above finding suggests that several urban Aboriginal organizations may be operating to serve needs in a broader neighbourhood context. As indicated in the table, most of

TABLE 8: Characteristics of Clients Served by Urban Aboriginal Organizations Surveyed

Client Characteristic	Primary Client		Occasional Client		Never a Client	
	Organizations	%	Organizations	%	Organizations	%
Urban Aboriginal residents	47	100.0	0	0.0	0	0.0
Rural Aboriginal residents	8	17.0	21	44.7	18	38.3
Urban Non-Aboriginal residents	6	12.8	16	34.0	25	53.2
Rural Non-Aboriginal residents	0	0.0	8	17.0	39	83.0
Status Indians	44	93.6	3	6.4	0	0.0
Métis or non-status Indians	42	89.4	4	8.5	1	2.1
Women	43	91.5	2	4.3	2	4.3
Men	40	85.1	1	2.1	6	12.8
Youth (12-20 years)	30	63.8	8	17.0	9	19.1
Recent migrants to city	31	66.0	13	27.7	3	6.4
Longer term urban residents	46	97.9	1	2.1	0	0.0
Inner city residents	41	87.2	6	12.8	0	0.0
<b>Total Organizations</b>	<b>47</b>	<b>100.0</b>	<b>47</b>	<b>100.0</b>	<b>47</b>	<b>100.0</b>



these organizations (41) operate primarily to serve the needs of inner city residents.

Data concerning other characteristics of clients suggest that a substantial majority of urban Aboriginal organizations provide services to a *pan-Aboriginal* population and do not limit services (in practice) to specific Aboriginal identity groups. Only 8 of the 47 organizations interviewed reported some degree of service exclusivity on the basis of Aboriginal identity group. These organizations were affiliated with provincial Métis or status-Indian organizations.

#### OWNERSHIP AND MEMBERSHIP STRUCTURE

The interviews explored a variety of different dimensions of the ownership and membership structure of urban Aboriginal organizations. Information concerning the specifics of formal (or legal) ownership of the organization could not be obtained from several of the organizations. Only two organizations reported formal ownership by non-Aboriginal individuals (in both instances churches), however, both of these organizations also reported non-owners with voting privileges on some matters. Six organizations reported having formal shareholders and, in all cases, restricted voting privileges to shareholders. The remaining organizations appear to be controlled (in practice) by a voting membership that is not restricted to owners.

##### *Eligibility Criteria for Voting Members*

Table 9 provides a summary of the criteria used to establish voting membership in urban Aboriginal organizations. As noted above, six organizations including one in Toronto and five in Winnipeg restrict voting privileges to shareholders of the organizations. The remaining organizations extend voting privileges to members using a variety of criteria. In general terms, the criteria for membership are similar for organizations located in the three study areas. With the exception of Toronto, where most membership-controlled organizations applied no Aboriginal identity or status criteria, urban Aboriginal organizations restrict voting membership to Aboriginal peoples. Only five organizations, however, further restricted membership to specific identity groups.

Although the organizations are clearly focussed on the provision of services to urban Aboriginal residents, less than one-third (29 percent) of the organizations formally restrict membership on the basis of urban residency. Urban residency restrictions are commonly applied only among Winnipeg-based organizations.

Most urban Aboriginal organizations (59 percent) reported that they do not apply membership fees or charges, presumably for purposes of encouraging community participation and legitimization within the community.

TABLE 9: Eligibility Criteria for Voting Privileges of Members of Urban Aboriginal Organizations, by Location

Eligibility Criteria for Voting Membership	Location of Organization							
	Edmonton	%	Toronto	%	Winnipeg	%	Total	%
<i>Voting Membership Restricted to Owners</i>	0	0.0	1	5.6	5	22.7	6	12.8
<i>Voting Membership Not Restricted to Owners</i>	7	100.0	17	94.4	17	77.3	41	87.2
<i>Criteria for Voting Membership (Non-Owners)</i>								
<i>Aboriginal Identity/Status</i>								
Status/Registered Indian	2	28.6	0	0.0	1	5.9	3	7.3
Métis	1	14.3	0	0.0	1	5.9	2	4.9
Aboriginal	1	14.3	7	41.2	11	64.7	19	46.3
No identity/status criteria	3	42.9	10	58.8	4	23.5	17	41.5
<i>Residency Requirement</i>								
Urban residents only	1	14.3	3	17.6	8	47.1	12	29.3
No residency requirements	6	85.7	14	82.4	9	52.9	29	70.7
<i>Membership Fee Charged</i>								
Yes	3	42.9	8	47.1	6	35.3	17	41.5
No fee	4	57.1	9	52.9	11	64.7	24	58.5

### *Composition of Current Membership*

Table 10 identifies the various types of voting members associated with urban Aboriginal organizations in each of the three study areas. Individual citizens form all or part of the membership base of most organizations (77 percent) and are the most common type of member among organizations located in Toronto and Winnipeg. Representatives of other Aboriginal organizations (that is, where there are organizational memberships) are included in the membership base of nine organizations. This member type is most common among organizations in Edmonton. Three organizations (two in Edmonton and one in Toronto) also reported members representing non-Aboriginal organizations.

### *Size of Voting Membership*

Table 11 identifies the distribution of urban Aboriginal organizations according to size of the membership base with voting privileges. In general, most of the urban Aboriginal organizations in each of the study areas reported a fairly small membership base (under 100 eligible voters). Overall levels of membership vary widely among the study areas and are higher in absolute terms in both Winnipeg and Toronto. The 14 Winnipeg-based organizations that reported this information identified their collective membership to be roughly 6,900 individuals (an average of about 490 per organization). Total membership in the 7 Edmonton-based organizations was reported to be substantially smaller at about 1,175 individuals (an average of about 170 per organization). Toronto's organizations reported about 4,320 members (an average of roughly 250 per organization).

### *Participation of Members*

Although the organizations located in each of the study areas collectively have a large base of members, levels of participation among members in the election of officers (i.e., the board of directors) tend to be much lower. A summary of "voter turnout" levels is provided in Table 12 for organizations with membership bases of different sizes. The data reveal an inverse relationship between the size of membership base and participation levels. This situation may reflect the existence of a closer attachment of members to smaller organizations, however, it also reflects membership procedures, which in many organizations are linked directly to the process of voting (i.e., membership is defined in terms of the individuals that participate in the election of officers).

Although aggregate participation levels appear to be much higher among organizations located in Toronto, this may not in fact be the case, as the two organizations in Toronto that reported membership bases exceeding 500 individuals did not report voter turnout. In both Edmonton and Winnipeg, voter turnout for organizations with large memberships was quite low (10 to 13 percent) resulting in lower average rates of participation. Similar levels among

TABLE 10: Composition of Voting Members of Urban Aboriginal Organizations, by Location

<i>Type of Voting Members</i>	<i>Location of Organization</i>							
	<i>Edmonton</i>	<i>%</i>	<i>Toronto</i>	<i>%</i>	<i>Winnipeg</i>	<i>%</i>	<i>Total</i>	<i>%</i>
Individuals	3	42.9	17	94.4	16	72.7	36	76.6
Aboriginal organizations	5	71.4	2	11.1	2	9.1	9	19.1
Non-Aboriginal organizations	1	14.3	1	5.6	0	0.0	2	4.3
Government organizations	1	14.3	0	0.0	0	0.0	1	2.1
Voting restricted to owners	0	0.0	1	5.6	5	22.7	6	12.8
<i>Total Organizations Surveyed</i>	7	-	18	-	22	-	47	-

Note: Several organizations allow more than one member type.

TABLE 11: Size of Voting Membership Base of Urban Aboriginal Organizations, by Location<sup>a</sup>

Number of Members	Location of Organization							
	Edm.	%	Tor.	%	Wpg.	%	Total	%
Less than 10	1	14.3	3	17.6	0	0.0	4	10.5
10 – 49	3	42.9	3	17.6	6	42.9	12	31.6
50 – 99	0	0.0	3	17.6	2	14.3	5	13.2
100 – 499	2	28.6	6	35.3	4	28.6	12	31.6
500 or More	1	14.3	2	11.8	2	14.3	5	13.2
<i>Total Organizations<sup>b</sup></i>	<i>7</i>	<i>100.0</i>	<i>17</i>	<i>100.0</i>	<i>14</i>	<i>100.0</i>	<i>38</i>	<i>100.0</i>
<i>Est. Total Members</i>	<i>1177</i>	<i>–</i>	<i>4319</i>	<i>–</i>	<i>6903</i>	<i>–</i>	<i>12399</i>	<i>–</i>

<sup>a</sup>Includes only those organizations in which membership is open to non-owners of the organization.

<sup>b</sup>Data on size of membership base not available for three Winnipeg-based organizations.

TABLE 12: Percentage of Eligible Voters Participating in Last Board Election of Urban Aboriginal Organizations, by Location

Size of Voting Membership	Location of Organization			
	Edmonton	Toronto	Winnipeg	Total
	Percent of Members that Voted			
Less than 10	100.0	83.3	100.0	91.2
10 – 49	100.0	36.5	74.7	67.8
50 – 99	NA	47.9	75.0	57.7
100 – 499	23.1	51.0	71.4	45.2
500 or More	10.3	NA	13.6	13.2
<i>Total All Organizations</i>	<i>18.1</i>	<i>50.0</i>	<i>22.9</i>	<i>23.6</i>

NA: Information not applicable or data not reported.

the larger Toronto organizations would result in overall participation rates roughly equal to those identified for the aggregate of organizations in the other two study areas (i.e., 18 to 23 percent).

#### *Powers Exercised by Members*

As illustrated in Table 13, the membership of most urban Aboriginal organizations has the opportunity to exercise considerable powers over the organization and its management. For the majority of organizations, members' responsibilities included election of the organization's board of directors (or the equivalent management committee), approving and amending the organization's constitution, calling for special meetings of the members or owners, approving the organization's mission statement, and dismissing the organization's board of directors. For a significant number of organizations (18 in total), members also approved the organization's budget. In general terms, the range of functions performed by the membership of urban Aboriginal organizations are typical of those associated with the membership of other non-profit organizations.

### MANAGEMENT AND STAFFING

#### *Powers of Board of Directors or Board Executive*

Forty-six of the organizations surveyed reported a board of directors or an equivalent form of management committee. In seven cases, membership on the board of directors was restricted to the legal shareholders or to individuals appointed or designated by the shareholders. For the remainder, members played a role in determining board membership through nomination and/or voting provisions.

The boards (or executives of boards) of urban Aboriginal organizations typically perform five main functions, including the hiring, evaluation and dismissal of senior management staff; initiating or planning new programming initiatives; establishing the organization's budget; developing the organization's mission statement; and calling special meetings of the membership and/or owners (see Table 14). Day-to-day administration and responsibilities for other organizational personnel were in most instances the responsibility of senior management.

TABLE 13: Decision-Making Responsibilities of Voting Members of Urban Aboriginal Organizations Surveyed

<i>Decision-Making Activity</i>	<i>Yes</i>	<i>No</i>	<i>Respondents</i>	<i>Unsure</i>	<i>NA</i>
Elect board of directors	39	1	40	0	7
% of respondents	97.5	2.5	100.0		
Approve organization budget	18	20	38	0	9
% of respondents	47.4	52.6	100.0		
Dismiss board members in mid-term	24	14	38	0	9
% of respondents	63.2	36.8	100.0		
Hire senior management	9	28	37	1	9
% of respondents	24.3	75.7	100.0		
Hire lower level staff	2	35	37	1	9
% of respondents	5.4	94.6	100.0		
Approve organization mission	29	9	38	0	9
% of respondents	76.3	23.7	100.0		
Change organization constitution	34	4	38	0	9
% of respondents	89.5	10.5	100.0		
Call special meetings of members	30	8	38	0	9
% of respondents	78.9	21.1	100.0		
Make day-to-day management decisions	0	38	38	0	9
% of respondents	0.0	100.0	100.0		
Approve grants or loans to others	1	11	12	0	35
% of respondents	8.3	91.7	100.0		

NA: Activity not applicable

TABLE 14: Powers Usually Exercised by the Board of Directors of Urban Aboriginal Organizations, by Location

<i>Usual Powers of Organization Board</i>	<i>Location of Organization</i>							
	<i>Edmonton</i>	<i>%</i>	<i>Toronto</i>	<i>%</i>	<i>Winnipeg</i>	<i>%</i>	<i>Total</i>	<i>%</i>
Hire, evaluate, dismiss senior staff	7	100.0	14	82.4	18	81.8	39	84.8
Hire and dismiss lower level staff	2	28.6	6	35.3	10	45.5	18	39.1
Initiate new programming initiatives	7	100.0	15	88.2	17	77.3	39	84.8
Establish the organization's budget	7	100.0	14	82.4	18	81.8	39	84.8
Develop organization's mission statement	7	100.0	14	82.4	17	77.3	38	82.6
Call special meetings of members or owners	5	71.4	13	76.5	18	81.8	36	78.3
Make day-to-day management decisions	0	0.0	0	0.0	2	9.1	2	4.3
Approve grants/loans to others	2	28.6	5	29.4	2	9.1	9	19.6
<i>Total Organizations with Board of Directors</i>	7	100.0	17	100.0	22	100.0	46	100.0



*Aboriginal Participation on Board of Directors and Board Executive*

Aboriginal shareholders or members formed a majority of the board of directors of all organizations surveyed. For 30 organizations (64 percent of all organizations with boards) current boards of directors are comprised exclusively of Aboriginal individuals. Exclusive Aboriginal boards tend to be most common among organizations in Edmonton and Winnipeg (see Table 15).

Thirty-eight organizations also reported the existence of an executive committee of the board with additional responsibilities. With the exception of one organization, Aboriginal individuals formed a majority of Executive Committee members. Exclusive Aboriginal membership on executive committees exists in 30 organizations (see Table 16).

TABLE 15: Aboriginal Participation on Board of Directors of Urban Aboriginal Organizations, by Location

<i>Aboriginal Board Members (%)</i>	<i>Location of Organization</i>							
	<i>Edm.</i>	<i>%</i>	<i>Tor.</i>	<i>%</i>	<i>Wpg.</i>	<i>%</i>	<i>Total</i>	<i>%</i>
50% or less	0	0.0	0	0.0	0	0.0	0	0.0
51 – 79%	0	0.0	5	27.8	3	13.6	8	17.0
80 – 99%	2	28.6	4	22.2	2	9.1	8	17.0
100%	5	71.4	8	44.4	17	77.3	30	63.8
Organizations with boards	7	100.0	17	94.4	22	100.0	46	97.9
Organizations without boards	0	0.0	1	5.6	0	0.0	1	2.1
<i>Total Organizations</i>	<i>7</i>	<i>100.0</i>	<i>18</i>	<i>100.0</i>	<i>22</i>	<i>100.0</i>	<i>47</i>	<i>100.0</i>

TABLE 16: Aboriginal Participation on Board Executive Committee of Urban Aboriginal Organizations, by Location

<i>Aboriginal Members of Executive (%)</i>	<i>Location of Organization</i>							
	<i>Edm.</i>	<i>%</i>	<i>Tor.</i>	<i>%</i>	<i>Wpg.</i>	<i>%</i>	<i>Total</i>	<i>%</i>
50% or less	1	14.3	0	0.0	0	0.0	0	0.0
51 – 79%	1	14.3	2	15.4	2	11.1	5	13.2
80 – 99%	0	0.0	1	7.7	1	5.6	2	5.3
100%	5	71.4	10	76.9	15	83.3	30	78.9
<i>Organizations with Executive Committees</i>	7	100.0	13	100.0	18	100.0	38	100.0
<i>Organizations without Executive Committees</i>	0	–	5	–	4	–	9	–
<i>Total Organizations</i>	7	–	18	–	22	–	47	–

### *Organizational Staffing*

Table 17 identifies the current staffing level of urban Aboriginal organizations in the three study areas. Seven organizations reported that they were currently operating without paid staff and that the organization's activities were being performed on a volunteer basis by the director and/or board members. Of those organizations with paid staff, most reported less than ten employees. Organizations in Edmonton tend to have a larger number of staff (an average of 22 employees) in comparison with those in Toronto (an average of 12 employees) and Winnipeg (an average of 8 employees). The table also reveals that the organizations are staffed primarily by Aboriginal people (91 percent overall) and that Aboriginal staffing levels do not vary widely among organizations in the study areas.

TABLE 17: Number and Aboriginal Share of Paid Employees of Urban Aboriginal Organizations, by Location

<i>Number of Paid Staff</i>	<i>Location of Organization</i>							
	<i>Edm.</i>	<i>%</i>	<i>Tor.</i>	<i>%</i>	<i>Wpg.</i>	<i>%</i>	<i>Total</i>	<i>%</i>
None	0	0.0	3	16.7	4	18.2	7	14.9
1 - 4	2	28.6	3	16.7	10	45.5	15	31.9
5 - 9	1	14.3	4	22.2	5	22.7	10	21.3
10 - 29	1	14.3	7	38.9	1	4.5	9	19.1
30 - 49	3	42.9	1	5.6	1	4.5	5	10.6
50 or more	0	0.0	0	0.0	1	4.5	1	2.1
<i>Total Organizations</i>	<i>7</i>	<i>100.0</i>	<i>18</i>	<i>100.0</i>	<i>22</i>	<i>100.0</i>	<i>47</i>	<i>100.0</i>
<i>Total Paid Staff</i>	<i>157</i>	<i>-</i>	<i>209</i>	<i>-</i>	<i>179</i>	<i>-</i>	<i>545</i>	<i>-</i>
<i>Total Aboriginal Staff</i>	<i>146</i>	<i>-</i>	<i>180</i>	<i>-</i>	<i>167</i>	<i>-</i>	<i>493</i>	<i>-</i>
<i>% of Staff Aboriginal</i>	<i>93.0</i>	<i>-</i>	<i>86.1</i>	<i>-</i>	<i>93.3</i>	<i>-</i>	<i>90.5</i>	<i>-</i>

## FINANCING SOURCES

*Sources of Financing*

A critical aspect of self-government relates to the nature and extent of control exercised by Aboriginal service providers over the financial resources that are directed toward providing services to Aboriginal peoples. Table 18 sheds some light on the current revenue sources of urban Aboriginal organizations in each of the three study areas. As expected, government grants and contributions account for the majority of resources (about 71 percent) provided to urban Aboriginal organizations. Reliance upon government funding sources appears to be greatest among organizations located in Toronto (88 percent of all revenue) and least among Winnipeg's organizations (59 percent of revenue). User fees account for the second largest source of organizational financing in all three centres.

TABLE 18: Average Share of Revenue by Source of Urban Aboriginal Organizations, by Location

Revenue Source	Average Share (%) of 1993 Revenue			
	Edmonton	Toronto	Winnipeg	Total
Government grants/contributions	71.9	87.5	59.3	70.8
User or service fees	13.7	7.9	20.0	15.0
Private foundations/charities	3.6	1.7	10.0	6.1
Self-generated sources	10.9	2.9	11.7	8.1
<i>Total All Sources</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
<i>Share from Aboriginal Sources (%)</i>	<i>20.2</i>	<i>9.6</i>	<i>25.1</i>	<i>19.1</i>

In contrast with Toronto's organizations, organizations in Edmonton and Winnipeg reported much higher levels of self-generated resources, as well as larger shares of resources from Aboriginal sources. In all centres, however, self-generated resources accounted for a relatively small portion (less than 12 percent) of total organizational finances.<sup>9</sup>

#### *Contractual Arrangements and Financial Autonomy*

Reflecting the generally low levels of self-generated financing, a large majority of urban Aboriginal organizations are dependent upon arrangements with external funding bodies. As illustrated in Table 19, these arrangements typically take the form of annual contracts, especially among organizations located in Edmonton (all organizations) and Toronto (two-thirds of the organizations). Multi-year arrangements tend to be more common among Winnipeg's organizations.

9 The Aboriginal component of organizational resources derives from a variety of sources including user fees (e.g., day care fees), admission fees to events, membership fees, and other sources. User fees, and especially housing rents, however, appear to account for a majority of the Aboriginal component of organizational financing. More detailed information on sources of financing are contained in additional tables appended to this report. See p. 80.

TABLE 19: Nature of Funding Contracts of Urban Aboriginal Organizations, by Location

<i>Term of Funding Contract</i>	<i>Edmonton</i>		<i>Toronto</i>		<i>Winnipeg</i>		<i>Total</i>	
	<i>Orgs.</i>	<i>%</i>	<i>Orgs.</i>	<i>%</i>	<i>Orgs.</i>	<i>%</i>	<i>Orgs.</i>	<i>%</i>
No funding contract	0	0.0	4	22.2	6	27.3	10	21.3
Annual	7	100.0	12	66.7	8	36.4	27	57.4
Multi-year contracts	0	0.0	2	11.1	8	36.4	10	21.3
<i>Total Organizations</i>	<i>7</i>	<i>100.0</i>	<i>18</i>	<i>100.0</i>	<i>22</i>	<i>100.0</i>	<i>47</i>	<i>100.0</i>

In a substantial majority of instances, funding contracts provide very little flexibility to the organization with respect to use of financial resources. Ninety-two percent of the 37 organizations with funding contracts reported that expenditures were tied directly to discrete activities and budget categories. Only 27 percent of these organizations reported some ability to unilaterally shift funds between categories and only 5 percent reported the ability to use funds to launch new activities not contained in the original contract budget (see Table 20).

### *Service Policy Autonomy*

The reliance on external funding sources and the nature of contractual arrangements limit the level of service policy autonomy of urban Aboriginal organizations. Some information related to this issue is provided in Table 21. Although some minor differences exist among the three study areas, levels of service policy autonomy are, for the most part, similar.

In general, urban Aboriginal organizations appear to have the least amount of flexibility with respect to establishing eligibility criteria for services. A majority of organizations reported that they were usually required to use criteria established external to the organization. A greater level of autonomy was reported with respect to other dimensions of service policy including the style or procedures surrounding service delivery and prioritizing service delivery activities.

TABLE 20: Usual Terms or Conditions Associated with Funding Arrangements of Urban Aboriginal Organizations, by Location

Nature of Contract Conditions <sup>a</sup>	Edmonton		Toronto		Winnipeg		Total	
	Orgs.	%	Orgs.	%	Orgs.	%	Orgs.	%
Funds to be spent within specific budget categories	7	100.0	13	92.9	14	87.5	34	91.9
Some ability to unilaterally shift funds between categories	3	42.9	1	7.1	6	37.5	10	27.0
Ability to spend funds for new activities not identified in the original budget	0	0.0	1	7.1	1	6.3	2	5.4
<i>Total Organizations with Funding Contracts</i>	7	-	14	-	16	-	37	-

<sup>a</sup>Organizations may have more than one funding contract, with different arrangements for each.

TABLE 21: Indicators of Service Policy Autonomy of Urban Aboriginal Organizations, by Location

Indicator of Service Policy Autonomy	Location of Organization							
	Edmonton		Toronto		Winnipeg		Total	
	Orgs.	%	Orgs.	%	Orgs.	%	Orgs.	%
<i>Required to use eligibility criteria prescribed by parent organization or relevant government department?</i>								
Usually	5	71.4	9	50.0	11	50.0	25	53.2
Sometimes	1	14.3	2	11.1	4	18.2	7	14.9
Seldom or never	1	14.3	7	38.9	7	31.8	15	31.9
<i>Required to define/deliver services according to rules of parent organization or relevant government department?</i>								
Usually	1	14.3	5	27.8	8	36.4	14	29.8
Sometimes	2	28.6	4	22.2	6	27.3	12	25.5
Seldom or never	4	57.1	9	50.0	8	36.4	21	44.7
<i>Required to prioritize service activities according to rules of parent organization or relevant government department?</i>								
Usually	0	0.0	3	16.7	4	18.2	7	14.9
Sometimes	2	28.6	1	5.6	4	18.2	7	14.9
Seldom or never	5	71.4	14	77.8	14	63.6	33	70.2

## RELATIONSHIPS WITH OTHER ORGANIZATIONS

Nearly all of the organizations reported that they had established working relationships with other organizations providing services to the urban Aboriginal population. These relationships were most often reported to be informal and related to client referrals and information sharing with other service providers. A small number of organizations in both Toronto and Winnipeg, however, also reported the existence of more formal cooperative initiatives with other Aboriginal organizations and non-Aboriginal service providers.

Inter-agency organizations were reported in both Toronto and Winnipeg. In the case of Toronto, this has taken the form of an association of Aboriginal organizations. The association's activities, however, appear to have been limited, to date, to information sharing and networking, and many organizations are not participating in the initiative. Inter-agency initiatives in Winnipeg appear to have taken a different form and resulted in the formation of new projects and new organizations, including a pan-Aboriginal political/advocacy organization and the joint purchase and renovation of a large facility to house several urban Aboriginal organizations. Similar inter-agency organizations do not appear to have developed among urban Aboriginal organizations in Edmonton.

## PERCEIVED ROLE IN TERMS OF SELF-GOVERNMENT

Most (57 percent) of the urban Aboriginal organizations included in the survey reported that their organization had formally considered the organization's role within the context of self-government (see Table 22). Formal consideration of this issue was most common among organizations located in Edmonton (57 percent) and, especially, Winnipeg (73 percent). Organizations that had considered their role in relation to self-government, most frequently (48 percent) viewed their role as an Aboriginal service organization (see Table 23). A few organizations (8 in total) currently viewed their organization as a form of self-government. This view was most commonly expressed among organizations located in Toronto. Ten organizations (including seven located in Winnipeg) viewed their organization evolving into a form of Aboriginal self-government.

## SUMMARY AND CONCLUSIONS

As noted in the introduction, this study has been undertaken to provide some basic descriptive data concerning the structure and characteristics of Aboriginal organizations that are dedicated primarily to serving the interests and needs of



TABLE 22: Urban Aboriginal Organizations Showing Whether or Not Organization Has Considered Its Role in Relation to Aboriginal Self-Government, by Location

<i>Consideration of Role in Relation to Self-Government</i>	<i>Location of Organization</i>							
	<i>Edm.</i>	<i>%</i>	<i>Tor.</i>	<i>%</i>	<i>Wpg.</i>	<i>%</i>	<i>Total</i>	<i>%</i>
Considered role	4	57.1	7	38.9	16	72.7	27	57.4
Not considered role	3	42.9	9	50.0	6	27.3	18	38.3
No response/don't know	0	0.0	2	11.1	0	0.0	2	4.3
<i>Total Organizations Surveyed</i>	<i>7</i>	<i>100.0</i>	<i>18</i>	<i>100.0</i>	<i>22</i>	<i>100.0</i>	<i>47</i>	<i>100.0</i>

TABLE 23: Perceived Role of Organization in Relation to Self-Government, Urban Aboriginal Organizations, by Location

<i>Perceived Role in Relation to Self-Government</i>	<i>Location of Organization</i>							
	<i>Edm.</i>	<i>%</i>	<i>Tor.</i>	<i>%</i>	<i>Wpg.</i>	<i>%</i>	<i>Total</i>	<i>%</i>
As an Aboriginal service organization	2	50.0	5	71.4	6	37.5	13	48.1
Organization evolving into Aboriginal self-government	1	25.0	2	28.6	7	43.8	10	37.0
Organization already a form of self-government	1	25.0	4	57.1	3	18.8	8	29.6
<i>Organizations that have considered their role</i>	<i>4</i>	<i>-</i>	<i>7</i>	<i>-</i>	<i>16</i>	<i>-</i>	<i>27</i>	<i>-</i>

Note: Some organizations identified more than one role.

urban Aboriginal residents. It is hoped that this information can serve as one point of reference for assessing various approaches to developing Aboriginal self-government in urban areas. In this regard, the study is not advocating for urban self-government to be developed around the existing set of organizations operating in urban areas. Rather, our primary goal was to identify what currently exists by way of urban Aboriginal organizations such that this information may form part of the broader discussion concerning self-government alternatives in urban areas.

This section of the report provides a brief summary of the survey's findings concerning the general state of urban Aboriginal organization development in each study area. Some general implications of the study's findings in terms of the relationship of urban Aboriginal organizations to urban self-government are also discussed.

## SUMMARY OF MAIN FINDINGS

### *Edmonton*

The study identified a total of eight organizations in Edmonton that met the screening criteria for inclusion in the survey. The following summary is based on information provided by the seven organizations that completed interviews for the study:

- *A relatively small number of urban Aboriginal organizations appear to be operating in Edmonton.* This finding is interesting when viewed in relation to the large size of the Aboriginal population residing in the city and in light of the much larger number of organizations operating in the other study areas.
- Although few in number, urban Aboriginal organizations in Edmonton tend to be larger in terms of the *average* volume of clients served and the number of employed staff. Edmonton's organizations tend to provide a large range of services (nearly eight service areas on average). Collectively, they provide for roughly the same range of services as the much larger groups of organizations operating in Toronto and Winnipeg.
- The membership base of Edmonton's urban Aboriginal organizations totaled roughly 1,175 individuals. Although of significant size, the membership base of Edmonton's organizations represents a small fraction of the city's total Aboriginal population. In addition, recently active members represented only about 18 percent of the total member base of these organizations.
- *Edmonton's urban Aboriginal organizations are characterized by a high degree of Aboriginal exclusivity in terms of clients served and in terms*

*of organizational management and staffing.* Aboriginal peoples represented close to 95 percent of the clients served by Edmonton's organizations. In addition, the organizations were almost entirely managed and staffed by Aboriginal peoples.

- *The survey did not reveal the existence of a pan-organizational entity operating in Edmonton.* Although some inter-agency relationships appear to exist among Edmonton's urban Aboriginal organizations, these relationships tend to be focused on operational matters related to client referrals and information sharing.
- Edmonton also appears to lack an urban-based, pan-Aboriginal political entity. Formal Aboriginal political organizations in Edmonton appear to be limited to the Métis population. The survey did not uncover the existence of urban-based political organizations representing status Indian interests or pan-Aboriginal interests.
- Although a significant level of organizational development exists, Edmonton appears to lag behind both of the other study areas in the process of organizational development.

### *Toronto*

The study identified a total of 20 urban Aboriginal organizations (according to the screening criteria) operating in the city of Toronto. Interviews with 18 organizations provided the basis for the following observations concerning urban Aboriginal organizations in Toronto:

- Toronto contains a surprisingly large number and diverse range of organizations in relation to the size of the population that identifies with an Aboriginal group.
- *The organizations tend to provide a wide range of services, both individually (roughly 7 service areas on average) and as a collective, and appear to serve a large base of clients.* Toronto's organizations reported a client service volume in excess of 9,000 individuals monthly.
- *In relation to the other study areas, Toronto's organizations exhibit a much lower level of Aboriginal exclusivity in terms of clients and membership and, in general, appear to be more integrated into the broader urban community.* Although most services were directed toward Aboriginal clients, non-Aboriginal individuals accounted for roughly one-quarter of the client base of Toronto's organizations.
- *Toronto's organizations have a relatively large active membership base.* More than 4,300 members were reported and roughly one-half of these participated in recent organizational elections.
- *In relation to other study areas, Toronto's organizations reported higher levels of dependency on government resources and minimal levels of*

*self-generated resources.* Nearly 88 percent of the resources managed by these organizations were derived from government sources.

- *A pan-Aboriginal association of service organizations has developed in Toronto, but to date, the association has undertaken few activities and exercises no formal powers.*
- *No formal urban-based, pan-Aboriginal political organization appears to exist in Toronto. Urban political structures appear to be limited to Métis locals (one of which is presently inactive).*

### *Winnipeg*

Twenty-five urban Aboriginal organizations were identified in the city of Winnipeg. The following summary is based on the results of interviews with 22 of these organizations:

- *A large number and diverse range of urban Aboriginal organizations are currently operating in Winnipeg.* The group of organizations contains a few large organizations and several small service providers delivering (individually) a fairly narrow range of services.
- *As a group, Winnipeg's organizations have a large base of members although a significant portion of the membership appears not be active.* Organizations (as a collective) reported more than 6,900 members. Members participating in recent organizational elections, however, totaled about 1,600, only a small fraction of the city's Aboriginal population.
- *Winnipeg's urban Aboriginal organizations exhibit a high level of Aboriginal exclusivity in terms of clients, management, and staffing.* Although almost exclusively focused on the Aboriginal population, these organizations also reported a high level of interaction with the broader social service system and with non-Aboriginal service providers.
- *Winnipeg appears to be the only study area where Métis, status Indian, and pan-Aboriginal political organizations are presently functioning simultaneously.* In all cases, however, the activities of these organizations appear to be quite limited by resources.
- *There is recent evidence in Winnipeg of pan-organizational initiatives that have resulted in the formation of new projects and organizations.* This situation appears to be unique among the study areas.

### COMMON FINDINGS

The study's results point to a number of common features of urban Aboriginal organizations in the three study areas. All three cities appear to have a signifi-

cant foundation of autonomous, urban-based, and urban-focused organizations. These organizations are involved primarily in the delivery of services to permanent urban Aboriginal residents, and collectively, provide a fairly broad range of services to each community. In relation to the non-Aboriginal service sector, however, urban Aboriginal organizations appear to operate in a much narrower range of service areas. Services relating to K-13 (kindergarten to grade 13) education, health provision, legal and justice-related matters, and the physically or mentally impaired, for example, appear to be presently underdeveloped in each of the locations.

The organizations identified in each centre are effectively owned, controlled and/or managed, and staffed by Aboriginal people and direct most of their activities to urban Aboriginal residents. The organizations are largely membership-based and have sizable numbers of active members. At the same time, however, only a small portion of the total urban Aboriginal population (as defined either on the basis of ancestry or identity) is participating as members of these organizations or receiving benefits or services directly through these organizations.

The vast majority of organizations are pan-Aboriginal (i.e., they do not exclude on the basis of identity group) and most appear to have no stated Aboriginal political affiliation. They exist primarily to serve specific social service and/or cultural needs of the Aboriginal community.

Most of the organizations exercise considerable autonomy with respect to delivery style and administrative matters, but their activities are highly circumscribed by funding relationships with other parties (most notably non-Aboriginal governments). In this regard, a substantial majority of the organizations are highly dependent on short-term (annual) funding arrangements with government. By implication, their continued operation and development depends on the activities and interests of parties outside the urban Aboriginal community.

With the exception of Winnipeg, little appears to exist by way of formal and effective inter-organizational structures. Although Winnipeg's organizations appear to have made recent progress in this regard, it is much too early to assess what the eventual outcome of these efforts might be.

## CONCLUSIONS AND IMPLICATIONS

On the basis of the findings of this research, it is difficult to conceive of the existing group of urban Aboriginal organizations (in each of the study areas) as effective forms of urban Aboriginal self-government. Although many organizations are accountable to a membership on a limited range of internal organizational matters, they do not relate to a broader Aboriginal political entity. Rather they remain accountable, for the most part, to non-Aboriginal

governments that control their resources and consequently the range and volume of (and the rules and methods used for distributing) benefits and services to their community. Effective control of most organizations is vested largely outside Aboriginal community.

The study's results, however, do demonstrate the existence of a well developed set of Aboriginal social service institutions that may eventually become controlled by a self-governing entity. At the present time, however, there exists a large number of unresolved issues with respect to the role that will be played by these organizations in the process of developing urban self-government. For example, urban self-government does not presently exist within the formal mission statements or goals of the vast majority of these organizations. Although many organizations appear to have discussed this issue, few appear to have undertaken much by way of further planning or actions in relation this issue.

From the narrow perspective of their own organization, most desire to become more self-governing, a desire that is quite common among non-Aboriginal, non-profit social service agencies. From a broader, collective perspective of Aboriginal self-government, most urban Aboriginal organizations do not appear to have clearly defined opinions and most do not appear to be actively or aggressively pursuing this objective.

As many people have noted, there are significant barriers to urban Aboriginal self-government, which will be overcome only by substantial effort. The priorities of the vast majority of urban Aboriginal organizations surveyed for this study appear to be focused inward on the operations and development of their organization and on the improvement of services to their clients, rather than on the achievement of collective forms of self-government. They receive resources and are governed according to their service functions rather than in keeping with a broader self-government role.

In the absence of a broader collective vision and a plan of action concerning self-government, it is difficult to conceive of these organizations playing much more than a passive or consultative role in the discussion and debate on Aboriginal self-government. Further, many of these organizations may be placed in a reactionary posture by the actions of other parties with urban self-government interests.

## *Survey of Urban Aboriginal Organizations in Edmonton, Winnipeg, and Toronto*

### INTRODUCTION

The Institute of Intergovernmental Relations at Queen's University is organizing a workshop on the theme of *Self-Government for Aboriginal Peoples in Urban Areas* to be held in Kingston in mid-May 1994, with the support of the Native Council of Canada and the National Association of Friendship Centres. In connection with the workshop the Institute has contracted with the *Four Directions Consulting Group* to undertake a comparative study of Aboriginal self-governing institutions and organizations. The general objective of the study is to provide information which can serve as a reference point for assessing alternative ways in which Aboriginal self-government is developing in urban areas. It is to do this by obtaining and analyzing basic information concerning Aboriginal organizations in three Canadian cities: Edmonton, Winnipeg and Toronto.

Your organization has been identified as one which might be termed "Aboriginal governed." I would like to conduct an interview with you to obtain a more in-depth understanding of how your organization works as part of the study. We are interested in *how your organization actually operates*, not in how it is supposed to work on paper. Some of the areas I will ask about may be sensitive, or you may not be able to quickly provide the information I am looking for. If so, we can skip over these areas, or perhaps you will be able to provide some of the information at a later date.

Please be assured that our interest in your organization has a research perspective, and that we are not intending to evaluate the organization or report our findings about individual organizations. Our purpose is to arrive at a general understanding of how Aboriginal self-governing organizations are functioning within urban areas, and where they may be headed in the future. We will not share the specific information about your organization with anyone outside of our study team.

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**Respondent Information**

1. City:                       Edmonton                       Winnipeg                       Toronto
2. Name of Organization: \_\_\_\_\_
3. Name of Respondent: \_\_\_\_\_
4. Position of Respondent: \_\_\_\_\_

**Mission and Purpose**

5. What is this organization's mission?

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6. Does this organization have a specifically Aboriginal philosophy or approach?     Yes     No

If so, how is this philosophy concretely reflected in the structure or activities of the organization?

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7. Has your organization ever considered its role in relation to the concept of Aboriginal self-government?  Yes  No

If so, how does the organization see itself relating to Aboriginal self-government?  
(May check more than one answer.)

- We see ourselves as one of a number of Aboriginal service organizations.
- We do not see ourselves as a form of self-government, but we feel we are providing training and experience which will ultimately be useful in Aboriginal self-government.
- We see our organization as gradually developing or evolving into Aboriginal self-government.
- We see ourselves **right now** as a form of Aboriginal self-government.
- Other:

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**Ownership and Membership**

8. Is this organization a legally independent entity or part of some larger organization?  
 Legally independent entity  Part of larger organization  
 Other: \_\_\_\_\_  DK
9. Does the organization have owners or shareholders?  Yes  No

If so, what are the criteria for eligibility to be an owner?

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10. Would you be able to tell me how many and what percentage of your owners are Aboriginal?  
 Number: \_\_\_\_\_ Percent: \_\_\_\_\_  DK

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11. Who are the owners of your organization? Do they include:  
(Check as many as apply.)

- Individuals?  
 Non-government Aboriginal organizations?  
 Non-government, non-Aboriginal organizations?  
 Government departments or agencies?

12. What decision-making powers do the owners normally exercise? Do they:

- |   |                              |                             |                             |
|---|------------------------------|-----------------------------|-----------------------------|
| Elect the board?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Approve the annual budget?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Dismiss the board or a board member in mid-term?                        | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Hire and fire senior management?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Hire and fire lower level staff?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Approve the organization's mission or strategy?                         | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Change the organization's constitution?                                 | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Call special meetings of members or owners?                             | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Make day-to-day management decisions?                                   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Approve grants or loans provided to individuals or other organizations? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Other?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| _____   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| _____   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |

13. What benefits do owners receive? (Check as many as apply.)

- Income from the organization.  
 Prestige or status within the community.  
 Access to services that they wouldn't have otherwise.  
 Benefits of participation in cultural activities.  
 Social or recreational benefits.  
 Access to useful information.  
 Social support from other members.  
 Other benefits:
- \_\_\_\_\_
- \_\_\_\_\_

14. Does the organization have **voting members** who are not owners?  Yes  No

If so, what are the criteria for eligibility to be a voting member?

a. Aboriginal identity or status criteria: \_\_\_\_\_

b. Geographic residency criteria: \_\_\_\_\_

c. Membership fee or investment: \_\_\_\_\_

d. Special interest or need criteria: \_\_\_\_\_

e. Other criteria: \_\_\_\_\_

15. Can you tell me how many and what percentage of your **voting members** are Aboriginal?

Number: \_\_\_\_\_ Percent: \_\_\_\_\_  DK

16. Who are the voting members of your organization? Do they include:  
(Check as many as apply.)

- Individuals?
- Non-government Aboriginal organizations?
- Non-government, non-Aboriginal organizations?
- Government departments or agencies?

17. What decision-making powers do the voting members normally exercise? Do they:

- |   |                              |                             |                             |
|---|------------------------------|-----------------------------|-----------------------------|
| Elect the board?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Approve the annual budget?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Dismiss the board or a board member in mid-term?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Hire and fire senior management?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Hire and fire lower level staff?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Approve the organization's mission or strategy?<br>(its basic purpose, beneficiaries, strategy and structure) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Change the organization's constitution?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Call special meetings of members or owners?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Make day-to-day management decisions?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Approve grants or loans provided to individuals or<br>other organizations?                                    | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| Other?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| _____   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |
| _____   | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> DK |

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18. What benefits do voting members receive? (Check as many as apply.)

- Income from the organization.  
 Prestige or status within the community.  
 Access to services that they wouldn't have otherwise.  
 Benefits of participation in cultural activities.  
 Social or recreational benefits.  
 Access to useful information.  
 Social support from other members.  
 Other benefits:
- 
- 

19. Would you know or be able to estimate the total number of people who are eligible to vote in board elections? About what percentage of these eligible voters are Aboriginal? About how many or what percentage of these eligible voters actually voted at your last annual general meeting? Would you know or be able to estimate what proportion of the people who voted were urban Aboriginal residents?

Total eligible voters: \_\_\_\_\_ Percent Aboriginal: \_\_\_\_\_

Number of voters at last election: \_\_\_\_\_ Percent Aboriginal: \_\_\_\_\_

**Board**

20. Is there a board or equivalent management committee governing this organization? (By "management committee" we are referring to a committee which is similar to a board in decision-making powers.)

Board  
 Management Committee  
 Neither

21. What is the process by which the board or its equivalent are nominated and chosen?

- Nominated by board and usually confirmed by voters  
 Nominated by board with competitive elections  
 Nominated at large with competitive elections  
 Appointed directly by designated organizations (who may be owners or voting members)  
 Other:
- 
- 

22. About what proportion of the organization's board members (or equivalent committee members) are Aboriginal?

Percent: \_\_\_\_\_  DK

23. Does the board or management committee have an executive committee?  Yes  No

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24. About what proportion of the organization's members of the executive committee are Aboriginal?

Percent: \_\_\_\_\_ [ ] DK

25. Which of the following decision-making powers are normally exercised by the board (or its equivalent), which are normally exercised by the board's executive committee, and which are not exercised by either body?

	Board	Usually Done By: Executive	Neither
Hire, evaluate or dismiss senior management?	[ ]	[ ]	[ ]
Hire and fire lower level staff?	[ ]	[ ]	[ ]
Initiate new programming activities?	[ ]	[ ]	[ ]
Establish the budget?	[ ]	[ ]	[ ]
Approve the organization's mission or strategy? (basic purpose, beneficiaries, strategy and structure)	[ ]	[ ]	[ ]
Call special meetings of members or owners?	[ ]	[ ]	[ ]
Make day-to-day management decisions?	[ ]	[ ]	[ ]
Approve grants or loans provided to individuals or other organizations?	[ ]	[ ]	[ ]

26. Do the board and/or executive committee have any other key responsibilities? If so, what are they?

Board: \_\_\_\_\_

Executive: \_\_\_\_\_

**Staff**

27. How many **senior managers** are there and how many are Aboriginal?

Total: \_\_\_\_\_ Number Aboriginal: \_\_\_\_\_ [ ] DK

28. How many **paid staff** does your organization have in total, how many are Aboriginal?

Total: \_\_\_\_\_ Number Aboriginal: \_\_\_\_\_ [ ] DK

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**Scope of Activity**

29. What types of services or benefits does this organization provide?

- |                          |   |                          |                                   |
|--------------------------|---|--------------------------|-----------------------------------|
| <input type="checkbox"/> | Child and family services                   | <input type="checkbox"/> | Child Care                        |
| <input type="checkbox"/> | Economic development services               | <input type="checkbox"/> | Housing services                  |
| <input type="checkbox"/> | General community development services      | <input type="checkbox"/> | Cultural services                 |
| <input type="checkbox"/> | K-12 educational services                   | <input type="checkbox"/> | Recreational services             |
| <input type="checkbox"/> | Adult education and training services       | <input type="checkbox"/> | Religious services                |
| <input type="checkbox"/> | Employment referral/counselling             | <input type="checkbox"/> | Communications services           |
| <input type="checkbox"/> | Substance abuse programs                    | <input type="checkbox"/> | Legal services or legal education |
| <input type="checkbox"/> | Advocacy for Aboriginal people              | <input type="checkbox"/> | Youth programs or counselling     |
| <input type="checkbox"/> | Correctional services or treatment programs | <input type="checkbox"/> | Grants or loans to individuals    |
| <input type="checkbox"/> | Grants or loans to other organizations      | <input type="checkbox"/> | Health services                   |
| <input type="checkbox"/> | Other:                                      |                          |                                   |
- 

30. Which of the following groups are the primary clients or beneficiaries who are actually served by your organization? Which of these groups are sometimes clients or beneficiaries? Which are never clients or beneficiaries? (Check as many as apply - categories overlap.)

	Primary Client or Beneficiary	Occasional Client or Beneficiary	Never a Client or Beneficiary
Urban Aboriginal residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rural Aboriginal residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Urban non-Aboriginal residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rural non-Aboriginal residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Status Indians	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Metis and non-status Indians	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Women	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Men	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Youth (12-20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recent migrants to the city	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Longer term urban residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inner city residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

31. Can you provide me with any data on the numbers of people who receive services or benefits from your organization in an average month or per year? Approximately what proportion of your clients are urban, Aboriginal residents?

	Total Clients	Percent Aboriginal
Clients/beneficiaries served per <u>month</u>	_____	_____ %
... Or per <u>year</u>	_____	_____ %

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32. To what degree are your organization's service policies determined by a parent organization or by senior government policies or program funding criteria? (By "service policies" we are referring to decisions about eligibility criteria, definition of the types of programs or services provided, and prioritization among service activities.)

We are required to use eligibility criteria prescribed or commonly followed by our parent organization or relevant government department.  Usually  
 Sometimes  
 Seldom

We are required to define and deliver our services in the way prescribed or commonly followed by our parent organization or relevant government department.  Usually  
 Sometimes  
 Seldom

We are required to prioritize our service activities in the way prescribed or commonly followed by our parent organization or relevant government department.  Usually  
 Sometimes  
 Seldom

Other comments:

**Finances**

33. What are the organization's sources of revenue for the current year, and about what percentage of your revenues come from each source?

	Number of Sources	Percentage of Total Revenue
Government Grants or Contributions	_____	_____
Fees for Goods or Services Supplied	_____	_____
Private Foundations or Charities	_____	_____
Self-Generated Sources (Fundraising, Membership Fees, Owners' Contributions, etc.)	_____	_____
Other: _____	_____	_____

34. Approximately what percentage of your revenues come from Aboriginal individuals or groups?

Percentage: \_\_\_\_\_

35. Is there a legal agreement or contract which governs your funding arrangement with your primary funder(s)?  Yes  No

36. If so, does this agreement hold for a period of one year or less, or a period of more than one year?

One year or less

More than one year

37. If there is a legal agreement or contract, does it:

Specify that funds must be spent within specific budget categories?

Yes

No

Allow you to move funds from one budget category to another during the course of a year without prior approval of the funding body?

Yes

No

Allow you to spend money on new programs and activities which may not have been anticipated when the budget was prepared?

Yes

No

#### History

38. In what year did the organization first get started?

Year: \_\_\_\_\_

39. We would like to know what individuals and organizations were involved in getting your organization started. First, who were the individuals who organized it? Were these individuals Aboriginal?

Individuals

Aboriginal?

#1 \_\_\_\_\_

Yes

No

#2 \_\_\_\_\_

Yes

No

#3 \_\_\_\_\_

Yes

No

40. What organizations or groups (if any) were responsible for getting your organization started? Were these organizations Aboriginally controlled?

Organizations or Individuals

Aboriginal?

#1 \_\_\_\_\_

Yes

No

#2 \_\_\_\_\_

Yes

No

#3 \_\_\_\_\_

Yes

No



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41. Why was your organization originally established? (Check as many as apply.)

- To provide advice to a government program or institution
- To provide services to Aboriginal clients
- To provide services to the general population
- To lobby government concerning Aboriginal issues
- To educate the public concerning Aboriginal issues

Other: \_\_\_\_\_

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42. Has the mission or purpose of the organization changed since it was originally started?  Yes  No

If so, how were the earlier missions or purposes different from the present?

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**Relations with Other Organizations**

43. Has your organization established formal or informal relationships with other organizations which serve the same clientele?  Yes  No

If so, can you describe these relationships?

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44. Has your organization established formal or informal relationships with other Aboriginal-run organizations?  Yes  No

If so, which ones? Can you describe these relationships?

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## Organizations Screened and Interviewed, by Location of Organization

<i>Organization</i>	<i>Screening Result</i>	<i>Inter-viewed</i>
<b>Edmonton</b>		
1 Amisk Housing Corporation	In	Y
2 Ben Calf Rope Society	In	Y
3 Canadian Native Friendship Centre	In	Y
4 First Nations Freedom Network	In	Y
5 Métis Child & Family Services Society	In	Y
6 Métis Urban Housing Corporation	In	Y
7 Native Employment Services	In	Y
8 Canative Housing Corporation	In	N
9 Edmonton Urban Aboriginal Management Board (Pathways)	Out	
10 Aboriginal Multi-Media Society	Out	
11 Apeetogosan	Out	
12 Ben Calf Rope School	Out	
13 Feather of Hope – Aboriginal AIDS Prevention Service	Out	
14 Indian Association of Alberta	Out	
15 Indigenous Sports Council of Alberta	Out	
16 Jack Bredin Community Institute	Out	
17 Métis Nation of Alberta	Out	
18 Mustard Street Church	Out	
19 Native Counselling Services of Alberta	Out	
20 Native Drop-In Centre	Out	
21 Native Women Career Program	Out	
22 Nechi Institute of Alcohol & Drug Education	Out	
23 Sacred Circle Native Home-School Liaison Service	*	
24 The Sacred Heart Parish, Edmonton's Native Catholic Church	Out	
25 Women of the Métis Nation	Out	
<b>Toronto</b>		
1 2-Spirited People of the First Nations	In	Y
2 Aboriginal Legal Services of Toronto	In	Y
3 Anduhyaan Inc.	In	Y
4 Anishnawbe Health Toronto	In	Y
5 Council Fire	In	Y
6 Gabriel Dumont Non-Profit Housing Corporation	In	Y
7 Greater Toronto Aboriginal Management Board	In	Y
8 Humber Valley Métis Association	In	Y
9 Native Awareness of Metro Toronto	In	Y
10 Native Canadian Centre of Toronto	In	Y

\*No information obtained.

## Organizations Screened and Interviewed (continued)

<i>Organization</i>	<i>Screening Result</i>	<i>Inter- viewed</i>
11 Native Child & Family Services of Toronto	In	Y
12 Native Men's Residence	In	Y
13 Native Skills Centre	In	Y
14 Native Women's Resource Centre	In	Y
15 Pedahbun Lodge Inc.	In	Y
16 Toronto Métis & Aboriginal Association	In	Y
17 Wigwamen Inc.	In	Y
18 York Métis Association	In	Y
19 Metro Métis & Aboriginal Association	In	N
20 Nishnawbe Homes Inc.	In	N
21 Aboriginal Health Professions Program	Out	
22 Aboriginal Peacekeeping Unit — Metropolitan Toronto Police	Out	
23 Association for Native Development in the Performing and Visual Arts	Out	
24 Beedaudjimowin Publications & Communications	Out	
25 Canadian Alliance for the Solidarity of Native People	Out	
26 Canadian Council for Native Business	Out	
27 Canadian Native Arts Foundation	Out	
28 Chiefs of Ontario	Out	
29 Corner Drop In	Out	
30 First Nations Group of Ontario College of the Arts	Out	
31 First Nations Police Commission of Ontario	Out	
32 First Nations School of Toronto	Out	
33 First People's Cultural & Recreational Centre of Scarborough	*	
34 Frontiers Foundation/Operation Beaver	Out	
35 Little Voices Native Drop In Centre	*	
36 Native Community Crisis Team	Out	
37 Native Earth Performing Arts	Out	
38 Native People's Parish	Out	
39 New Credit Development Corporation	Out	
40 Toronto Aboriginal Social Services Association	Out	
41 Union of Ontario Indians	Out	
<b>Winnipeg</b>		
1 A-Bah-Nu-Gee Child Care	In	Y
2 Aboriginal Centre	In	Y
3 Aboriginal Council of Winnipeg	In	Y
4 Aboriginal Literacy Foundation	In	Y
5 Aiyawin Corporation	In	Y

\*No information obtained.

## Organizations Screened and Interviewed (continued)

<i>Organization</i>	<i>Screening Result</i>	<i>Inter-viewed</i>
6 Anishinaabe Oway-Ishi	In	Y
7 Anishinabe RESPECT	In	Y
8 Bear Clan	In	Y
9 Children of the Earth High School	In	Y
10 Indian Family Centre Inc.	In	Y
11 Iwkewak Justice Society	In	Y
12 Kinew Housing	In	Y
13 Ma Mawi Wi Chi Itata Centre	In	Y
14 Manitoba Association for Native Languages	In	Y
15 Native Clan	In	Y
16 Native Employment Services	In	Y
17 Nee-Gawn-Ah-Kai Day Care Centre	In	Y
18 Original Women's Network	In	Y
19 Payuk Inter-Tribal Coop	In	Y
20 Three Fires Society	In	Y
21 Winnipeg First Nations Council	In	Y
22 Native Women's Transition Centre	In	Y
23 Indian-Métis Friendship Centre	In	N
24 MMF - Winnipeg Region	In	N
25 Native United Church	In	N
26 Kateri Tekakwitha Mission	*	
27 Ke Ki Nan Centre	*	
28 Native Rainbow Club	*	
29 Sagkeeng Urban Organization	*	
30 Aboriginal Artists Research Project	Out	
31 Aboriginal Funeral Chapel	Out	
32 Aboriginal Cultural Society	Out	
33 Anishinabe Fellowship	Out	
34 Anishinabe Mazaska Capital Corporation	Out	
35 Dial-a-Like	Out	
36 Ikwe-Widdjiitiwin	Out	
37 Indian Life Ministries	Out	
38 Indigenous Women's Collective	Out	
39 Native Alcoholism Council of Manitoba	Out	
40 Native Home Finders	Out	
41 Odanaki Resources	Out	
42 Winnipeg Pathways Steering Committee	Out	

\*No information obtained.

## Additional Tables

Distribution by Sources of Revenue of Urban Aboriginal Organizations, by Location

Share of Revenue by Source	Location of Organization							
	Edmonton		Toronto		Winnipeg		Total	
	Orgs.	%	Orgs.	%	Orgs.	%	Orgs.	%
<i>Government Grants/Contributions</i>								
None	0	0.0	0	0.0	4	19.0	4	9.5
1 - 49%	1	14.3	1	7.1	3	14.3	5	11.9
50 - 69%	2	28.6	0	0.0	4	19.0	6	14.3
70 - 99%	4	57.1	12	85.7	6	28.6	22	52.4
100%	0	0.0	1	7.1	4	19.0	5	11.9
<i>User or Service Fees</i>								
None	5	71.4	10	71.4	8	38.1	23	54.8
1 - 49%	1	14.3	3	21.4	9	42.9	13	31.0
50 - 69%	0	0.0	0	0.0	1	4.8	1	2.4
70 - 99%	1	14.3	1	7.1	3	14.3	5	11.9
100%	0	0.0	0	0.0	0	0.0	0	0.0
<i>Private Foundations/Charities</i>								
None	5	71.4	9	64.3	11	52.4	25	59.5
1 - 49%	2	28.6	5	35.7	8	38.1	15	35.7
50 - 69%	0	0.0	0	0.0	1	4.8	1	2.4
70 - 99%	0	0.0	0	0.0	1	4.8	1	2.4
100%	0	0.0	0	0.0	0	0.0	0	0.0
<i>Self-Generated Sources</i>								
None	2	28.6	5	35.7	14	66.7	21	50.0
1 - 49%	5	71.4	9	64.3	5	23.8	19	45.2
50 - 69%	0	0.0	0	0.0	0	0.0	0	0.0
70 - 99%	0	0.0	0	0.0	0	0.0	0	0.0
100%	0	0.0	0	0.0	2	9.5	2	4.8
<i>Organizations Reporting Revenue</i>								
	7	100.0	14	100.0	21	100.0	42	100.0

Method of Selecting Board of Directors of Aboriginal-Controlled Organizations, by Location

Board Selection Method	Location of Organization							
	Edm.	%	Tor.	%	Wpg.	%	Total	%
Nominated by board and usually confirmed by voters	2	28.6	4	22.2	6	27.3	12	25.5
Nominated by board with competitive elections	1	14.3	2	11.1	1	4.5	4	8.5
Nominated at large with competitive elections	1	14.3	6	33.3	8	36.4	15	31.9
Selected by board without elections	0	0.0	2	11.1	4	18.2	6	12.8
Appointed directly by designated organizations	3	42.9	3	16.7	3	13.6	9	19.1
Total organizations with boards*	7	100.0	17	94.4	22	100.0	46	97.9
No board identified	0	0.0	1	5.6	0	0.0	1	2.1
<i>Total Organizations</i>	7	100.0	18	100.0	22	100.0	47	100.0

\*Includes organizations directed by management committee.

# Models for Aboriginal Government in Urban Areas

*Jill Wherrett and Douglas Brown<sup>1</sup>*

## INTRODUCTION

Over the past decade, the concept of Aboriginal self-government has become the focus of discussions on Aboriginal issues, both within and outside the constitutional arena. The exploration of forms of self-government during the 1980s tended to centre on arrangements for Indian bands living on existing reserves and on the creation of Inuit-majority public government in the North. Consequently, most models of self-government were associated with a defined land base. A few analysts looked at the possibilities of self-governing arrangements off a land base, and more specifically, in urban areas.<sup>2</sup> In general, however, the literature on self-government has tended to point out the obstacles to self-government off a land base. In a study of various proposals for self-government in 1985, David Hawkes noted:

One common element in all of these proposals is an assumption that self-government exists on a land base. No form of self-government has been put

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- 1 This paper draws from a discussion paper prepared by the authors for the Institute of Intergovernmental Relations entitled "Self-Government for Aboriginal Peoples Living in Urban Areas" (unpublished paper, April 1992). We wish to acknowledge the support and advice of the Native Council of Canada, now the Congress of Aboriginal Peoples. The views of this paper remain those of the authors alone.
  - 2 M. Dunn, *Access to Survival: A Perspective on Aboriginal Self-Government for the Constituency of the Native Council of Canada* (Kingston: Institute of Intergovernmental Relations, 1986); W. Reeves, "Native Societies: The Professions as a Model of Self-Determination for Urban Natives, in J.R. Ponting, ed. *Arduous Journey: Canadian Indians and Decolonization* (Toronto: McClelland and Stewart, 1986); and J. Weinstein, *Self-Determination Off a Land Base* (Kingston: Institute of Intergovernmental Relations, 1986).



forward without a land base, which could be designated as such in any conventional sense of that term.<sup>3</sup>

The focus on reserve-based or Northern communities resulted in the virtual exclusion of a large segment of the Aboriginal population from discussions of self-government during the 1980s. Many Aboriginal peoples do not live on reserves or in the North; increasingly, a large proportion of the Aboriginal population is located in urban areas. This fact has begun to be acknowledged in the work of Aboriginal organizations and a number of recent studies that examine aspects of non-land-based and urban self-government.<sup>4</sup> This discussion paper is designed to help expand the parameters of the debate. It examines issues of self-government for a particular segment of the off-reserve population, namely Aboriginal peoples living in urban centres. If the needs and aspirations of all Aboriginal peoples are to be met, a broad understanding of the concept of self-government is required. It is necessary to step beyond the conventional meaning of self-government to embrace a wider vision of its possibilities. The focus on land-based models fails to respond to the reality of a growing urban Aboriginal population. It also fails to address how self-government will be implemented in urban settings, and how the form and substance of self-government may vary according to the characteristics of the community.

The possibility of Aboriginal self-government off a land base is not an abstract or theoretical concept. In many parts of Canada, Aboriginal peoples in urban centres have already become involved in governing themselves. They are taking an active role in the administration and delivery of services, and have developed political institutions. Existing institutions can provide useful models for other urban Aboriginal communities, and may themselves evolve to take on more independent authority. They serve to demonstrate that it is not necessary for a government to have a land base per se to have a territorial jurisdiction. While urban Aboriginal governments will have some territorial boundaries for the exercise of their powers, the possession of land is not a prerequisite to governing.

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3 D. Hawkes, *Aboriginal Self-Government: What Does It Mean?* (Kingston: Institute of Intergovernmental Relations, 1985), 25.

4 See Royal Commission on Aboriginal Peoples, *Aboriginal Peoples in Urban Centres* (Ottawa: Royal Commission on Aboriginal Peoples, 1993); K. Graham, "Report of the Urban Governance Working Group," Royal Commission on Aboriginal Peoples, unpublished (Ottawa: Royal Commission on Aboriginal Peoples, 1993); E.J. Peters, "Self-Government for Aboriginal People in Urban Areas: A Literature Review and Suggestions for Research," *Canadian Journal of Native Studies*, 12, 1, 1992:51-74; and Native Council of Canada, *The First Peoples Urban Circle: Choices for Self-Determination. The National Perspective* (Ottawa: Native Council of Canada, 1993).

While the following definition lacks symbolic appeal, self-government in functional terms can be described as

a defined level of jurisdiction or control to be exercised either exclusively, or on a shared basis, with either aboriginal and/or non-aboriginal governments, with a broad or narrow range of 'government' or jurisdictional sectors.<sup>5</sup>

This definition of self-government can encompass a variety of arrangements. It could include communities on a defined land base that may take on a wide range of what are now local, provincial, and federal powers. It could also include urban and other Aboriginal communities whose self-governing institutions will have more limited scope than land-based communities. Urban governments or institutions will have different types of powers, levels of jurisdiction, and administrative and financing arrangements. For many matters — indeed for most matters — Aboriginal people in urban areas may participate fully in the rights and responsibilities of local, provincial, and federal citizenship. But in other matters, such as those central to cultural survival, Aboriginal peoples living in urban areas may develop their own services and institutions. These institutions will face difficulties common to land-based Aboriginal governments, as well as those unique to the urban situation. However, these self-governing arrangements could provide a vehicle for Aboriginal peoples to maintain their languages and cultural traditions, and to improve their social and economic status.

The purpose of the paper is not to propose any particular form of government. It is intended to outline various options and possibilities, and to raise problems and questions that need to be addressed in developing workable arrangements. The remainder of this introduction sets the context for the development of urban self-government. It briefly reviews the different legal categories into which the Aboriginal peoples of Canada have been divided and outlines issues relating to current federal and provincial responsibilities towards Aboriginal peoples. The second section discusses how self-government might be exercised in different urban settings and in relation to other Aboriginal rights. The third section covers different models and elements of governing. Several models of government are surveyed, and options for membership, governing structures, the powers of Aboriginal governments, access to lands and resources, financing, and inter-governmental relations are discussed. The final section of the paper draws some conclusions on the preceding discussion.

Before proceeding, it is important to clarify what is meant by urban in this context. In this paper, urban refers to large or small cities in which there is a

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5 I. Cowie, *Future Areas of Jurisdiction and Coordination Between Aboriginal and Non-Aboriginal Governments* (Kingston: Institute of Intergovernmental Relations, 1987), 13.

significant Aboriginal population, but where Aboriginal peoples are a minority in relation to the rest of the local population. This would encompass large cities such as Vancouver, Toronto, Montreal, Calgary, and Halifax, as well as smaller centres. The paper does not address the situation of non-reserve self-government in rural, small town and remote locales, or in communities where Aboriginal peoples are a majority.

#### THE ABORIGINAL PEOPLES OF CANADA

The Aboriginal peoples of Canada are constitutionally defined as Indians, Inuit, and Métis. They are characterized by diverse cultural, linguistic, and legal identities. Those who have been grouped under the label "Indians" since European contact are actually members of a variety of Aboriginal nations such as the Mikm'aq, Cree, Ojibway, and Gitksan nations. Indians also speak a variety of languages, and have traditional economies, political systems, and lifestyles that vary according to region.

Overlaying these original cultural differences are legal distinctions brought about by federal legislation which have divided the Indian population into categories with different rights and restrictions. Status Indians are those registered under the *Indian Act*, which sets out a complex system for registration.<sup>6</sup> Status Indians are eligible for band membership, residence on reserves, tax exemptions, treaty rights, and special federal programs. At present, there are approximately 600 Indian bands and 2,231 reserves in Canada.

Many Indians have Indian ancestry and cultural affiliation but are not registered as Indians under the *Indian Act*. Some people were never registered because they lived in remote areas or were absent from their communities during registration.<sup>7</sup> Others involuntarily or voluntarily lost their status through the process of enfranchisement. In exchange for surrendering their status, these individuals received voting and other rights of Canadian citizenship. Until 1985, women who married non-registered men also lost their status, and could not pass it on to their children. In 1985, Bill C-31 amended the *Indian Act* to eliminate some of the discriminatory provisions relating to status. It allowed for the reinstatement of many people who had lost or had been denied status,

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6 For a description of the registration system see B. Morse, "The Aboriginal Peoples of Canada," in B. Morse, ed. *Aboriginal Peoples and the Law: Indian, Métis and Inuit Rights in Canada* (Ottawa: Carleton University Press, 1991), 3.

7 Further information on the many reasons why Indians became disenfranchised or were not included as status Indians is provided in Native Council of Canada, *Bill C-31 and the New Indian Act*; Guidebook No. 1 Applying for Status (Ottawa: Native Council of Canada, 1985) and Guidebook No. 2 Protecting Your Rights (Ottawa: Native Council of Canada, 1986).

and provided that all individuals currently registered as a status Indian would remain so. Bill C-31 also enabled bands to establish their own membership codes. By 1991 about 90,000 or 18 percent of all status Indians were Bill C-31 registrants or their children. They are often referred to as "new-status" or "Bill C-31" Indians.

Treaty Indians are descendants of a nation or registered members of a band that signed a treaty. Pre-Confederation treaties were signed between Indian nations and the Crown through representatives of the British government.<sup>8</sup> Following Confederation the Canadian government assumed responsibility for treaties and treaty-making. The major post-Confederation treaties are the 11 numbered treaties that cover the Prairie provinces, and extend into the southern Northwest Territories, parts of the Yukon Territory, northeastern British Columbia, and northern Ontario. The Treaties of 1923 and 1929 also cover parts of Ontario. In general, post-Confederation treaties provided for the establishment of exclusive reserves, cash and annuity payments to band members and their descendants, and some hunting, fishing, trapping, and educational rights.<sup>9</sup> Modern treaties include the James Bay and Northern Quebec Agreement (1975), the Northeastern Quebec Agreement (1978), the Inuvialuit Final Agreement (1984) and (potentially) the land claims agreements currently being negotiated by the federal and provincial governments and Aboriginal peoples.

The question of Métis origins is complex. Métis are often identified as the descendants of the mixed French and Indian population that settled near the Red River. However,

Métis cultures have developed a variety of historical and regional forms which makes it difficult to characterize them. Populations of Métis existed both before and after the 1880-1885 Red River/Batoche period. These groups include the Métis of the Atlantic Region, the communities of Hudson's Bay halfbreeds spread throughout the country and the Métis populations of the Territories and Quebec.<sup>10</sup>

A broad definition includes all people of mixed Indian and non-Indian ancestry who identify themselves as Métis and are accepted by Métis communities. In the 1800s, some Métis received land grants or money scrip rather than treaty payments and the right to reserves. With the passage of the first Indian Act in 1876, Métis entitled to scrip were excluded from registration as Indians.

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- 8 B. Wildsmith, "Pre-Confederation Treaties," in B. Morse, ed., *Aboriginal Peoples and the Law*.
  - 9 See N. Zlotkin, "Post-Confederation Treaties," in B. Morse, ed., *Aboriginal Peoples and the Law*.
  - 10 Native Council of Canada Constitutional Review Commission, *Métis: Peoples and Nations*, working paper #3 (Ottawa: Native Council of Canada, February 1992).

However, under Bill C-31 some people who identify themselves as Métis have received federal recognition as status Indians. The Métis population continues to be concentrated in the Prairies, but there are also Métis living in the Northwest Territories, British Columbia, Quebec, Ontario, and the Atlantic Provinces.

The Inuit traditionally inhabited Canada's Arctic regions in the present Northwest Territories, northern Quebec, and Labrador. They comprise the majority of the northern population and have remained culturally and geographically distinct. The Inuit have no reserves or significant historical treaties, but are signatories to several modern agreements.

Thus, the Aboriginal population is distinguished by different national, cultural, and regional identities. Placed on top of these differences have been the legal categories established by the Canadian government. These legal definitions have fragmented the Indian population into the often confusing categories of status, non-status, treaty, non-treaty, and Bill C-31 Indians. Among the major cultural and legal distinctions are yet again a great variety of political, social, and economic differences. These relate to the development of individual Aboriginal communities since contact with Europeans and other settlers. If self-government is to contribute to Aboriginal peoples' well-being, these differences need to be recognized. The purpose here is not to legitimize or perpetuate the differences, but to acknowledge that they must be addressed. While the legal categories may be altered or dissolved in the future, the historical divisions created by them will remain, and must, over time, be healed.

#### FEDERAL AND PROVINCIAL RESPONSIBILITY

Conflicting views about governmental responsibilities have long complicated policy for Aboriginal peoples.<sup>11</sup> The issue of responsibility affects matters of jurisdiction, access to services and programs, and financing.<sup>12</sup> Section 91(24) of the *Constitution Act, 1867* confers jurisdiction for "Indians, and Lands reserved for the Indians" on the federal government. This has given the federal government exclusive jurisdiction over treaties and reserves, and wide authority over the lives of Aboriginal peoples. However, the federal government has chosen to limit its responsibility. The application of special federal laws and

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11 For a discussion of issues of jurisdiction and responsibility, see B. Morse, "Government Obligations, Aboriginal Peoples and Section 91(24)," and A. Pratt, "Federalism in the Era of Aboriginal Self-Government," in D. Hawkes, ed., *Aboriginal Peoples and Government Responsibility* (Ottawa: Carleton University Press, 1989).

12 D. Hawkes, *The Search for Accommodation* (Kingston: Institute of Intergovernmental Relations, 1987), 9.

many programs are limited to those defined as status Indians in the *Indian Act*. Since the 1960s, the federal government has also generally restricted its responsibility for the provision of services and funding to the status Indian off-reserve population. While the situation varies from province to province, the federal government pays all or some of the costs for on-reserve services, while the provinces or the bands act as delivery agents. The federal government may pay for services to status Indians who leave reserves for short periods. The Department of Indian Affairs also funds post-secondary education and health services for status Indians, on or off reserve. As well, programs for all Aboriginal peoples in areas such as housing and employment are scattered throughout a number of federal departments. Otherwise, expenditures and responsibility for off-reserve status Indians are generally left to the provinces.

Provinces have argued that they have no special responsibility for Aboriginal people. Aside from some special programs aimed at all Aboriginal peoples, provincial governments have generally treated status Indians and non-status Indians as part of the general provincial population for the funding and provision of services. No government, with the exception of Alberta, has taken any special responsibility for the Métis. The Alberta government has accepted responsibility for Métis living on eight settlements in the province that were set aside for the Métis in 1938.<sup>13</sup>

The Inuit come under the authority of Section 91 (24) as the result of a 1939 Supreme Court decision. However, they do not fall under the *Indian Act*. Inuit in the Northwest Territories, Quebec, and Labrador receive social and economic programs administered by the federal Department of Indian and Northern Affairs. Most Inuit continue to live in traditional territories that are now exclusively set aside as settlement lands, or are being determined as a result of land claims negotiations.

While the federal government has chosen to exercise only limited responsibility for Aboriginal peoples, the legal situation remains unclear. One unresolved issue is the scope of Section 91(24). Non-status Indian and Métis organizations have argued that this section should be interpreted to include all Aboriginal peoples. Section 35(1) of the *Constitution Act, 1982* recognizes and affirms the existing Aboriginal and treaty rights of Indians, Inuit, and Métis. However, through exclusion from Section 91(24), many non-status Indians and Métis have been restricted from exercising treaty rights and participating in most land claims settlements. To overcome this difficulty, the Native Council

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13 Recently Alberta has joined all other provinces in accepting Métis as covered by section 91(24), but in such a way to avoid disruption of Métis settlements established by the province in 1938, and re-confirmed in provincial legislation proclaimed in 1990, with the support of the Alberta Federation of Métis Settlements.

of Canada (now the Congress of Aboriginal Peoples) argued for "equity of access" during the most recent round of constitutional negotiations:

Equity of access means that each aboriginal person in Canada, whether Métis, Inuit, status or non-status Indian living on or off-reserve, has an equal ability to benefit from the aboriginal or Treaty rights (including rights established under a land claims agreement) if they have a demonstrable beneficiary relationship to that right.<sup>14</sup>

The NCC suggested that the principle of equity of access be incorporated into a constitutional agreement on self-government.

A second issue involves the relationship of the Crown to Aboriginal peoples. Many Aboriginal peoples have asserted that they have a special relationship with the Crown, a relationship embodied in the treaty process and in the Royal Proclamation of 1763. This is known as a fiduciary or trust responsibility. It obligates the Crown to protect the interests of Aboriginal peoples. Recent Supreme Court decisions have furthered the concept of the Crown's fiduciary or trust duty. In 1984 the decision in the *Guerin* case began to move the Court away from the tradition of allowing the Crown to exercise its jurisdiction over Aboriginal peoples to their detriment. In the *Sparrow* case (1990) the Supreme Court "revitalized the Crown's special duty to protect First Nations."<sup>15</sup> Lyon argues that the main trust responsibility lies with the federal government, but it is also shared by provincial governments, as they have the legislative capacity to affect Aboriginal interests.

The resulting uncertainty over responsibility has created problems for all Aboriginal peoples, and particularly those living off-reserve. Disputes over jurisdiction have led to the inadequate provision of services and funding. As well, federal-provincial differences have interfered with Aboriginal peoples' efforts to assume responsibility for the provision of their own programs and services.<sup>16</sup> As Aboriginal peoples move toward self-government, a clarification of these issues is essential. These Aboriginal governments will need financial support, and this issue, in turn, depends on the scope of Aboriginal jurisdiction and responsibility.

Two further aspects of the context for urban Aboriginal self-government need to be emphasized. The first is the socio-economic conditions of urban Aborigi-

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14 Native Council of Canada Constitutional Review Commission, *Equity of Access: The Forgotten Majority Speaks*, working paper #4 (Ottawa: Native Council of Canada, February 1992).

15 N. Lyon, *Aboriginal Peoples and Constitutional Reform in the 90s*, background study #7 of the York University Constitutional Reform Project (North York: Centre for Public Law and Public Policy, York University, 1991), 9.

16 J. Ryan, *Wall of Words: The Betrayal of the Urban Indian* (Toronto: Peter Martin Associates Limited, 1978).

nal residents. The second is the nature of urban Aboriginal institutions already in place or now emerging.

The urban Aboriginal population is growing rapidly, indeed, it has doubled in the past decade. At least 40 percent of status Indians live off-reserve in urban areas, and the majority of non-status Indians and Métis live in towns and cities. Through a combination of social, economic, and political factors, migration to cities has increased and can be expected to continue with population growth on reserves. The urban Aboriginal population is younger, includes more women, and is more transient and more dependent on transfer income than the urban population in general. An overall picture of poverty, unemployment, and poor health, education and housing standards prevails — although it is evident that not all Aboriginal persons living in cities fit this profile. On the whole, however, the Aboriginal population in urban areas may be said to be economically and socially marginalized.<sup>17</sup>

The problems — economic, social, and cultural — faced by Aboriginal peoples in Canadian urban centres has led them to develop services and institutions to suit their particular needs, and to redress their severe problems. A paper prepared for this conference outlines the nature of such organizations in three Canadian cities.<sup>18</sup> The range of these institutions is much broader even than in the three cities, and draws strength from such long-standing organizations as the network of Native Friendship Centres. The forms of organization and scope of services provided by existing institutions reveal some of the possibilities for Aboriginal self-government without a land base, but they also show the weaknesses of the current political and institutional framework. The institutions have been limited by a lack of autonomy and inadequate and inconsistent funding. These Aboriginal organizations also have to comply with municipal, provincial and federal directives, and program standards that may not fit the needs of Aboriginal communities. To a large degree therefore, Aboriginal self-government in urban areas can be seen as a means to gain more autonomy (including financial independence) over these existing and developing institutions and the functions they perform.

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17 For further detail see Evelyn Peters' chapter in this volume: "Demographics of Aboriginal People in Urban Areas."

18 See paper in this volume by Stewart Clatworthy, Jeremy Hull, and Neil Loughton, "Urban Aboriginal Organizations: Edmonton, Toronto, and Winnipeg."



## THE RIGHT OF SELF-GOVERNMENT AND URBAN ABORIGINAL PEOPLES

Section 35 (1) of the *Constitution Act, 1982* recognizes and affirms "the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada." Aboriginal organizations assert that the right of self-government flows from the inherent sovereignty of Aboriginal peoples. As an inherent and existing right, it can be argued that the right of self-government is already included in Section 35(1). While Aboriginal organizations worked during the recent round of constitutional negotiations to have the explicit recognition of the inherent right of self-government in the constitution (by amending section 35), they now maintain that such explicit recognition is not strictly required for self-government to proceed.<sup>19</sup>

The actual exercise of the right of self-government may vary according to the nature of the Aboriginal community. Some communities are located within their own traditional lands. Other communities consist primarily of descendants from a particular treaty nation. Other, "mixed" communities may either be based within the traditional lands of a particular nation or include people with links to a variety of Aboriginal nations. These situations all involve different ways of exercising Aboriginal and treaty rights, including the right of self-government.

To the extent to which self-government is associated with other Aboriginal rights, there are a number of potential ways in which these rights could be exercised. These have various implications for self-government for Aboriginal peoples living in the city.

We suggest four general ways in which a right of self-government could be exercised.

### GOVERNING A TRADITIONAL TERRITORY

Prior to European settlement much of what is now Canada was inhabited by Aboriginal nations with more or less clearly defined territorial boundaries. Aboriginal people contend that their rights to governance over their traditional territories have never been lost, and that the exercise of an inherent right may

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19 This is an option that has been explored by the Royal Commission on Aboriginal Peoples. See *Partners in Confederation: Aboriginal Peoples, Self-Government and the Constitution* (Ottawa: Minister of Supply and Services, 1993), especially pp. 31-36. Note, however, that the analysis does not address the case of Aboriginal groups without any form of land base.

well involve some exercise of jurisdiction by individual Aboriginal nations over their traditional territory.

Aboriginal families and communities in urban centres reside within the boundaries of at least one original territory, as traditionally defined and settled by Aboriginal peoples. Examples of urban Aboriginal peoples living within their own traditional territory are Mikm'aq in Halifax and Algonquins in Ottawa-Hull. These people may therefore have certain rights and authority that derive from their original occupation of that territory, and that extend beyond the urban area. These could include rights to natural resource management or access to hunting, fishing, trapping and other harvesting rights. Such rights would not apply however, to Aboriginal peoples who do not inhabit their original territory or, of course, to non-Aboriginal residents.

#### GOVERNING A MORE LIMITED LAND BASE

As a result of their settlement on reserves, and of subsequent land settlements and related treaty entitlements, the rights of many Aboriginal peoples are defined chiefly in terms of a land base. In actual practice the powers of self-government in these situations may be broader than those that can be exercised over the traditional territory (outside reserves). However, this form of self-government is also narrower than traditional government in that its governing powers relate to a specific and in some cases very limited land base, as compared to the traditional territory of the Aboriginal nations. Most large urban populations of Aboriginal peoples include among their community at least some people (or in cases such as Calgary, a majority) who have specific Aboriginal rights related to a land base and other treaty rights. As land claim and other settlements are reached, even more Aboriginal peoples in urban areas will be potential beneficiaries of "modern" treaty rights.

#### GOVERNING MEMBERS OF AN ABORIGINAL NATION OFF THE LAND BASE

If self-government of Aboriginal nations is to have full meaning, some Aboriginal governments will desire jurisdiction over members of that nation wherever they live, at least for some matters. The exercise of extraterritorial powers by land-based Aboriginal governments may thus be an important part of any arrangements. The right to govern child welfare, for example, would not be fully exercised if the jurisdiction stopped the moment a family member left a reserve to live in the city.

How such governing rights are implemented in practice may depend on a variety of circumstances. Power could be delegated from land-based Aboriginal governments to urban-based governments. Extraterritorial benefits are also important to consider. In particular, access to land and other resources, and the

financial resources derived from that access, is a key issue for urban native people seeking the benefits of Aboriginal rights.

#### GOVERNING MEMBERS OF A GENERAL ABORIGINAL POPULATION

A fourth way in which Aboriginal self-government may be exercised involves the right of Aboriginal communities in general, wherever they exist in Canada, to govern themselves. This form of self-government may best serve those mixed urban communities of Aboriginal peoples who are outside their traditional territory, or where there exists a mixture of peoples, some of whom have treaty rights and some who do not. The general Aboriginal communities of Toronto would appear to fall into this category.

To make a distinction between these ways of exercising the inherent right of self-government may seem an overly academic point to many, and could be perceived as a perpetuation of the legal legacy of "dividing" and "conquering" the Aboriginal peoples of Canada. It is not an issue that can be ignored, however. The practical implementation of self-government, and the power structures that go with it will depend on the perceived source of self-government rights and thus the political legitimacy of the Aboriginal government. The basis on which self-government is built is for Aboriginal peoples themselves to determine. However, from the perspective of this paper Aboriginal self-government must deal fully with the situation and problems of city dwellers if it is to meet the challenges facing Aboriginal peoples in Canada today.

Given the variety of urban situations, Aboriginal peoples have an obvious interest in ensuring that their fundamental rights are not tied to residence in a particular territory. While some Aboriginal communities in urban areas are located within traditional lands and have rights tied to that territory, many urban residents live outside original territories, or move between communities. Thus it may be necessary to constitutionally entrench the mobility of Aboriginal rights, to ensure that Aboriginal peoples living in mixed communities or outside traditional lands will be able to protect their cultures, languages, and traditions. A mobility provision would ensure that rights would not necessarily be attached to a land base, thus allowing for a variety of forms of urban self-government.

The next section of this paper deals with specific forms of Aboriginal self-government in urban areas, and addresses six key issues related to governing. In developing these forms it is important to bear in mind the different paths for self-government outlined here. A major problem for fully realizing self-government in cities is to ensure that this right is recognized as adhering to Aboriginal peoples generally and not only dependent on where they happen to live.

The intent is not to deny or reduce the rights of self-government associated with other inherent or treaty rights. However, the practical implementation of

urban-based self-government will have to deal directly with the overlapping of self-governing powers. We already see in several urban centres a conflict among Aboriginal organizations with differing political and membership bases. Ways must be found to reduce such conflict where it only serves to hinder the progress of Aboriginal self-government, and to provide for coordination and cooperative relations where different Aboriginal organizations are to co-exist. To do less would be to perpetuate current situations where many individual Aboriginal persons fall between the cracks of political divisions.

Among these latter issues, the "extraterritorial" aspect of land-based Aboriginal governments will need to be coordinated and accommodated with urban self-governing institutions. Urban Aboriginal residents will also want to have access to the broader aspects of Aboriginal rights — such as land and resources not in the urban area — if they too are to promote their cultural and economic development.

## URBAN ABORIGINAL SELF-GOVERNMENT IN PRACTICE

### FORMS OF URBAN SELF-GOVERNMENT

Different forms of self-government in cities relate to the distribution of the urban population. Three models are presented here: first, a community of interest model best adapted to a population dispersed throughout a city; second, a neighbourhood model suited to a concentrated population; and third, an extraterritorial model to deal with citizens of Aboriginal nations that are not based in the city.

In a *community of interest* situation the Aboriginal population would be dispersed throughout the city.<sup>20</sup> The approach to self-government might include sectoral Aboriginal institutions in areas such as health and education, and extend to broader administrative and political bodies.

The concept of having different institutions for various segments of the population is not hypothetical. The separate school system in Ontario provides an example. In Ontario cities, as many as four individual and separate school boards coexist within the same or similar territory: an English public school board; a French public school board; an English Roman Catholic school board; and a French Roman Catholic school board. Municipal taxpayers contribute to part of the cost of one or another of these school boards, choosing which board their taxes will support. The rest of the funding comes from the province.

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20 This type of model is addressed in Dunn, *Access to Survival*, 11, and in Native Council of Canada, *The First Peoples Urban Circle*.

Certain aspects of curricular and teacher training are standardized for all school boards in the province, but individual school boards still have significant room to design and implement an education program that meets community needs. Many Aboriginal institutions — including school boards — could provide similar levels of community autonomy without adversely affecting the public provision of services to the community as a whole.

Another possibility is the concentration of the Aboriginal population in a particular area, such as a neighbourhood. These communities might be able to take on a larger governing role than dispersed communities. At various times the development of Aboriginal neighbourhoods has been proposed. In the early 1970s, Dosman recommended the creation of an Indian enclave in the urban environment.<sup>21</sup> He suggested that a carefully designed self-governing native residential community could provide support for urban Indians and Métis in adapting to the urban setting, and help to meet their economic, political, and psychological needs. The community could assist with economic development and opportunities, and provide child care, education and other services.

In the early 1970s, a federally funded feasibility study looked into the creation of an Indian urban village in downtown Winnipeg, complete with schools, art and cultural facilities, health and social services, shopping facilities, and headquarters for political and cultural organizations.<sup>22</sup> While the plan received some attention it never went beyond the proposal stage. More recently, the Native Council of Canada described the options of an urban residential reserve or urban neighbourhood in a submission to the Royal Commission on Aboriginal Peoples.

These neighbourhoods could provide cultural havens and allow for a greater scope of self-government in the urban setting. There are potentially negative consequences, including the creation of a ghetto-like atmosphere. Nonetheless, the concept of an Aboriginal neighbourhood merits some consideration.

Overlaying both of these models could be an *extraterritorial* model. Certain laws of land-based Aboriginal nations might apply to the citizens of those nations regardless of their place of residence.<sup>23</sup> This would extend the powers of land-based governments into urban areas. Extraterritorial powers are usually proposed in relation to areas such as justice, family law, and the provisions of

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21 E. Dosman, *Indians: The Urban Dilemma* (Toronto: McClelland and Stewart, 1972), 183-188.

22 See L. Krotz, *Urban Indians: The Strangers in Canada's Cities* (Edmonton: Hurtig, 1980), 58-61.

23 For further discussion see Robert Groves, "Territoriality and Aboriginal Self-Determination: Options for Legal Pluralism in Canada," *Commission on Folk Law and Legal Pluralism, Proceedings of the VIth International Symposium* (Ottawa: 1991).

child and family services, welfare, and education. This model has some precedents. The Canada-Manitoba-Indian Child Welfare Agreement allows regional Indian child welfare agencies to exercise jurisdiction over children of band members living in urban centres, at the request of the band members.<sup>24</sup> Under the Yukon First Nations self-government agreement, Yukon First Nations have responsibility for all Aboriginal citizens residing in the Yukon, within or outside of Yukon Indian Lands, in areas including health, welfare, and adoption.

A number of difficulties with this model can be identified. It would create different services and regulations both between the non-Aboriginal and Aboriginal communities, and within the urban Aboriginal community. Without coordination between governments, it could lead to a confusing array of different standards and services. As well, urban residents would have to ensure that their interests were adequately represented in the land-based governments whose laws applied to them. The success of an extraterritorial model would depend on agreements and continuing effective relations with land-based Aboriginal governments and on self-identification by urban Aboriginal residents of their association with the land-based communities.

#### THE ELEMENTS OF SELF-GOVERNMENT

With reference to the forms reviewed above, six areas relating to self-government are examined below: membership, the jurisdiction and powers of Aboriginal governments, urban governing structures, access to lands and resources for urban populations, the financing of urban Aboriginal governments, and the relationships of urban Aboriginal governments to other Aboriginal and non-Aboriginal governments.

##### *Membership*

Membership is a fundamental issue for Aboriginal government, as it determines who is entitled to the rights, benefits, and corresponding responsibilities of participation in the community. Membership in Aboriginal governments also has implications for provincial and national citizenship, and for relationships with local governments and other Aboriginal governments.

Most urban Aboriginal governments or institutions will necessarily be confined to the Aboriginal community rather than be classed as public government.<sup>25</sup> Rights and responsibilities will be based on cultural criteria or

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24 This agreement does not deal with the needs of permanent off-reserve residents. The Ma Mawi Wi Chi Itata Centre has been established to deal with the child welfare services of this group in Winnipeg.

25 See D. Hawkes, *Aboriginal Self-Government: What Does It Mean?* 27-28, for a

acceptance into the Aboriginal community rather than the standard model of public government in which all residents of a particular territory come under the jurisdiction of the government. One exception to this rule would be public governments where Aboriginal people are the majority such as Nunavut (although this may never apply in urban areas as defined in this paper). Another exception might be an Aboriginal neighbourhood, in which regulation and access to certain services would be based on ethnicity *and* residence.

Membership in these governments or institutions can be determined in several ways. Self-identification is a common means of establishing membership in urban Aboriginal institutions. Many urban organizations currently provide services on this basis. All people who identify themselves as Aboriginal would have access to Aboriginal services and be entitled to participate in governing institutions. However, a "free rider" problem could emerge if Aboriginal status carries with it sufficiently differential rights and access to improved benefits.<sup>26</sup> There may be a need for some community control over membership. Thus, membership could be determined by a combination of self-identification and community acceptance. In this case, an adjudicative body would be required if membership rules or decisions were challenged. One form this might take could be "recognition panels" established jointly by the interested parties. In the transition to self-government, self-identification might be the best means to determine the initial community of interest. Then, if necessary, standards for community acceptance could be developed.

In the case of an Aboriginal neighbourhood, community standards might determine who could reside in the area, as well as who could have access to services and rights. Again, an adjudicative body would be necessary. Residents of the neighbourhood might be subject to special regulations that applied only in that area.

The extraterritorial powers of land-based governments also raise some membership issues.<sup>27</sup> These include the type and method of representation that urban residents would have in land-based governments, and what priority those governments would give to the interests of urban members. The model could serve to fragment the urban community, given the different rights and access to

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distinction between "ethnic" and "public" government.

- 26 R. Gibbins and J.R. Ponting, "An Assessment of the Probable Impact of Aboriginal Self-Government," in A. Cairns and C. Williams, research coordinators, *The Politics of Gender, Ethnicity and Language in Canada* (Toronto: University of Toronto Press, 1986), 203.
- 27 Falconer provides an overview of some of the advantages and disadvantages of this model. See "Urban Indian Needs: Federal Policy Responsibility and Options in the Context of the Talks on Aboriginal Self-Government," unpublished discussion paper, Winnipeg, 1985, p. 35.

services for urban residents. While some individuals would not have citizenship in any land based nation, among the rest of the population there could be a diversity of citizenships. However, land-based and urban governments may be able to develop reciprocal arrangements to overcome some of these problems.

A significant concern in the urban setting is the potential for individuals to opt out of services or institutions. In land-based Aboriginal nations, residents must follow government regulations and use the existing services as no others will be available. But in cities, individuals may choose to opt out of Aboriginal governing structures and make use of municipal, provincial or federal programs. This is an important consideration for Aboriginal governments, as community support and certain threshold numbers of people are necessary to ensure a funding base and therefore the viability of self-governing arrangements. Urban communities may need to determine rules for opting out of certain institutions, or whether urban self-government will come as a "package," requiring participation in all areas of Aboriginal governance.

While the general issue of the application of the Canadian Charter of Rights and Freedoms to Aboriginal governments is beyond the scope of this paper, the urban situation does raise a number of issues related to individual rights. A requirement to participate in Aboriginal governing structures could infringe upon individual rights to equality with non-Aboriginal people in the same areas. A related issue is whether non-Aboriginal people will have a right to the services provided by Aboriginal organizations. For example, could a non-Aboriginal child attend an Aboriginal school?

Membership in Aboriginal governments also leads to broader questions about the provincial and national citizenship of Aboriginal peoples. Gibbins and Ponting question the extent to which self-government might add to or alter Canadian citizenship — if it is to be maintained at all by those under the jurisdiction of Aboriginal governments.<sup>28</sup> They suggest that self-government could have high costs for individual Aboriginal citizens, including reduced access to federal and provincial programs and restricted mobility.<sup>29</sup> These concerns need to be addressed. If self-government is to benefit Aboriginal peoples, they must be assured that it will not jeopardize their access to such important individual citizen entitlements as Old Age Security, welfare, unemployment insurance, and provincial health plans. Cassidy and Bish argue that Aboriginal self-government need not involve the loss of rights of provincial residence and Canadian citizenship:

There is no reason why Indian people should not continue to enjoy the full rights of Canadian citizenship and even special aboriginal rights in Canada, if their

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28 Gibbins and Ponting, "An Assessment of the Probable Impact," 175.

29 Ibid., 223.



governments gain a full measure of recognition. Different governments do different things for different people. Governments often overlap with other governments in their responsibilities to and relationship with their citizens, especially in a federal system.<sup>30</sup>

The relationship between Aboriginal, provincial, and Canadian citizenship remains a central issue to be resolved for self-government to work effectively. Fortunately, federal systems of government provide an effective model and the means by which multiple layers of citizenship can coexist. The Canadian federation should be able to adapt to embrace Aboriginal citizenship in addition to existing federal, provincial, and municipal citizenship.

### *Governing Structures*

Governing structures will vary according to the different powers exercised and services to be provided in the urban community. A number of different models have been proposed in existing literature on the topic. The first, the *corporate or Aboriginal society model*, is based on the example of associations in professions such as law or medicine.<sup>31</sup> Like a professional association, Aboriginal institutions would regulate membership and govern in limited spheres, such as religion, language, and culture. They might also develop administrative arrangements to deliver services to members of their society. Individuals would become members by virtue of their Aboriginal identity and acceptance by other members of the Aboriginal society. This model has several limitations. Membership in an Aboriginal community is very different from membership in a profession. As well, the current aspirations of Aboriginal peoples go well beyond the normal connotations of self-governing societies. However, the model does provide a conceptually simple way of looking at urban self-government. It shows how institutions can regulate individuals and provide services according to specific needs, without exercising an entire range of governing powers.

A second model is *Aboriginal self-administration*.<sup>32</sup> Self-administration can take the forms of institutional or political autonomy. Institutional autonomy involves the creation of specialized single purpose services, institutions, and agencies, in areas such as child welfare and education. All Aboriginal peoples in the urban centre would be eligible to participate in these institutions. They could be run by a board elected or otherwise chosen by Aboriginal peoples which would set policy, administer services, and hire and supervise staff.

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30 F. Cassidy and R. Bish, *Indian Self-Government: Its Meaning in Practice* (Halifax: Institute for Research on Public Policy, 1989), 58.

31 Reeves, "Native Societies."

32 Weinstein, *Aboriginal Self-Determination Off a Land Base*.

Third, the *political autonomy model* involves the creation of central policy-making bodies to administer service delivery as part of their larger function of political representation. Representatives would be elected to councils at the local, regional, and provincial levels. The political organization would be responsible for the design and delivery of services, and the management of institutions. These forms of institutional and political autonomy seem better suited to the aspirations of Aboriginal peoples than the Aboriginal society model.

At the urban level, various forms of Aboriginal government could coexist, depending on the size and resources of the community. As Bish has emphasized in his work, it is useful to think of different models of government for different functions.<sup>33</sup> General governments, such as existing federal and provincial governments, correspond to the political autonomy model. Some Aboriginal communities may wish to have a general government to coordinate activities and to carry on relations with other Aboriginal and non-Aboriginal governments. General governments could also receive revenues and channel funding to specific services.

Another option is an institution such as the *Urban Representative Body of Aboriginal Nations (URBAN)*, currently existing in Vancouver. It presents an alternative between the political and institutional autonomy models. While it draws a number of agencies together and distributes funding, it does not perform the political representation role of a general government. In a purely institutional model, agencies in individual areas such as economic development, housing, and social services could be administered by separate boards or commissions, not linked by an agency or related to a general government.

Some urban communities may find they are too small to perform certain functions on their own. In this case, they may join with other Aboriginal or non-Aboriginal communities to form special purpose governments in some sectors. This would allow a sharing of resources and provide economies of scale for the more effective exercise of their jurisdiction. Possible examples are joint school or police boards.

There are also options apart from the creation of new Aboriginal institutions, boards, and political bodies. Where numbers are small and cooperation with other Aboriginal communities is impractical, representation on existing local school boards, child welfare agencies, and other such bodies is an alternative approach to governing. In this way, institutions could develop cultural sensitivity, and specific programs could be directed towards the needs of the Aboriginal

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33 R. Bish, *Community Models of Government* (Victoria: University of Victoria, 1990).

community. This model might be applicable to smaller urban areas or large cities with only very small Aboriginal populations.

Related to governing structures are questions of leadership selection and the role of traditional forms of government. Here, the characteristics of the community must be taken into consideration. Communities that are relatively homogenous in terms of tribal affiliation may be able to combine some traditional forms of governing and leadership selection. Elders may play a special role in a general government or advisory body. In heterogeneous Aboriginal communities, Aboriginal nation affiliations could be taken into consideration in forming a representative body.

As new forms of government develop, accountability becomes an important issue. Communities will have to determine the means by which administrators and leaders are held accountable for financial and other decisions. They will have to decide what kind of input the Aboriginal community at large will have into governing. This demonstrates a need for internal communication, through such means as community meetings, newsletters, and television and radio broadcasts.

#### *Jurisdiction and Powers of Aboriginal Governments*

The powers of Aboriginal governments will likely be circumscribed at least to some degree, either directly within the constitution or by negotiation with other governments. This will delimit a range of areas in which Aboriginal governments have the potential to exercise power. Within this range of powers, urban communities may be unable to exercise jurisdiction in some areas. In others, they may find it unnecessary to have powers. For example, with the possible exception of an Aboriginal neighbourhood, Aboriginal communities will have no need for powers over services such as street paving or lighting. In urban settings, government activity needs to be directed toward areas that are culturally sensitive and of particular concern to the needs of the community. This will require knowledge of the demographic and socio-economic characteristics of the community.

It is important to conceive of powers as evolving over time. During the transitional and early stages of self-government, urban communities may lack the capacity to govern in certain areas. As institutions, skills, and resources develop, a wider range of powers may be possible. Communities will have to first identify the sectors that are considered to be a priority. Then, they can determine what level of jurisdiction they want to exercise in those areas.<sup>34</sup>

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34 While it is meant to address land-based situations, Robert Bish's work for the Gitksan-Wet'suwet'en Tribal Council provides a useful general framework for approaching issues of jurisdiction and government structures. See his *Community*

Powers may involve both the regulation of citizens and the provision of services. Urban communities may want to exercise some level of jurisdiction in some or all of the following areas:

- membership
- education
- economic development
- cultural development, including language, religion and other traditions
- local administration of justice, e.g., policing, probation, sentencing, etc.
- social services, including child welfare
- local health services
- a form of local taxation
- recreation

Depending on the characteristics of the community, other options can be added to this base list. Aboriginal communities based in a neighbourhood could take on some authority over special zoning and land use, buildings, and the administration and management of property. Communities located on traditional territories or treaty lands in urban areas may have special or additional rights and jurisdiction over natural resources and land use. Communities with interests in lands outside the urban area may have input into natural resource management, the environment, hunting, fishing, trapping, and wildlife protection on those lands.

All Aboriginal peoples may wish to have input in areas that extend beyond their communities. These include matters such communications as it relates to Aboriginal culture, the justice system (including the Criminal Code), and Aboriginal institutions of higher education. Along with other Aboriginal communities, they may want to have some direct authority in these areas, or shared jurisdiction. This may require the development of Aboriginal political institutions that are larger in scope than urban governments, or Aboriginal representation in federal and provincial political bodies. For example, while urban Aboriginal communities may have a role in local policing, it may not be feasible for them to develop their own court systems. If an Aboriginal justice system (or systems) is developed, it could serve both land- and urban-based communities.

A second issue to consider is the level of jurisdiction. The powers of Aboriginal governments can be exercised in various ways. Some may be exclusive to the Aboriginal governments, which will exercise legislative and administrative powers. In other areas, jurisdiction would be shared with non-Aboriginal governments. While Aboriginal governments would not have their

overall power delegated, there could be cases in which the delegation of individual powers is used. For example, until they chose to exercise powers in some areas, Aboriginal governments could delegate them to other bodies. Or, if governments cannot come to agreement over the entrenchment of some powers in the constitution, it may be in the interests of federal, provincial, or municipal governments to delegate powers to Aboriginal governments until agreement is reached. A third possibility is the delegation of powers from one Aboriginal government to another, for example, from a land-based government to urban institutions.

### *Access to Lands and Resources*

While this study examines self-governing arrangements for urban populations, access to lands and natural resources is a relevant issue. Urban populations may not have an exclusive land base, but access to the *benefits* of lands and resources could help to finance their institutions and may be important to the maintenance of Aboriginal cultural values. As well, if the legal divisions between Aboriginal peoples are resolved, some members of the urban Aboriginal population may have access to treaty rights and benefits of land claims settlements. Aboriginal populations residing on their original territory may have access to particular rights in that area. Under claims settlements they may be entitled to forms of financial compensation, which could help to support self-governing institutions. Those who do not reside on original lands, but who have treaty rights may also have access to the benefits of land and resources.

For communities in which there is no possibility of access to original lands, there are various possible options.<sup>35</sup> Specific lands could be set aside for the urban community through Crown land grants. Rent or royalty payments would help to develop economic self-sufficiency. This approach is limited by the lack of available Crown land in parts of southern Canada, particularly near urban areas. However, land could be set aside in more remote locations. An alternative would be to obtain privately owned land through expropriation or purchase by the Crown. This is probably the most realistic option if land is to be provided to Aboriginal peoples living in urban areas.<sup>36</sup> Crown trusteeship of designated lands for the benefit of urban populations is a third option. However this alternative does not really fit the model of self-government, as Aboriginal peoples would receive the benefits of the land, but have no jurisdiction over it. A final option would be direct purchase of land by Aboriginal governments. Obviously, this would be limited by the financial capacity of the community or

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35 These are detailed in B. Morse, *Providing Land and Resources for Aboriginal Peoples* (Kingston: Institute of Intergovernmental Relations, 1987).

36 *Ibid.*, 14.

by financial transfers to the community. As well, it would require special legislation to meet Aboriginal desires for communal land holding.

This is not to suggest that the acquisition of a land base or even access to the benefits of lands and resources is a precondition to self-government. For Aboriginal peoples in urban areas, it is important that the exercise of self-government not be linked to a land base. However, equality of access to the full benefits of Aboriginal rights, including land and resources with or without treaties, is an important issue for some urban Aboriginal communities.

### *Financing*

Secure and sufficient financing is perhaps the key element in ensuring the viability of Aboriginal self-governing arrangements. Studies of the implementation of existing self-government agreements have repeatedly observed the serious impediments to self-government created by a lack of adequate funding.<sup>37</sup> These experiences have demonstrated the need for stable long-term financing to allow both independence and an adequate level of service provision. The sums required for urban governments may be very small in relation to existing municipal, provincial, or federal budgets. However, given the socio-economic conditions of most Aboriginal communities, only limited resources are available to them to finance their governments themselves. Thus, funding from other levels of government is essential.

Sources of funds can be divided into three categories: the tax base, revenue raising, and fiscal arrangements. Urban Aboriginal governments would have only a limited tax base. Local taxation authority might include Aboriginal school taxes applied in a similar manner as separate school taxes. A portion of local property taxes might be allocated to Aboriginal government according to the functions of local government they assume. Those who qualify for land claims may receive taxable resources as part of an agreement package. Dunn also suggests that communities without access to claims might be assigned a designated portion of existing non-renewable resource taxes to help finance their governing activities.<sup>38</sup>

Revenues could come from economic development corporations and various special ventures and enterprises. Communities with access to resources could also receive revenues from resource development. Land claim settlements could potentially provide significant revenues for urban communities residing on traditional lands.

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37 D. Hawkes and E. Peters, eds. *Implementing Aboriginal Self-Government: Problems and Prospects* (Kingston: Institute of Intergovernmental Relations, 1986).

38 Dunn, *Access to Survival*, 50.

Given the limited tax base of Aboriginal governments, and the need to develop revenue-raising capacity, fiscal arrangements will likely be the greatest source of funding. Most proposals for financing land-based governments have been based on the existing framework of fiscal federalism, a model that can also be applied to urban governments. The financing of Aboriginal governments could be based on the equalization principle in section 36 of the *Constitution Act, 1982*. This section commits the federal government to provide equalization payments to provinces to ensure that they have enough revenues to provide a comparable level of public services across the country. As a separate order of government within the Canadian federation, Aboriginal governments would be entitled to equalization. Some authors have also linked this entitlement to the fiduciary responsibility of the Crown, or as a "rent" for the territory of Canada.<sup>39</sup> Equalization payments would provide Aboriginal governments with predictable revenues and wide discretion in spending. Additional funding could come from program conditional transfers, such as Established Programs Financing (EPF), or spending conditional transfers. Agreements or contracts between governments could specify other funding arrangements.

Hawkes and Maslove have elaborated a set of principles that can be used to establish a policy framework for fiscal arrangements:

1. Financing must suit the model of self-government arrangements or institutions. Essentially, the fiscal transfer system must "incorporate a sufficient degree of non-conditionality to reflect and support the degree of autonomy in the self-government arrangements."<sup>40</sup>
2. Fiscal arrangements should fit the economic characteristics of the community. This refers to the ability of the community to generate its own funds through taxation, resource revenues, and economic ventures.
3. Fiscal arrangements should encourage Aboriginal governments to move toward their own revenue raising by creating incentives for economic development. This would create a greater capacity for the community to fund services itself.
4. Fiscal arrangements should incorporate means to ensure equity among Aboriginal communities, and between Aboriginal and non-Aboriginal communities. This relates to both a concern for adequate levels of services for community members, and to the viability of the government. Without adequate funding to provide public services, Aboriginal individuals in urban areas might turn to services provided by other governments.

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39 Lyon, *Rights of Citizenship and Access to Governmental Services*, 12.

40 *Ibid.*, 111.

5. The overall design of the components of a fiscal transfer should reflect the characteristics of the public services in question. In areas of national concern, funding by conditional grants would be appropriate. In areas that have national standards, program conditional grants like EPF might be suitable. In areas of purely local interest, unconditional grants could apply.<sup>41</sup>

Hawkes and Maslove describe how Aboriginal primary and secondary schools might be financed.<sup>42</sup> Taxes could be applied to users, and/or the schools could receive a portion of the public and separate school taxes. There could also be arrangements with federal and provincial governments to aid in the development of curricular materials and to provide Aboriginal teacher training.

Fiscal arrangements should evolve with the growth of urban governments. As communities develop both politically and economically, they can also develop more fiscal autonomy and less dependence. As a basic principle, though, self-government will require adequate levels of funding to ensure the viability of institutions, and enough unconditional funding to escape from the problems that have plagued existing self-governing arrangements.

### *Intergovernmental Relations*

Self-governing arrangements will also have to address the relationship between urban governing institutions and other Aboriginal and non-Aboriginal governments. Effective relationships are particularly important for urban governments, which will simply not be able to function without frequent interaction with surrounding non-Aboriginal and Aboriginal governments. Intergovernmental relations will play a role in both the implementation and evolution of Aboriginal self-government. Aboriginal governments will need to untangle themselves from federal and provincial jurisdiction in some areas. In other areas, existing governing institutions may have to make room for Aboriginal peoples. Negotiations will have to cover all of the areas discussed above. A constitutional text or broad intergovernmental agreement may dictate the forum in which negotiations take place and how they are to be expressed in the final form, whether it be through treaties, agreements or other means.

As Aboriginal self-government develops, there will be a need for continuing flexibility. Initial agreements are unlikely to be the last word, as Aboriginal governments will have to continue to work out their relationships with

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41 These principles come from D. Hawkes and A. Maslove, "Fiscal Arrangements for Aboriginal Self-Government," in D. Hawkes, ed. *Aboriginal Peoples and Government Responsibility*, 110-119.

42 *Ibid.*, 121.



neighbouring governments. Various mechanisms can be used for intergovernmental relations, including agreements, joint councils, and protocols.

Urban Aboriginal governments may deal regularly with other Aboriginal governments, especially those located in close proximity to the urban centre. They may pool resources and share services in some areas. Urban governments might also work out agreements with land-based governments to deal with the exercise of extraterritorial powers. These agreements could provide for overlapping powers or could delegate powers to urban governments over citizens from the land-based communities who are now living in urban areas.

Urban Aboriginal governments may also want to participate in regional or provincial Aboriginal councils. These councils could coordinate some of their activities and policies. While local autonomy is important, there will be a need for some standards to ensure that Aboriginal peoples receive similar levels of services when they move from one place to another. At the national level, Aboriginal governments may want to form a confederacy or have regular meetings similar to First Ministers' Conferences.

Relationships with non-Aboriginal governments can vary from representation in existing institutions to the development of new bodies and institutions. In the case of separate local institutions, regular meetings could ensure some level of consistency of services and deal with areas of overlap. At the provincial level, these relations could be carried out by provincial councils. A national confederacy could play a similar role at the federal level. For issues of national importance to all Aboriginal peoples, the Aboriginal confederacy could appoint delegates to meet with federal and provincial officials.

For conflicts over jurisdiction, separate dispute resolution bodies may be necessary. This could avoid a recourse to the court system. Cowie suggests that an alternative dispute resolution mechanism be established that could defuse conflicts, discuss proposed legislation, and make non-binding recommendations. It might encompass all legislation and actions of participant governments and deal with such issues as access to Indian lands, environmental control and land use or planning. As well, it could be used for the planning and implementation of programs, definition of standards and broader policy coordination in areas such as education, social services, administration of justice, economic development and taxation. Dispute resolution bodies could serve as "clearing houses and mechanisms of cooperative study and action on issues that cut across regulatory and service jurisdictions of Indian, municipal, provincial, and federal governments."<sup>43</sup>

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43 Cowie, *Future Areas of Jurisdiction*, 65. Roland Penner has also provided some more recent thought about the idea of an Aboriginal constitutional commission to deal with such transitional problems in his paper, "Bridging the Constitutional

Another alternative is a special court to decide jurisdictional issues between Aboriginal and non-Aboriginal governments, and indeed, all issues relating to Aboriginal rights. Given Aboriginal peoples' concerns over the treatment of their rights by Canadian law and legal institutions, this alternative should be given serious consideration.

The integration of a separate order of government, consisting of many small governments, into the Canadian federal system will be complex and will take time. The development of effective intergovernmental relations will be essential to ensuring that Aboriginal self-government is workable, and effort spent in the early stages to develop good intergovernmental relationships will pay off in all of the subsequent stages of development.

## CONCLUSION

Developing self-governing arrangements for Aboriginal peoples living in urban areas will not be easy. The preceding pages illustrate the many distinctions between Aboriginal peoples in terms of culture and legal status. There are also differences between communities in terms of political traditions and economic development. If self-government is to succeed, there is clearly a need to develop the resources, skills, and coherence of urban Aboriginal communities.

In developing self-governing arrangements, urban communities will have to address all the elements of governing. Some of this is best done wholly within the community itself, while other matters will involve negotiation with other Aboriginal and non-Aboriginal governments. Urban communities will need to establish membership criteria, and determine what types of governing structures they want to put into place. They will also have to decide what kinds of powers they want to exercise, and whether they will be exclusive or shared. Urban governing institutions will regulate citizens and provide services within a more limited scope, in particular over those matters related to the cultural, social, and economic needs of the urban Aboriginal community. While some direct taxing power may be feasible, the development and maintenance of these institutions will require the continuing financial support of other levels of government. Urban governing institutions will not be viable without secure and adequate funding. As well, Aboriginal and non-Aboriginal governments will need to develop a variety of intergovernmental links to deal with shared areas

of jurisdiction, issues of local, provincial and national concern, and disputes over jurisdiction.

Self-government can be viewed as an ongoing process. Even the constitutional affirmation of the inherent right or the negotiation of broad self-governing frameworks would not mean that self-governing institutions will appear all at once. Institutions already in place provide useful models and may develop into fully self-governing bodies. Urban Aboriginal governments' powers, governing structures, fiscal arrangements, and relationships with other governments will develop and change as self-government progresses.

Self-government for Aboriginal peoples living in urban areas challenges common assumptions about the roles and powers of governments. It also alters standard conceptions about the practice of Aboriginal self-government. While it is unrealistic to think that these arrangements will be developed easily and without conflict, it is important to begin now to develop workable models for urban self-government. This will ensure that self-government can be exercised by all Aboriginal peoples, not just those individuals residing on a land base. Only in this way will self-government work toward meeting the special cultural, social, political, and economic needs of all Aboriginal peoples.

**PART II**  
**Presentations to Panels**

# Panel I

## Self-Government and Living in Cities

### URBAN SELF-GOVERNMENT: SETTING THE CONTEXT

*Sylvia Maracle*

The first thing I would say with respect to urban self-government is don't mistakenly lump "urban" altogether. There are an incredible number of streams that make up "urban," and I think that those streams will very much affect what governance will look like in urban areas. Different interests in the urban Aboriginal community will very much be affected by the migration of people themselves. Where do they come from? What is their culture? What is the language? What are the impacts of colonization that they're bringing with them? What attitudes did they get as they grew up on a reserve? What displacement do they feel if they have a Métis identity? Did they come from the North? Did they come from a large First Nation community? Did they come from an isolated community? All of those factors are going to be very much in evidence and affect the definition of governance in urban areas.

The motivation for migration will affect the people. If the people were displaced they would have physical, mental, emotional, and spiritual angst around that displacement, around being forced from home communities. Some people were attracted by the myth of Dick and Jane, bright lights, a new life, anonymity, success, housing, jobs. Some people migrated because the children were taken away by Social Services or educational institutions; they wanted to be closer to them. Some people migrated for jobs. All of the factors that influenced how we arrived in urban areas will affect the governance structures that we create and the priorities that we expect those structures to address.

The other thing that I think will influence the governance structures that we create will be the ability for people to access traditional resources. Access to elders and traditional teachers, the story tellers, the faith keepers, the healers, the people who remember a time before colonization, before the impacts of the *Indian Act*, will be important resources in the development of governance structures. In urban areas, if we continue to look for authority in a legislative

framework or the extension of First Nations' jurisdiction into urban areas, or the creation of some Métis identity, then we will be short shrifting our children in terms of where that authority comes from. The authority to be self-governed clearly comes from the Creator. Our task is how to reconcile our responsibilities with the effects of colonization so that our structures will work.

I have avoided using the term "self-government." The notion of self-governance is and must be that I was already given the responsibilities and resources to govern myself. When we're talking about the governance of Aboriginal people in urban areas, we're talking about the development of collective consciousness, and that collective consciousness has skills, knowledge and attitude and abilities to govern within structures they create themselves.

Where the mandate comes from in urban areas is an important area of discussion. Does the authority come from our inherent rights that we carry wherever our moccasins go in urban areas? Does it come from a First Nation which extends its jurisdiction into an urban area? There are those, of course, who will argue at provincial and federal tables that the authority was somehow captured, usurped, stolen, or otherwise treated away to mainstream or settler governments, and that it is in fact through benevolence of external forces that governance will apply in urban areas. The type of government that we create will depend upon the political sophistication of our people. However, the fear is that the more sophisticated we become the more urban governance will replicate settler government structures. At the same time, what if the sophistication is not there? What if the community that continues to rely on non-Native consultants and non-Native policy people who will in great think tanks and academic institutions somehow shape our minds and our opinions? Can this be considered "self-government"?

Another notion that I believe will establish the context of urban self-government that I want to talk about is healing. Healing from the effects of colonization, from dealing with the fact that we exist in an impoverished, violent, powerless environment. How do we move from powerlessness and, in some instances, apathy and despair into a consciousness where we want control over our own affairs? There will be those who will say that we're all ready, we're just going to take it over tomorrow. Tomorrow, when you wake up, it's going to be Aboriginal self-government in this country. And the next day nothing will significantly have changed. In some urban communities, like it or not, passively or unconsciously, Aboriginal people are functioning government units. Friendship Centres are involved in social planning and articulation of priorities, child welfare authorities exist, economic institutions exist, education authorities have been acknowledged and may or may not be part of the mainstream. If that's the kind of governance that we're talking about extending

then we need only look, as I said, at the development of skills, knowledge, attitudes.

If in fact we are looking at a governance structure where we recognize and define governments as the control of our own lives, then it will be an evolutionary process — whatever is negotiated, consulted, prescribed, or arrived at will in fact change as time goes on. This involves a notion of healing in the Aboriginal community, the responsibility, the standing up of our own people and our own leadership, respective of residency and definition of Aboriginal status. Part of that healing will deal with relationships between men and women. Governance and the structures that we create will very much be influenced by the role that women play in community development. Healing will also take place when we prepare our young people for another time — when they want to get up, they want to participate, they want to feel that what is being built is not only for them but for seven generations of nations. The effects of healing, the effects of colonization will be reduced when our seniors, when the elderly amongst our population once again are able to participate and not be marginalized, not set aside, not retired. Healing will affect the structures that we create when it occurs amongst our leadership. Our leadership needs healing, from what we've learned, of behaviours that we learned in the social welfare system in this country, the education system in this country, the employment system, and the so-called governance system that applies itself either through municipal, provincial, or federal processes or through the *Indian Act*. Healing will be a very significant factor in advancing true governance.

There will be times when we will fall and we'll scrape our knees. But there will be times when our success will be so overwhelming that the prophecies of our people will be realized in that you, the non-Aboriginal people, will come to us in one time and ask us how to live life.

I'll leave you with a thought about urban self-government. Governance is not going to be something nice that can be packaged in a framework agreement. The governance that is created by Aboriginal people in urban areas will look very different in Fort Ray than it will in Toronto. It will look very different where there is a homogeneous Micmac community in Halifax, than it will in Sioux Lookout where it's also culturally homogeneous. There may be layers of governance in large metropolitan urban areas where tens of thousands of Aboriginal peoples will not only want to participate, but will require services.

Governments are created to better meet the needs of a people through establishing standard services that all people can access. If that is the definition and the function of government, then I'll challenge you in thinking of urban governance. Think of how urban service providers should be involved in articulating their own future and the ones who will follow in our moccasin tracks.

## SELF-GOVERNMENT AND MÉTIS PEOPLE IN URBAN AREAS

*John Dorion*

There are three issues that I think are very important in the area of self-government. First, I want to share with you my understanding of inherent rights and Aboriginal self-government. Second, I want to share with you my life experiences moving from an isolated community in northern Saskatchewan to an urban centre like Prince Albert. Third, I want to make some suggestions about what I think self-government should look like and what should happen before we start developing models for self-government.

The only way I see self-government succeeding for the Métis people is by going back and rebuilding our nations. If we don't go back and start rebuilding the nations we used to have, I don't think we'll ever get anywhere. If self-government means to deliver a few programs and services, we're never going to succeed. We'll continue living in the welfare state that we've been forced into for the past hundred years.

The Métis are recognized in the constitution as Aboriginal people. We, the citizens of the Métis nations, believe that we have an inherent right to self-government and self-determination. We have inherited our inherent rights from the Creator, passed down to us by succeeding generations. These rights cannot be granted or terminated by any government or parliament. It is our responsibility to pass them on to younger generations. We believe all governments, including ours, must enact laws respecting and giving legal effect to our inherent rights. We believe we have the right to create laws for peace, order, and good government. We believe we have the right to govern the internal and external affairs of our nation. Based on these principles, the Métis nation takes the position that all laws that impact upon our inherent rights must be examined and, where required, changed to ensure our rights are respected and recognized. From our rights to self-government, the Métis have the right to organize themselves as they see fit. Métis have the right to enhance and safeguard their traditions, and promote the recognition and safeguarding of their rights and treaty rights at the local, regional, provincial, and national levels. Métis also have the right to legislate to protect their rights and interests, and to determine their jurisdiction. And Métis have the right to enter into bilateral and multilateral relationships and agreements with other nations. Every nation needs a vision. You have to work from principles. And you have to work from rights. That's the position the Métis Nation of Saskatchewan is working from.

Now what I'd like to do is share with you my life experiences living in an urban centre. Racism is a major problem in urban centres. It's really tough for young people who move into urban centres. Most of the younger people I work



with come into Prince Albert with a Grade 7 or Grade 8 education. Our dropout rate in northern Saskatchewan is as high as 95 percent. Some of the communities don't have any Grade 12 students. When they come into urban centres, their chances of getting work are almost nil. Manpower statistics say you need at least 17 years of education now in order to get a good job anywhere. Some of these young people who move into our city have only gone to school for eight years, so by this standard they still need another nine years of education to get a good job. Most of them end up on welfare; they end up living in the slum areas of Prince Albert. One such area in Prince Albert is called the "west side," and that's where you'll find most of the Indian and Métis people living. The "east side," the "East Hill," is where all the well-to-do, the middle class, and the working people live. They're already creating a ghetto of Aboriginal people in Prince Albert and there's only 30,000 people in total living there. Most of the young people who move to Prince Albert don't do so because they like Prince Albert, but because there's nothing on the reserves for them, and there's nothing in the Métis communities. In particular, we find it amazing how the government keeps giving money to the K-12 education systems to educate Indian and Métis people when these systems are not made accountable to the people. If they can't educate them, then the money should go to institutions where Indian and Métis people can succeed.

Health is another big issue. We don't have any control on the Métis side. The Indian people have been really moving on health, taking control of health programs and services in Saskatchewan. However, the Métis are still on the outside looking in. We can't even get representation on health boards. We tried to get a Métis person on the health board in Prince Albert but we couldn't do it.

Housing is an important issue in urban areas, as well. Most of the Native housing you see in Prince Albert is in poor condition. There is a real demand for housing because there are so many Indian and Métis people moving into Prince Albert. We have some housing programs, but a lot more are needed in order to meet the housing needs of the Aboriginal peoples in Prince Albert.

Social welfare is the worst thing that ever happened to Aboriginal people. When I was growing up in Cumberland [northern Saskatchewan], one of the things my grandfather told me over and over again is: once you leave Cumberland House, try and get an education, try and get a job, stay away from social welfare because social welfare destroys people, it doesn't help people. The majority of Métis and Indian people living in Prince Albert are on social welfare, because they can't get work. You go to the bank: you don't see any Aboriginal people working there. You go to the government buildings: you'll see the odd Indian person working there. If you go anywhere else, the only place where you see a lot of Aboriginal people working is in bingo halls. But, you don't see them working anywhere, even in the food stores, like the Safeway, Super stores or the gas stations.

As for the justice system, you go to the provincial jails and the majority of inmates are Aboriginal people. I'm married to a non-native teacher and she's just amazed at the phone calls I get from the provincial jails because a lot of those who end up in jails are relatives. They know I live in town, and they always phone if they want to get into a training program or if they need help. For a lot of these people there are just no opportunities. There is no economic development in their communities, they end up in one of two places: welfare or in jail.

One thing has changed in Prince Albert in the past four or five years. Earlier, you never heard of an Aboriginal person sitting on any committee or on city boards and commissions. Two years ago, I was appointed to the Prince Albert Police Commission. That was history in the making in Prince Albert. Now we have several people who have been appointed to commissions and boards in Prince Albert, and that is a positive move. We have to see more of our people participating on these kinds of boards because we have an impact. We get involved in discussing policy and programs and services for Aboriginal peoples. One reason why we made this breakthrough in Prince Albert is because we supported Gordon Kirkby for Mayor of Prince Albert (he is now the new Member of Parliament in Ottawa). We supported him because he was young, he had a good attitude towards Indian and Métis people, and he wasn't a racist. We felt good about him so the Indian and Métis of Prince Albert backed him as a mayor and got him into power, and then he made the changes for us. He opened City Hall for us. Indian and the Métis people have to start exercising their political power because we can make or break elections in Prince Albert, because by the year 2000 50 percent of the population in Prince Albert will be Aboriginal people. If anybody wants to get elected as mayor in Prince Albert they have to come to us.

In closing, my suggestion is, before we start developing any models of urban self-government for Métis people, we'd like to see a government that will allow us to rebuild our nation. Then we can start to address some of these other things for our people.

## INDIAN PEOPLE AND CITIES

*Rosalee Tizya*

I'd like to acknowledge the elders who are here because a lot of what I have to share has been learned from the old people who have fulfilled their obligations in teaching the young. I'm always glad to see people here who are younger than us because your job is to learn. And I hope that what I have to share is going to be useful. I don't know if it will enlighten, I don't know if it will educate, but it's what I have to share.

I want to talk a bit about urbanization because there are a number of understandings of it, and I want to begin with what we call the "Great Turtle Island" and the people on it who are turtle islanders from many different nations. Our origins have always been here, have been from many different nations. The units of our nation are really determined by the language that we speak, and our territories are defined by our language. Every hill and rock and tree is named in the language. And when the language ends and another language begins, that's where the nation's boundary ends. At the height of our self-government we have seven holy men around this great island. Using the turtle, it was one at the head, two on each side, forearms and then hindlegs, and at the tail. And at the heart of the great island — the Hopi lands — was the seventh.

You hear often, and you will continue to hear from many people on this island that we have spiritual obligations, we have obligations to the Creator. We have a relationship to the world around us that oftentimes gets interfered with by another set of values and beliefs. The way in which we know we have instructions is through instructions from our holy people. A lot of this is symbolized. What we know is passed down through our oral traditions. So, when we speak we have to be sure of what we say because what we are breathing is the Creator's breath. That is the power of the oral tradition, to speak the truth.

You might think this has no relationship to you whatsoever, but Moses spoke to a burning bush. And if that sounds strange, the bush actually answered his questions. And it's because of that you have a Christian religion today. There's virtually hundreds of millions of people who govern their lives by it. We believe in the sacredness of life, and of the world around us. So, it isn't that we're not capable of understanding one another, or being able to relate to one another in a very human way. But if we think, each one of us, that our view of life is superior to another, we will continue to cause alienation and discrimination.

The cities we're talking about today are not Indian cities — like the city of the Gitskan, the size of which was measured by walking in one direction for a day. We're talking about cities based on European development, but we're not talking about an Athens or a Rome or a Paris. We're talking about something

quite different. Cities here were developed on the basis of eighteenth century economic theories whose basis was not human value but economic value, and the greed that dominated thinkers in England and Europe. We've inherited this model.

I've been thinking about all this discussion, since I've come to work at the Royal Commission on Aboriginal Peoples and it's really being in the belly of the beast. I've never, ever worked with government before, and I found it quite difficult to be educated to the workings of that whole system. I've heard a lot of people say, about Indian people living in the city, that we're alienated from society. Because we're alienated it has caused a number of dysfunctions among us, and that if only society could resolve those dysfunctions everything would be fine. I don't believe that, because I am not alienated from my spirituality, from my humanity, from the person that I am in my own homeland, this Great Turtle Island.

But I do find that cities alienate human beings from nature — that people are cut off from their roots. I used to live in the city of Vancouver, and when I went into the high schools and spoke to the young people there, they don't know why Indian people don't want to advance. When I ask them where should we advance to, they have a difficult time responding until they say, "Well, technologically." And I ask them, if I were a nuclear physicist what would I need to be a nuclear physicist? I would need something from the land. If they want to listen to a ghetto blaster someone had to take something from the land somewhere in order for them to do that. When they dump that ghetto blaster someone has to find a place to dump it. They don't even understand in this day and age that they have a relationship to the earth, they don't understand that. They are alienated from their world. They don't even know that the most important element to every human being on the face of the earth is air, that we have a relationship to air, and that the second most important relationship is water. Because they don't have a relationship to these basic elements, they take them for granted. If you can take them for granted, then it matters not that they are being poisoned minute by minute by minute.

We can guarantee that one day this society will come to us asking for solutions. To me the question is not so much how is it that Indian people are going to fit into these cities and into the democratic framework of society, as how is the urban environment going to relate to the natural world. It's going to have to do that. Then what will be the role of the Indian people, the Inuit people, the Iqaluit, the Métis? Every urban centre is on the territory of a host nation. Oftentimes these host nations are fighting to preserve and protect the environment. In British Columbia there are over forty urban reserves, or reserves centred around urban areas. Almost all of them have waste treatment centres on them. Indian reserve lands are used for toxic dumping, they are used for waste

management. Twenty thousand tons of Vancouver garbage goes to the Aboriginal community of Bonaparte every day.

As an Indian person who has a responsibility, that's what I think about. It pains me even more to see human beings isolated from their environment; struggling to be fulfilled, struggling to be recognized, struggling to be human beings. Walking these concrete jungles; rushing, rushing, rushing. I see that not many people really stop to think about that, to see where life in an urban centre is heading. It's just a living to keep it going, consuming and consuming and consuming. As if our purpose in life is to consume. And if I watch television the messages are there for the children that I've raised, to consume. If it's not CDs, if it's not ghetto blasters, and it's not Calvin Klein jeans, it's hamburgers at McDonalds.

The message that I'm really trying to convey here is that Indian people ought not to come to the White man with hands open begging for what is already ours. This is Indian people's land. This is our responsibility. We have obligations. You are guests who are welcome. We concluded treaties and we said we would share our lands with you. But, it's the people who came who didn't have anything to share — who came with blankets and with axe handles. That is the kindness, that is the gentleness of the human race, that is the patience we have. We exercise a dangerous accommodation to the point we often endanger our own children by being so kind and so gentle, because that dominating influence doesn't know when to stop. There's no end to the taking.

Those are the kinds of issues we need to look at and we need to talk about if our children are going to survive. We need to have a lot more dialogue, a lot more true exchanges between ourselves because, whether we like it or not, our children are going to have to live in this world, and they're not going to have an awful lot of options because we're closing doors on them every day. We're not giving them an awful lot to inherit, except a lot of garbage. I'm that generation of Indian people that has had to spend my whole life cleaning up deposits, cleaning up what the previous generation spent exorbitantly. It isn't just me, and it isn't just on the Indian and Métis and Inuit side. It's on the non-Indian side as well.

To conclude, then, when we consider our people and cities, let us ask ourselves again: What is our responsibility? Who are we responsible to? Are we responsible to a government? Are we responsible to leaders? Are we responsible to ourselves? Or are we responsible to our children?

**BUILDING A NEW RELATIONSHIP:  
THE CITY OF WINNIPEG IN PARTNERSHIP WITH  
THE WINNIPEG ABORIGINAL COMMUNITY**

*Richard Frost*<sup>1</sup>

The issue of Aboriginal self-government and defining its place in Canadian society has never been higher on the political agenda. The efforts of Aboriginal people are being rewarded by the reality that self-government in urban areas now seems achievable. Workshops and research papers which grapple with this issue are helping administrators to get a clear picture of Aboriginal aspirations. As our understanding grows, so will our ability to provide advice and assistance.

Civic governments have a role to play in the exciting task of establishing a new form of Aboriginal government. Municipalities pride themselves on their proven ability to provide appropriate and effective local service delivery systems. Municipal government leaders are far more accessible than their provincial or federal counterparts and have the capacity to respond with policy decisions that reflect unique community circumstances.

Winnipeg, Manitoba, is situated on the Canadian prairies at the point where the Assiniboine and Red Rivers meet. This is the area where the Cree and Assiniboine people roamed the plains. Our city is situated in the Red River Valley, the birthplace of the Métis nation. The roots of Aboriginal people run deep here. Within Manitoba, there are currently 61 status Indian bands from various First Nations. Winnipeg, established in 1874, is a city of approximately 625,000 people, with almost 45,000 or 7 percent being of Aboriginal descent. The Winnipeg Aboriginal population has climbed rapidly in recent years, with a 60 percent increase between 1986 and 1991. It is anticipated that this growth will continue and that the Aboriginal population will play an increasingly important role in our community.

Most civic administrators, like most Canadians, have little real knowledge about the subject of Aboriginal self-government in urban areas. I consider myself very fortunate to have been invited to participate over the past year as a member of the Urban Governance Working Group for the Royal Commission on Aboriginal Peoples. As a result, I have a better understanding of the needs and desires of Native peoples in urban areas and I am more "aware" of the links between the city and its Aboriginal community. Where I might previously have viewed Aboriginal urban self-government as something of a threat to the city, I now sincerely believe it provides an opportunity.

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1 These remarks were prepared with the assistance of Kevin Lee, a student in a Master's Degree Program, Urban Planning, at the University of Manitoba.

## DEFINITION OF CITY GOVERNMENT

City government is taken for granted by Canadians. It is astonishing to think that a level of government with no constitutional status has such an overwhelming influence on our daily quality of life. In addition to paving the roads and providing water from the taps, city government determines whether you can cut down an old tree, have a swimming pool in your backyard, or run a small business out of your basement. City governments decide the number and type of books in the public library, the cost of playing hockey at the local arena, and whether it is appropriate to build a new gas station at an intersection in your neighbourhood.

Notwithstanding this very significant presence in everyday life, municipal governments are legally the "creatures" of provincial governments. Unlike the Aboriginal peoples, there is no place provided at the constitutional table for local government representatives. In a constitutional sense, cities have much less power than that sought after by some Aboriginal leaders. Much like the Aboriginal community, city governments must live with decisions taken by senior levels of government.

Local governments are mandated by the Province to have responsibilities in certain areas of jurisdiction. In Manitoba, these areas are defined by the *Municipal Act* and by *The City of Winnipeg Act*. Most of Winnipeg's costs come from providing services related to infrastructure maintenance and construction in such areas as streets, transportation, waterworks and waste disposal. As well, the city provides protection services, such as police, fire and ambulance services, and parks and recreation services. Winnipeg also is responsible for planning and land development, public health, libraries, transit, hydro power, and some social services. In short, city government is a highly complex and diversified service delivery organization. However, it would be a mistake to generalize from Winnipeg to all Canadian cities. Municipal institutions are not uniform across the country. Indeed, one of the characteristics of urban government is that institutional structures vary widely from city to city.

It is also important to recognize that city government is always evolving. Over the past two centuries, municipal government has slowly gained more and more jurisdiction in areas where community needs became apparent. For example, civic government was initially established to deal with public health, street, and water issues. Today, most Canadian cities have recycling programs and special transit systems for disabled people.

This continuing evolution, the institutional diversity described above and the profound influence of municipal governments on the daily quality of life exercised without a constitutional base, should be very encouraging for those who seek Aboriginal urban self-government. That is to say, the Canadian

experience in managing cities has proven to be highly pragmatic and sufficiently flexible to accommodate unique community aspirations.

Perhaps equally important is the fact that there is not as much conflict for jurisdictional mandate as people might initially perceive. Aboriginal leaders in urban areas do not seem anxious to assume responsibilities in areas where the bulk of municipal expenditures are directed. The focus of attention is not aimed at creating Aboriginal roads, watermains, sewer systems, or landfill sites.

No one seems to be suggesting the need for Aboriginal transit or fire departments. On the contrary, Aboriginal leaders are calling for control of institutions that protect their culture or improve their educational, social, and economic status. There are admittedly important areas of overlapping interest such as policing or public health and social services. But on the whole, the thrust of most Aboriginal demands is focused on autonomy in areas of jurisdiction that are primarily influenced by the federal and provincial governments. From this perspective, it would appear that municipal levels of government can play a pivotal role simply by facilitating a broader understanding of the issues. In the end, it is in the interest of city governments that all residents live in a supportive urban environment. That is the basis of a vibrant and healthy city.

#### EVOLUTION OF MUNICIPAL GOVERNMENT ATTITUDES

Local government has a long tradition of being reactionary. While most cities have a planning process, key decisions in municipal administration are subject to political decisions, which are in turn influenced by special interest groups. Our elected officials are constantly balancing competing interests, pressures and priorities. In large part, the success of a city government can be judged by its ability to establish equitable policies for providing community services.

Aboriginal people and communities have unquestionably fallen into the category of special interest groups in the minds of most civic administrators. As such, they have been treated as any other ethnic group that makes up the collective society. The inherent rights of Aboriginal peoples have not been taken into account.

This attitude is gradually shifting. Municipal governments are beginning to see the Aboriginal communities in their cities as having a unique place in society. This change is probably due to issues raised by the constitutional debates, better organization of Aboriginal groups, and increased public support for Aboriginal rights. Municipal officials recognize the likelihood of a gradual shift in responsibilities to Native organizations. In short, there is a greater desire to understand and address the issues.

If this supportive evolution of municipal attitudes is to be even further strengthened, the Aboriginal community must continue to clarify its vision of urban self-government. Without doubt, this will vary from situation to situation.



Nevertheless, communities can only build consensus by sharing ideas and by patiently advocating change in some defined direction. It seems certain that the critical negotiations will occur at the federal and provincial levels without the direct involvement of urban municipalities. But regardless of the success at the negotiating table, real progress may ultimately depend on building new relationships within individual Canadian cities.

#### THE CITY OF WINNIPEG INITIATIVES

In keeping with this new awareness of the special place of Aboriginal peoples in Canadian society, the City of Winnipeg is embarking on a new era in municipal/Aboriginal relations. It would be misleading to suggest that these more recent initiatives are built on a solid foundation of past successes. Our city has taken the traditional steps but our success falls below the level of expectation that most of us would now consider reasonable or acceptable. However, I hope that these initiatives clearly demonstrate that the city is at least beginning to take the issues far more seriously in recent times.

#### *Health Department*

The City of Winnipeg's Health Department has a long history of involvement with the Aboriginal community in Winnipeg's inner city neighbourhoods. It has built a trusting relationship with leaders and members of the Winnipeg Aboriginal community through a needs-based and partnership approach to service provision. The department is a public health agency providing a wide range of preventative health services, particularly in the areas of prenatal care and health inspection. Public health nurses are assigned to neighbourhoods rather than to specific tasks, which enables members of the community to get to know them as they carry out their work in a number of different settings.

The Health Department is engaged in supporting a number of projects with Aboriginal service organizations, one of which is the Abinotci Mino-Awawin Centre. The head of the Nursing Department has taken an active role in facilitating agreement amongst the formal project partners to set up this facility. The Abinotci Centre focuses on children's and family's healing and will be headquartered at the new Aboriginal Centre of Winnipeg. The Health Department used its expertise in helping the Aboriginal leadership to prepare the successful project proposal submitted to the federal government's Brighter Futures program. Now that funding is in place, the city has loaned the Abinotci Centre a public health nurse to assist the project manager in setting up the health program for the centre. The services provided will be based on Aboriginal cultures and will work in conjunction with existing non-Native health service agencies. In this manner, the Abinotci Centre will incorporate traditional Aboriginal healing practices with western medicine-based practices to provide

a flexible combination of services that works to complement rather than duplicate existing health services. The important point is that our Health Department staff moved away from their traditional role of either leading or sharing leadership to a role of assisting the Aboriginal leadership. This distinction represents an important advance in building a new relationship.

### *Police Department*

The Winnipeg Police Department regrettably has a reputation of poor relations with the Aboriginal community. This perception became all too apparent in the hearings of the 1991 Manitoba Aboriginal Justice Inquiry, which was investigating the treatment of Native people by the justice system in Manitoba. Since that time, the new chief of police has given Aboriginal issues high priority in an effort to address the situation. The department has undertaken a number of initiatives, including partnership arrangements with Native organizations, cultural training for the entire force, and aggressive affirmative action programs, in an attempt to provide better service to the Native community and to change the Police Department from within.

One of the initiatives undertaken by the department is a cooperative agreement with the Ma Mawi Wi Chi Itata Centre, an established Native-run agency which provides status-blind support services for Aboriginal families in Winnipeg. It was brought to the attention of the city council by the Aboriginal Women's Unity Coalition in 1990 that the Police Department was not providing culturally appropriate service for Aboriginal victims of abuse at first contact. In response to this concern, the Police Department signed a contract agreement with the Ma Mawi Centre in September of 1992. The agreement stated that the Ma Mawi Centre would be contacted whenever police investigated third party victim abuse situations involving Aboriginal children and their families. The Police Department now funds Ma Mawi community workers in such situations to provide support and advocacy services to the victims until they are referred to an appropriate agency. This agreement demonstrates that even in a difficult service area such as policing, partnerships with Native agencies in providing sensitive services to the Aboriginal community are possible and desirable.

### *Social Services Department*

Another department at the City of Winnipeg with a notable history of involvement in Aboriginal programming is the Department of Social Services. This department is responsible for the administration of social assistance, employment training and housing services. Social Services has targeted status-blind services to Native peoples for approximately 15 years now. They have determined long ago that services to this community are best designed and administered by Native people and Native organizations. As such, the department is

currently assisting Aboriginal service agencies, through funding arrangements and technical support, in carrying out services to Native individuals.

Social Services has been particularly successful in supporting employment and training programs, one of which is the Urban Circle Training Program. The program grew out of the need expressed by Aboriginal women for training programs for employment in the retail and banking sectors. Now in its fourth year, it has a course completion rate of 98 percent and an employment rate, over the four years, of 76 percent. Initially funded under the Winnipeg Core Area Initiative in 1991, the program is now funded by Employment and Immigration Canada. Trainees remain on social assistance, which is administered by the city, during their schooling. The Urban Circle is legally accountable to the all-Aboriginal Board of Directors of the Dr. Jessie Saulteaux Resource Centre. The Dr. Jessie Saulteaux Resource Centre is a non-profit community-based organization which was founded in 1984 as a centre of Native leadership training, learning, and healing.

#### *Business Liaison and Intergovernmental Affairs*

The City of Winnipeg is currently undergoing a restructuring of its administration. One of the new departments being created is the Department of Business Liaison and Intergovernmental Affairs. The purpose of establishing a secretariat for intergovernmental affairs is to provide a contact point for other levels of government to access the city administration. It also has the role of supporting special initiatives in the municipality. General policy regarding Aboriginal peoples will be formulated in this department.

The inclusion of Aboriginal issues in the Department of Intergovernmental Affairs is a significant step in the evolution of civic government attitudes. One of the most common complaints Aboriginal organizations seem to have with the city is that they don't know who to talk to in the maze of bureaucracy that is municipal government. Past agreements have sometimes developed due to chance meetings or long-standing contacts in specific city departments. This new department will help to coordinate relationships with different municipal departments and provide an accessible contact point for the Aboriginal community. As well, this department will attempt to negotiate with Native agencies as autonomous institutions. We feel that this formal recognition is an important step on the path to Aboriginal urban self-government in Winnipeg.

#### CONCLUSION

These initiatives are examples of the type of relationship the city is working to build with the Aboriginal community of Winnipeg. There is a greater degree of receptiveness to the thought that Aboriginal organizations are quite capable of independently providing culturally appropriate services to their communities.

We want the days of ill-advised city intervention in the affairs of urban Aboriginal people to come to an end. This obviously requires a re-examination of traditional municipal service delivery roles. I believe that there is now a general recognition that initiatives should come from members and organizations within the Aboriginal community. Our strategy will be to listen and hopefully react in a fashion that is helpful to our Aboriginal residents. We know from our experience in municipal government that each city is different and that, as a result, there will always be some differences in the development of institutions. What emerges in Winnipeg over the next decade is ours to shape!

## DIGEST OF THE DISCUSSION

The first part of the discussion focused on the role of Aboriginal people in municipal politics. One participant pointed out that there were many opportunities for Aboriginal people to get involved in municipal politics, but that these were underutilized. Participants pointed out the positive effects of the election of Aboriginal peoples to municipal office, including more positive media coverage resulting from the example of an Aboriginal person making responsible decisions for the general population of the city. Other participants were worried that Aboriginal people's participation in non-Aboriginal institutions would drain the resources of the Aboriginal community. One participant pointed out that there were strong conflicts between the values of Aboriginal people and the materialistic attitudes of non-Aboriginal governments. As a result, Aboriginal people face difficult challenges to their cultural identity when they participate in non-Aboriginal institutions. In the context of these contrasting evaluations of the desirability of Aboriginal participation in municipal boards, councils, and other bodies, a participant noted that it could be very difficult for municipal representatives to identify appropriate strategies for involving Aboriginal people in decision making.

Another strand of the discussion addressed the prerequisites for self-government in urban Aboriginal communities. One participant pointed out that the process of healing within the Aboriginal community must precede discussion of self-government arrangements — in her words, "Excuse us if we take the time to get dressed before you ask us to dance." Urban Aboriginal people need time to heal individuals and families, to build consensus, cooperation, and community, and to work out their own identity before they plan for the future. The pressure to decide on urban self-government works against community building. She suggested that an important role for non-Aboriginal governments with respect to urban self-government was to give urban Aboriginal people the time and resources to build urban communities. Self-government negotiations should not go forward without a well-established urban community base.

Other participants indicated that Aboriginal and non-Aboriginal representatives should not sit down to political negotiations prematurely. Instead, both sides must be prepared to listen to each other, learn about each other, and come to respect and understand each other's views. Some participants pointed out that some mainstream governments have changed and that there were positive examples across the country of municipal and Aboriginal governments working together. One participant stated that an issue in which non-Aboriginal governments at all levels should *not* be involved was deciding which Aboriginal groups should be recognized in formal negotiations. Participants also emphasized that the development of self-government for urban Aboriginal people

needs to be a "bottom-up" process, especially since the needs of urban Aboriginal people varied in different urban centres.

## Panel II

# Existing Initiatives in Urban Areas

### URBAN ABORIGINAL ISSUES, MODELS, AND STAKEHOLDERS RELATIVE TO THE TRANSITION TO SELF-GOVERNMENT

*Wayne Helgason*<sup>1</sup>

The purpose of this discussion paper is to review the issues, potential models, and the stakeholders, relative to the transition to self-government, and the implications for the urban Aboriginal community, the larger society, and social policy advocates such as the Social Planning Council of Winnipeg.

The contents of this document reflect the perspectives and positions of Aboriginal peoples, as outlined in research studies and discussion papers prepared by Aboriginal organizations, such as the Aboriginal Council of Winnipeg, and the Congress of Aboriginal Peoples (formerly the Native Council of Canada).

It attempts to provide an overview of the issues and the models, to set the context for the discussion on urban Aboriginal self-government and self-determination.

While this assessment addresses the characteristics and prevailing conditions within the City of Winnipeg, the analysis of issues and models will have some utility to organizations in other urban centres with large Aboriginal populations.

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1 Prepared by Linda Clarkson, Consultant, for the Social Planning Council (SPC) at Winnipeg. This document was prepared as a briefing document for the Social Planning Council, to facilitate discussions with other stakeholders, as necessary. The comments do not reflect the position of the Social Planning Council of Winnipeg, since the SPC has not yet had an opportunity to establish its policy in this area.

## POTENTIAL APPROACHES TO URBAN ABORIGINAL SELF-GOVERNMENT

There are at least three primary approaches to urban Aboriginal self-government, with a number of possible variants within each.

*The Non-Territorial Model*

This approach contemplates the development of self-government within the urban area based upon jurisdiction over citizens (people) rather than a public form of government (territorial). Within this model, there are two possible variants.

*Institutional Autonomy.* Under this approach, institutions and systems would develop to exercise jurisdiction over Aboriginal peoples, defined as First Nations (Treaty/status Indians), Métis, and Inuit residents within the City of Winnipeg. Such institutions and systems would be single purpose only, for example, education, child and family services, housing, employment services, employment training, health care, and so forth. The autonomy of such institutions and systems would be reflected in their authority to design and deliver programs and services that are based upon Aboriginal philosophies and practices.

These institutions and systems would be inclusive of all urban Aboriginal peoples (status blind), rather than exclusive (status driven). In other words, institutions would exercise authority over all urban Aboriginal residents, and would not provide for the development of parallel service delivery systems for First Nations, Métis, and Inuit. Issues relative to the nature of authority that could be exercised — whether jurisdiction would be automatic or require consent — would have to be addressed if this forms the foundation for urban self-government. There are a number of concerns with respect to this matter, including the need for economies of scale. Within this framework, autonomous institutions could be structured with or without an overall common governing body.

Indications to date suggest that this approach is favoured by a number of urban Aboriginal organizations and service delivery agencies within the City of Winnipeg. Urban-based organizations have, in fact, consistently advocated such a self-determination approach for many years and it appears that this would be the least complex of the possible approaches. However, it does not appear to have the support of the primary First Nations and Métis political organizations — the Assembly of Manitoba Chiefs (AMC) and the Manitoba Métis Federation — at this time.

*Political Autonomy.* This variant is differentiated from institutional autonomy by a relationship between the urban program/service delivery system and an urban-based legislative body that would function as a general urban Aboriginal



government. This approach would therefore parallel the existing governing structure found within other Canadian governments, such as the municipal government within the City of Winnipeg, and the provincial and federal governments. Essentially, the institutions would be the delivery vehicle for programs and services made available to the Aboriginal citizens of a general urban Aboriginal government, with much the same structure of departments and ministers responsible in place with existing governments.

This variant would likely be inclusive (status blind) rather than exclusive to First Nations, Métis, or Inuit (status driven), although it does not preclude such an option. If the status-driven option were chosen, it would be differentiated from the extraterritorial approach, discussed below, by the creation of three parallel governing structures, that would exercise authority for all of their constituencies. For example, there would be one government open to participation to all urban First Nations people, that would function as a distinct political entity, without reference to the on-reserve governments.

The status-driven option is supported by some First Nations peoples and organizations, however, it does not appear to be the preference of the major First Nation and Métis political groups.

Early indications are that the status-blind variant has the support of a number of members of the urban Aboriginal community, as well as a number of urban-based Aboriginal organizations and service delivery agencies. It has been suggested, by such supporters, that this approach would be a logical extension of the status-blind approach that has existed within the City of Winnipeg since the late 1950s. It is also seen as an improvement upon the existing situation, and the institutional autonomy approach, by providing a capacity for democratic decision making within a legislative body that would have the necessary separation from the service and program delivery apparatus, notwithstanding the provision for policy making, budget setting, accountability, and other provisions inherent to the approach.

*The Extraterritorial Approach.* This approach to urban Aboriginal self-government contemplates the establishment of governance structures that vest governing authority within reserve-based First Nations governments. As such, it is under consideration only by First Nations organizations, rather than by the organizations representing Métis people. In other words, it seems that the Manitoba Métis Federation is not considering such a model, apparently because of the different legal foundation for Métis rights, and because the birthplace of the Métis Nation is found within the City of Winnipeg.

Here, the source of the right to self-government is located on the reserve land base, and political authority is exercised by the reserve-based First Nations governments. This approach is based upon jurisdiction over First Nations citizens, regardless of where they may live, rather than jurisdiction over any territory outside of the reserve land base. It represents the extension of the

reserve-based governing authority to First Nations citizens within the City of Winnipeg. As such, it would be similar in operation to the military system, which holds jurisdiction over military personnel regardless of political jurisdiction. As an example, within the justice system, the Canadian military has its own laws, police force, courts, and correctional facilities; military personnel are subject to two sets of laws — the Canadian justice system and the military justice system.

It appears that this is the preferred approach of the major political organizations representing First Nations people, i.e., the Assembly of Manitoba Chiefs. While it finds some support amongst urban First Nations people, many First Nations individuals have expressed a great deal of concern over it. Support amongst inclusive urban-based Aboriginal organizations and service agencies appears to be minimal or non-existent. Expressed concerns with this model are mostly related to perceived problems with the *Indian Act* governments that currently exist on reserves.

There are at least two possibilities with respect to the structure of an extraterritorial approach. The first option would see the extension of the authority of individual First Nations government (i.e., individual bands) to their members who are resident within the City of Winnipeg. Potentially, therefore, urban self-government, with respect to First Nations, could take the form of 61 governing authorities, who may or may not establish an urban-based program and service delivery infrastructure. With regard to political participation, it is likely that this model would recognize the rights of their members to participate in democratic decision-making with respect to the reserve-based political system. Early indications are that at least some individual First Nations are considering this option.

Alternatively, the existing Tribal Council structure could form the foundation for the First Nations government within the city. A level of capacity in this regard currently exists with respect to matters such as child and family services (where reserve-based First Nations agencies enjoy a *de facto* jurisdiction, notwithstanding the refusal of the provincial government to grant jurisdiction off reserve), housing, economic development, and so forth. A model that combines the exercise of authority by individual First Nation governments (bands) with the Tribal Council structure (and thus reflects the current reality) is likely to be preserved. Accordingly, urban self-government for First Nations could take the form of an exercise of authority by seven Tribal Councils, and a small number (three to seven) of individual bands, all of whom would operate within an overall governance structure, similar in form to that of the currently operating Assembly of Manitoba Chiefs.

Another possibility would see interaction with two or more overall governance structures, should First Nations opt to establish self-government on foundations other than the current model in place within Manitoba and Canada. That

is, current First Nations political structures, beyond the band level, take the form of provincial and national associations, representative of individual First Nations (bands). In other words, there would be parallel structures that can relate to provincial governments and the federal government. Some alternative constructs currently under consideration by the First Nations leadership relate to nation/culture or treaty areas, which are seen by many as more appropriate.

There are some indications that the Cree chiefs of northern Manitoba, who currently have their own political organization but are also members of the AMC, may be contemplating withdrawing from the AMC, and developing a Cree Nation approach, which would link the Cree reserves across northern Canada. Should this be the approach that the Cree choose for self-government, they would have an option of a public/territorial model, similar to the new Nunavut government of the Inuit in the Northwest Territories, since Cree people form the majority population in this area. First Nations in southern Manitoba and Canada may not have such an option, given that they constitute a minority in these areas. A self-government based upon Nation/culture or treaty areas in these parts of the country would therefore, given the absence of contiguous borders, require the linking of self-governing First Nations territories through common institutional arrangements.

The extraterritorial approach would likely result in the development of an extensive service and program delivery capacity within the city, according to the structures described above. Some people have suggested that such delivery vehicles would be described as Treaty Administration Centres, which would reflect the understanding that programs and services to urban First Nations would be delivered in the context of rights determined by treaties.

This approach does not provide for the rights and needs of First Nations people from outside the Province of Manitoba, however. This is a potentially significant problem because of the high numbers of people from northwestern Ontario who currently live within the City of Winnipeg. It is likely, however, that First Nations organizations based in other provinces, such as Treaty Three in northwestern Ontario, or the Federation of Saskatchewan Indians, will be developing similar approaches with respect to their citizens in this city. One option with respect to service delivery would see the delivery of services by Manitoba First Nations organizations, under agreement with the First Nation political authorities in other provinces.

If the extraterritorial approach becomes the model that is implemented with respect to First Nations in the city, there will be a need for the development of parallel structures for the Métis and the Inuit.

#### *The Territorial/Urban Lands Model*

This approach contemplates the development of urban self-government on a land base. There are three possible variants, two of which are exclusive (status

driven) and one inclusive (status blind): the urban reserve option, a Métis homeland option, and a neighbourhood based option.

Nothing precludes the co-existence of all three territorial, or of the non-territorial or extraterritorial approaches, discussed above, subject to the priorities of the various Aboriginal groups, and the degree to which the other Canadian governments are prepared to respond to the varying objectives of the different Aboriginal stakeholders.

Each of these options would provide for the creation and operation of a public form of government — meaning that they would exercise jurisdiction over all residents within the area, including the non-Aboriginal population. As such, the neighbourhood-based option would be similar to the governance structure that prevailed in Winnipeg in the pre-Uncity days, while the urban reserve would operate within the context of the federal reserve system. The Métis homelands model would be an entirely new construct within the province, but could potentially draw upon the Métis Settlements Act which exists within the Province of Alberta.

The local government established through the neighbourhood-based option would relate very directly to the municipal government, i.e., the City of Winnipeg, in terms of infrastructure and protective services, for instance — but it would also relate to the provincial and federal governments with respect to other jurisdictional matters, such as authority for child protection services. The urban reserve would relate most directly to the federal government, but would also be required to relate to the municipal and provincial governments.

The urban-reserve option is promoted by some urban First Nations people and organizations although there does not appear to be widespread support within the urban First Nation population. The Métis homelands option, likewise, appears to be supported only by a minority of the Métis population. The Manitoba Métis Federation has apparently not yet taken a formal position on this model because the issue of approaches to self-government is still under consideration by their membership. Much support for the neighbourhood-based option appears to exist amongst members of the urban Aboriginal community, although no formal consideration or positioning has yet taken place amongst urban Aboriginal organizations and service delivery agencies.

For illustrative purposes, the neighbourhood based option of a territorial/urban lands models could be developed within areas of the city where the majority of the residents are Aboriginal people. In discussions to date, the Lord Selkirk Park community, located in the city's north end, has been suggested as an area that could test such a model for urban self-government. This model was, in fact, selected by a majority of respondents to a survey undertaken in 1993 as a joint initiative of the Aboriginal Council of Winnipeg and the Native Council of Canada (now the Congress of Aboriginal Peoples).

## THE ISSUES RELATIVE TO THE TRANSITION TO ABORIGINAL SELF-GOVERNMENT

There are a number of important issues to consider with respect to the transition to self-government. There is a need for the process to go beyond a simple transfer of jurisdiction and funding to Aboriginal governments, to include the articulation and implementation of comprehensive strategies that can, substantially and positively, change the socio-economic and political realities that define the lives of Aboriginal people.

Depending upon the approach and the implementation process, self-government could result in substantive change to the socio-economic realities experienced by Aboriginal peoples, or, if the process is limited to on-reserve First Nations, and/or if it simply vests authority in an *Indian Act* type of government, it may not necessarily result in substantive changes to the socio-economic conditions that prevail within Aboriginal communities.

Given this assessment, urban Aboriginal organizations have identified a need for the transition process to include the commitment of all stakeholders to the development of a self-government that (1) is inclusive of all Aboriginal peoples; (2) empowers all constituent groups, especially the most vulnerable and least protected members of Aboriginal societies to ensure that their needs are met, through their participation in the design and implementation process; (3) provides mechanisms and resource allocations for the design and delivery of a holistic and comprehensive strategy, intended to eliminate the poverty and political marginalization that is characteristic of the majority of Aboriginal peoples; and (4) is accountable to the people in terms of performance and outcomes.

Necessarily, therefore, this approach calls for a review of the underlying principles, guiding philosophies, and financial resources of all existing programs, services, governing structures and decision-making modes, as well as a review of all existing financial arrangements relative to all levels of Canadian governments (federal, provincial, and municipal) to meet the needs of Aboriginal constituent groups. The latter must especially include the most vulnerable members of Aboriginal societies — children, youth, elders, women, and people with disabilities — since these constituencies are rarely sufficiently able to participate in decision making.

A central principle for the review and design process must be the recognition that entirely new approaches may be needed, since the current array of programs and services available to Aboriginal people, and the entire Canadian social safety net as well, have merely maintained rather than eliminated poverty. Accordingly, self-government is likely to require the articulation of new principles, philosophies and programs that are based upon Aboriginal cultural

values and traditions, and the material conditions that define the common and complex reality of Aboriginal peoples.

The transition to self-government must reflect a healing and reconstruction process, which will define and implement strategic responses to the internal and external conditions that have been created by historical colonialism. This process would thereby ensure a reliance upon Aboriginal values, philosophies and practices in the creation of truly sustainable self-determining societies.

This latter point, although related to the foregoing discussion, more directly addresses an additional dimension that is central to self-government. We have stressed the necessity of implementing an appropriate development strategy to respond to the existing socio-economic and political conditions that are characteristic of the majority of Aboriginal people. We have also identified the need for the design and implementation of effective social, economic and political development strategies based upon the principles of sustainability and cultural appropriateness.

These aspects attempt to bring greater clarity to one of the fundamental requirements of what may be an acceptable transition process. In this regard, it should be recognized that the principles of sustainability and cultural appropriateness, relative to self-government models, must be thoroughly discussed at all levels, including the urban community, and all levels of government including First Nation Band governments. These principles should also be considered within the larger institutional framework for social and economic policy development and planning.

Given the foregoing analysis of the fundamental issues concerning the transition to self-government, Aboriginal stakeholders have identified the need for a transition process that includes community-based vehicles for a discussion of the issues, and the design of appropriate self-government models. Based on the collective experience and knowledge gained through many decades of responding to the complex realities of the Aboriginal community, Aboriginal organizations have called for the process to include a number of strategies.

The first strategy has to do with workshops and seminars on the history of relations between Aboriginal peoples and the institutions and systems of the mainstream society, and the current issues confronting the Aboriginal community, which are modern reflections of long-standing issues relative to this relationship.

This provision would be based on the need to recognize that there is a direct relationship between the current conditions that prevail in Aboriginal communities and historic relations between the two groups. In other words, current issues cannot be addressed in a vacuum because they have arisen within the context of a particular history of a particular relationship. Rather than dealing with historical events and contemporary issues independently of each other, this

community education process would link the current Aboriginal agenda, as defined by stakeholders, to the historical development of those issues.

These workshops and seminars should be adequately resourced, and held on an ongoing basis. Participation should be open to all stakeholders, except where the education objectives warrant limitations to Aboriginal participants only, or to specific Aboriginal and non-Aboriginal stakeholders.

Priority should be placed on maximizing the participation of youth because they will inherit the legacy left by this generation of adults, and they will form the next generations of leaders.

The design and development of a communications strategy and a range of communication products — including videos, audio/visual packages, articles for the mass, Aboriginal and alternative media, fact sheets, discussion papers, popular theatre, and so forth — to facilitate achieving the goals and objectives of the community education and development process.

This action-research suggestion is based on the need for a communication strategy, and a range of information products, that reflects diverse learning styles, and the variety of ways that people access information. For example, certain constituencies, such as youth, are more likely to view a video on issues or to attend a street theatre event, rather than read a 50-page academic paper, or even a short article, for that matter. Others will not be satisfied without at least 100 pages of analysis produced by persons, or research institutions, with impeccable scholarly credentials. Similarly, experience demonstrates that only a relatively small portion of the Aboriginal community is likely to attend community meetings, workshops, or seminars.

It is anticipated that, once a person becomes engaged with an issue, through a communication format that is interesting, and acceptable to them and to their way of learning, they will be more likely to extend their exposure to such information through other mediums, such as workshops and seminars.

The degree to which important constituencies, such as youth, can be involved in the development of necessary communication strategies and products, such as video production, for example, is the degree to which the goals and objectives of the community education and development process will be facilitated.

The design, testing, and implementation of effective and culturally appropriate problem solving, conflict resolution, and strategic planning mechanisms, involving all Aboriginal and non-Aboriginal stakeholders, would also be important in the transition to self-government.

This action-research suggestion is based on the recognition of real and/or perceived conflict relative to competing development goals and objectives. Because of the deeply seated nature of such conflict, it is not realistic to assume that education or awareness training through workshops and seminars will be adequate to overcome these differences. It will be necessary, therefore, to create

mechanisms where the issues can be identified, discussed, and resolved in the interests of all stakeholders.

The stakeholders to the problem-solving/conflict resolution process have been identified as including the members of the urban Aboriginal community and the leadership of urban Aboriginal political organizations and service agencies; the on-reserve First Nations citizens and the leadership; human service delivery agencies; elected and administrative officials from all levels of government — municipal, provincial, and federal — and public institutions such as Income Security Programs, the Winnipeg Police Service and so forth; representatives of youth and adult correctional services; social justice groups; the business community; and representatives of the church.

With respect to Aboriginal citizens, the stakeholders have been identified as inclusive of all constituent groups including youth, elders, traditional spiritual leaders and helpers, women, elected officials, administrators, professionals, staff of community based agencies, students, community advocates, the business community, youth and adults incarcerated within correctional institutions, children and adult wards of the state, youth and adults resident in treatment centres people with chronic health conditions, and people with disabilities.



## THE CALGARY ABORIGINAL URBAN AFFAIRS COMMITTEE

*Doug Vivier*

I want to talk to you about our community in Calgary, what we're actually doing in terms of initiatives in self-government. The Calgary Aboriginal Urban Affairs Committee is unique. I don't know if there's any other committee across Canada that is a civic committee, an aboriginal civic committee, that reports to the mayor and council on issues and concerns of the Aboriginal community. We've been having a consultation process over the past seven or eight years in the Calgary area through workshops, seminars, conferences, and community forums.

We've come to the consensus that we absolutely must have some type of input into the decision-making processes that involve our people, such as child welfare, the justice system, health and welfare, and education. We've lobbied the mayor and in council. We've gotten Aboriginal people on the police commission and our committee has also been instrumental in creating a Native centre at the university. We've been instrumental in getting representatives in the education system too, both in the public and the Catholic school system, to develop Aboriginal curricula for the students and to present cross-cultural workshops. Our committee was instrumental in developing a Native women's shelter.

In 1978 all the chiefs in the Treaty Seven area around Calgary — Astheny, Tuscarora, the Blackfoot, the Bloods — were invited to meet with the mayor and council to discuss Aboriginal issues and concerns. In 1979 our committee was established with that in mind. Today, the Calgary Aboriginal Committee is authorized on behalf of the City Council to

1. take issue with areas of concern to people of Aboriginal ancestry to the mayor and council;
2. to make recommendations on policies and resolutions to give the urban Aboriginal people a more meaningful role in the Calgary community; and
3. to improve the social, educational, economic opportunities, and the quality of life for our people living in the city.

In the committee, we've talked about self-government, and to us it means we have to be self-sufficient, we have to determine our own destinies. We are believing more and more that educating our young people, and some of our older people as well, is laying the foundation towards self-determination. We've embarked on the educational path to self-government — that's a different, very different style than some other approaches.

Our committee is one step in the right direction in terms of self-government. Some of the things we've done go beyond the parameters of the Municipal Act. We've been in touch with the provincial government and the federal government. Originally, our committee was established with the help of Ralph Klein, now Premier Klein, a great backer, and we have three or four Aboriginal members of the Legislative Assembly right now, with Mike Cardinal being the Minister of Social Services. We have a representative from the provincial government sitting in our sessions to better network, and we also have a person from the Secretary of State's office, now known as the Department of Human Resources sitting in.

We're discussing with the Minister of Social Services, Mike Cardinal, a model of self-government where we have some Aboriginal people appointed to each and every department. We're in discussions with Mayor Al Dewar in council about having a new Aboriginal alderman, particularly for the Aboriginal community. There are about 50 Aboriginal organizations in Calgary, and we network and try to get consensus from the community by having forums. Sometimes it's tiring. You say, oh, another forum or another conference, but I think we're making headway.

I think we have to give the Calgary community a lot of credit. I think the community there realizes that we are a separate and distinct people. Something really has to be done and I believe that, we, the Calgary Committee are doing something, on the Métis level, and the urban level, and with the cooperation of the Calgary community.

## REGINA PERSPECTIVES ON ABORIGINAL SELF-GOVERNMENT

*Terry Mountjoy*<sup>2</sup>

### CONTEXT

In some senses, the City of Regina's experience can be described as both ends of a spectrum — we are neophytes and at the same time veteran campaigners. I have this sense of us being neophytes since we can't say where we are going with any degree of certainty we have few official policies, our conceptualization is weak and the issues on the public agenda have new spins. On the other hand, we have had years of interaction with a fairly large population of Aboriginal people and we have muddled through exceptionally well compared to other places in Canada and the world. In some cases, we have developed a fairly advanced system of interaction and in some cases, these interactions have been formalized.

The day-to-day work is on the cutting edge. Nowhere in the world has the issue of urban Aboriginal (in a minority number position) played itself out with any kind of fairness. Aboriginal peoples' rights is the only major human rights area which the United Nations has not been able to come up with a declaration of principles. (Compare this to what the U.N. has done with the rights of women, of children, racial discrimination, economic rights, etc.)

A point, which is so entrenched in municipal behaviour that we tend to overlook it, should be made before examining some of our special initiatives. Aboriginal people live throughout the city and although we have certain areas (primarily North Central and Core) which have a higher proportion of Aboriginal residents, we provide city services on a continuous basis to Aboriginal people throughout the city. We are committed to this service delivery and are legally obligated. All of the special initiatives which form the content of this paper are in addition to regular services such as roads, water, sewer, sidewalks, and bylaw enforcement.

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2 The Royal Commission requested the City of Regina to provide data and analysis for the Domestic Governance Research Project. Mayor Douglas R. Archer and City Manager A.R. Linner made substantial contributions to the Policy Issues section. Janice Solomon, Policy and Research Analyst did the data collection and wrote the report for submission to the Royal Commission Research project. Data was supplied by directors and staff of the City of Regina departments in March and April 1993. Typing and editing was done by Sophie Hilts. My thanks go to all of those who were part of this project.

## THEMES

There are five principles or themes which drive our current approach.

First, the City of Regina supports services for Regina people rather than political posturing. Our approach is to deal with current issues, with the people of Regina providing service, as opposed to participating in the more esoteric, philosophical or political discussion which dominates the federal and provincial scene. Our approach is service not governance. For example, our grants board rejected a \$50,000 application for research from the Federation of Saskatchewan Indian Nations (FSIN) but awarded \$20,000 for a family worker for an FSIN-sponsored feeding program.

Second, we are convinced that we must spend a substantial amount of time learning and building trust with Aboriginal leaders before we enter negotiation. There is currently little understanding of the needs or interests on either side of the table. For example, recently the Piapot Indian First Nation brought forward a proposal regarding our casino-location decision. They argued job creation, crime, and general Aboriginal development issues but could not answer any of the city's questions, about such issues as the impact on assessment, increase of tax base, and the loss of taxes, and they failed to know about our relationship with the Exhibition Association. If the situation had been reversed, the city would, no doubt, have been equally wide of the mark.

Our interest is in creating extensive dialogue before negotiation. Premature negotiation tends to create win-lose outcomes instead of the win-win outcomes we seek.

Third, the possibility of backlash by the non-Aboriginal community is at all times in the back of our minds. The potential for adverse reaction whenever one is discussing transfer of economic resources and power is very great, especially when the discussion takes place in a very public localized context.

Related to the backlash is the role of the media in this relationship. The media generally tend to report on negative issues and to sensationalize conflict. For example, a few years ago 25 Aboriginal people got together in Moose Jaw and declared themselves the political body looking after Aboriginal services/interests in that city. This event made the front page of the Regina Leader Post. Our approach is to minimize this negative press.

Fourth, the city grounds its decisions in common sense. This "on the ground" approach means that we do not try to settle all the legal, philosophical or political issues around any given item. We are committed to an incremental approach or, in some cases, a reactive approach where we get our ducks in a row and wait to respond to requests from the Aboriginal community. In Prince Albert, a residential school was converted to Indian control and designated reserve status. Over the last decade, there has never been an agreement signed between the band and the City of Prince Albert, such as is required in the Treaty

Land Entitlement in Saskatchewan. Yet the city continues to provide services and the Band continues to buy services. Our current city manager, was city manager in Prince Albert at the time. He continues to advocate this very pragmatic approach.

Fifth, we recognize that there are going to be continuous tensions with the three aspects of the relationships. Our approach is to manage through these tensions. For example, land-base approaches versus people approaches creates tension. The City tends to see itself as governing a geographic area whereas most Aboriginal groups approach the issue of governance from the point of view of governing people.

Financing tensions take place on two different levels. Taxes versus grants. The city tends to think on the basis of taxing its residents and providing services to them. The taxing concept is not strongly accepted within the Aboriginal community in Saskatchewan where government grants and entitlements from treaties are the usual basis for financing. Second, is debt reduction versus service expansion. The problem of achieving an essential resource shift to provide an economic base for Aboriginal people, when at the same time cities are experiencing a very strong pressure to reduce expenditures and refrain from tax increases, will remain a serious consideration.

Finally, the tension between services as an end versus services as a means to an end will remain. The city sees its role to provide services to people. Development of a people is the approach taken by most Aboriginal groups.

## POLICY ISSUES

In 1992, The Royal Commission on Aboriginal People picked Regina as one of the two municipalities in Canada to examine the issue of self-governance. In response to the request from the Royal Commission via Professors Dudgeon and Dore from the Saskatchewan Indian Federated College, the City of Regina identified these policy issues

### *Long-Term Agreements and Contracts*

Cities are particularly conscious of long-term (25-100 year) implications of agreements. City planning and fiscal processes, particularly related to land use and infrastructure (road, water, sewer, etc.), require political and economic commitments spanning many decades. Cities need assurances that relationships and agreements can and will fit into these time frames and there will be necessary revenue to cover obligations. This is quite different from the experience within federal or provincial governments where one year is considered a long-term commitment.

### *Bylaw Compatibility and Enforcement*

Bylaw compatibility and enforcement issues are major items of discussion between the city and Aboriginal groups. Bylaws apply to land use, building standards, yard and building maintenance standards, parking, traffic, environment, garbage and many other areas. At the municipal level, land-use (zoning) legislation and enforcement are far more significant than senior levels of government appear to understand. Of particular interest is the possibility of an urban reserve agreement based on one use (for example, a school or seniors' residence in a residential neighbourhood) which is changed several years later (e.g., to an industrial use). We are also aware that it is also an issue for Aboriginal groups.

Another example is fire services. Fire suppression standards are based on the National Building Code. Alternate building-code or fire-safety standards (or non-enforcement) have serious implications for the delivery and cost of fire services.

### *Staffing Costs and Expertise*

Cities are now required to find additional financial resources to pay staff costs associated with changes that may result from new relationships with Aboriginal peoples.

Negotiations around new relationships will result in substantial time spent by city staff to study implications and make changes to well-established systems. Developing this expertise has both cost and time implications. Most city departments do not have trained experienced staff in place. Since a significant portion of a municipality's budget is staff time, these time commitments create a resource drain on the city. At the same time, existing services (required by provincial statute) must be maintained.

### *Universal Application of Laws*

While federal and provincial legislative frameworks create and respond to many different situations and exceptions, local government has been able to operate generally on a principle of single or universal application. Hence, there is a standard assessment system, application of bylaws, delivery of services, etc. Special cases are resisted.

Special measures and special status implied by reserves or other relationships with Aboriginal self-government challenge this principle. The municipality rarely has the legislative, financial and process skills to operate on a special-measures basis.

### *City Is Place of Action*

Political and policy issues are important at all levels of government. However, the success or failure of the new relationships between society and Aboriginal

peoples play out on the streets and homes of people in towns and cities. Members of City Council are directly accountable to and for their community. While a MLA or MP can distance him/herself because s/he is one of a much larger Legislature or House of Commons, city politicians cannot. Similarly, at the administrative level there is no escaping the consequences of the new relationships. Thus, the nature of the relationships and agreements are of greater concern at the city level.

### *Multiple Delivery Systems*

Some discussions of self-government imply or demand separate delivery systems for both First Nations and Métis Nations. Two issues arise in contemplating multiple service delivery systems. The first is access. The city has legislated responsibility to deliver services for *all residents* within our geographic boundaries. Aboriginal organizations have more limited mandates and can (and do) restrict membership and/or restrict access to services to members. If services are established for Treaty Indians in an area of the city, non-Aboriginal and Métis residents will still need access to services (resulting in additional delivery systems).

In addition to the question of access to services, there is the question of costs. The additional capital and operating funds associated with a multiple service system do not appear to be available. At a time when governments are looking at ways to reduce services and coordinate activities, proposals for additional service delivery systems are out of step.

The issue of access to city facilities and services by Aboriginal people who have access to Indian or Métis services but who do not pay to support the municipal services is equally problematic.

### *Third Order of Government*

Although residents expect municipal government to respond as a third order of government, cities have no ability to do so. Thus, as senior governments off-load, residents expect local governments to respond. With limited revenue generating capability, this creates significant political and economic hardships. Cities and municipalities are not recognized in the constitution as a third order of government.

The jurisdictional issues related to double or triple taxing required to support a multi-tiered delivery system (Treaty, Métis, Non-Aboriginal) are real. From a city perspective, reducing the number of tax payers (or taxable lands, buildings or businesses) will further strain the financial crisis created by reduced grants from senior levels of government. To add additional taxes is politically risky for any politician.

### *Indian Act Barriers*

The *Indian Act* presents barriers to First Nation agreements. Most problems relate to the Act's assumption that reserves are residential. For example, development of commercial real estate is traditionally financed through bank loans and mortgages. However, the *Indian Act* does not provide for individual land or building ownership. This, in turn, does not allow a band or a band company to have assets to pledge to secure loans. Without the ability to finance economic development opportunities, the opportunity of establishing an industrial or commercial reserve is lost. One First Nation is currently deciding whether or not to request reserve status for a Treaty Land Entitlement (TLE)<sup>3</sup> claim because of the problem.

### *Senior Government Lack of Knowledge of Local Government Issues*

Discussions with provincial and federal officials demonstrate a lack of understanding by the senior levels of government of the issues, processes, and constraints of concern to municipal governments.

The assumption that with sufficient political will, new, expanded, or different services can be delivered, contradicts the legislative framework within which the city must operate. Better understanding at all levels is needed and there must be a commitment to factor the municipal context into senior government strategies and positions.

### *Need for City to Be Part of the Multi-Level Negotiations*

In the past, the failure of senior levels of governments to adequately understand or represent municipal interests prior to reaching agreements has created difficulties. The city is not at the table when significant policies are being discussed and negotiated. This has resulted in many questions regarding implementation. For example, municipal governments were not parties to the TLE negotiation. An arbitration process was part of the TLE Agreement to be used in the event that a First Nations and city failed to sign a service agreement. Usually arbitration is used by two equal partners as a dispute resolution process which does not rely on "higher authorities." Yet in this case, one of the partners (the city) has no say and cannot request arbitration while the other one (the First Nation) does. A municipal presence at the negotiating table would help avoid these types of difficulties.

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3 See Theresa Dust's presentation in Panel IV for a description of the Treaty Land Entitlement process in Saskatchewan.



### *Race-Based Statistics*

The collection of race-based statistics is problematic. The increased awareness and priority of urban Aboriginal issues demands demographic and statistical information. However, if data are collected by municipal agencies, there is the risk of being accused of racism. On the other hand, without accurate data, there is reduced ability to plan strategically. Related issues of confidentiality, validity, reliability, and problems associated with self-declaration also remain outstanding.

### *"Cherry Picking"*

The city has had a request to purchase some city services without paying the administrative and legislative overhead costs associated with the delivery of these services.

Municipal taxation, utility revenue and grants are the only tools available to the local government to pay for services — many of which are required by law. Taxes are based on overall costs and established using the property tax assessment process. The same mill rate applies to all taxpayers. For federal and provincial land and buildings, a grant in lieu of taxes (but equal to taxes) is paid. In cases of private development on federally and provincially owned land, the city taxes buildings and business activities. If lands and/or buildings are taken from the tax pool, then a shortfall will occur. The city needs to be able to maintain the revenue from land, buildings, and businesses.

### *Compensation*

Cities, have a limited revenue base and must be compensated for their services, goods and lands and buildings, including tax loss.

Two principles of the TLE Agreement are fair compensation for services, land, and buildings, and willing buyers and sellers. The city would expect similar conditions for other negotiations involving Aboriginal peoples.

The city foresees that there will be insufficient funding available to meet the expectations created by TLE and other political developments. The city has already been asked to "donate" buildings and services to a Tribal Council, which does not have funding to provide services in the city for their band members. This type of request is far beyond our capability.

### *Who Represents Whom?*

Several different groups claim to represent Aboriginal peoples in the city. In some cases, there is reasonable consensus about this representation. In others, there is substantial disagreement among Aboriginal residents. While the city recognizes the diversity in the Aboriginal communities (with the corresponding different and sometimes changing values, philosophies, and political positions), this ambiguity makes it difficult to achieve sufficient stability to enter into long-term agreements and relationships.

### *Non-Affiliated Aboriginal Service Organizations*

Given the provincial protocol agreements with the Métis Nation of Saskatchewan and Federation of Saskatchewan Indian Nations, the future and role of Aboriginal groups not directly affiliated with the Métis Nation of Saskatchewan or the Federation of Saskatchewan Indian Nations remains in question.

For years, these local, non-affiliated groups have delivered many services to a larger number of Aboriginal people in the city during times when First Nations have not responded to off-reserve needs. As the political environment changes, it is important that these services not be disrupted.

These groups also "represent" a number of Aboriginal residents of the city who support culturally appropriate but integrated services. This Aboriginal constituency currently lacks a voice at the main national and provincial negotiating tables.

### FUTURE DIRECTIONS

Finally, we turn to the five principles or themes listed in the beginning and list some of the specific strategies which we have upcoming in the next few months.

- We will continue to support services and judge funding applications and requests on the basis of the kind of services Regina residents will receive.
- To overcome some of the lack of understanding and personal knowledge, we are organizing interactions including golf, visits to reserves, etc., to try to establish a personal and a general understanding of each other. We wish to do that before we get into serious negotiation with a particular band and/or group.
- We are in the process of preparing a draft to manage the backlash in the community. This is a cooperative venture between the city, Aboriginal groups, the journalism program of the Indian Federated College, the journalism program from the University of Regina, the local media, the Chamber of Commerce, and other key groups in Regina. With the involvement of the media in this process, we hope to tone down the sensationalism and get a more balanced approach to the issues.
- We will continue our common-sense and our ground-level process.
- We are beginning to engage in informal discussions regarding governance of geography vs. people, the financial tensions, and finding ways to reconcile services as a means to an end or an end in themselves.

The City of Regina does not consider that the job is complete. In 1982, our Task Force on Indian and Métis Affairs identified a series of problems which exist in our city and made recommendations. Although we are very proud of the implementation of those recommendations, in no way do we believe that the job is completed. We look forward to reporting further developments over the next decade.

## DIGEST OF THE DISCUSSION

The discussion following the panel presentations began with a focus on the development of urban Aboriginal organizations. One participant pointed out that urban groups have been "sneaking up" on self-governments despite having little faith in, or patience for, the constitutionally focused national organizations. According to this participant, national organizations are ill-equipped for, or not interested in, dealing with the problems of urban Aboriginal people.

There have been many exciting developments in institution building among Aboriginal people in urban centres in the past decade. Some of these, like the United Native Nations in Vancouver, have been expressly political rather than service delivery organizations. These organizations are obviously responding to a perceived need for political representation among urban Aboriginal residents.

At the same time, participants expressed scepticism about how ready urban Aboriginal organizations were for self-government. Friendship Centres, said one participant, are not interested in being governments, but are concerned about setting guidelines for accountability, financial self-sufficiency, and community development so that urban Aboriginal people do not get ahead of themselves in the drive to self-government and set themselves up for failure.

One participant asked the panel about the coordination and/or integration at the level of Friendship Centres (for example) with those of other levels of Aboriginal organization and was told that there was less enthusiasm for such cooperation as you go up the ladder to the national organizations. According to at least some of the participants, however, there does seem to be an obvious need to coordinate at the local level to prevent a waste of resources. Another reason for coordination is that an urban Aboriginal agency with a long history of service to the urban Aboriginal population could have its programs undercut if a band or tribal council began to insist on jurisdiction over, and financing for, their members living in the city. Participants noted that in Ontario, the chiefs have incorporated Friendship Centres into their plans. They recommended that urban organizations should be included in negotiations concerning self-government.

The focus of current initiatives on the very needy — the poor, the homeless, the alcoholic, those in trouble with the law — was questioned. What about those Aboriginal people living in cities who are not on social assistance? How can programs and services be made relevant to the Aboriginal middle class, small as it may be, who have also suffered cultural dislocation? In addressing this question, the panelists noted that non-needy people currently represent an important volunteer base in existing organizations. They admitted that existing programs are mainly directed to the needy, but that the broader population will

increasingly be the focus. Cultural programs, especially, represent a focus that is important to all segments of the urban Aboriginal population.

In this context, a conference participant drew attention to the existence of a developing urban Aboriginal culture and this led to a discussion of Aboriginal identity and of the danger of incremental change without a vision of the future. This might, it was felt, lead to a replication of existing problems in future self-governing communities. One participant pointed out that issues of culture and identity are key to discussions of urban self-government. Aboriginal people want to protect and enhance their culture in urban areas, and this must be reflected in self-government arrangements. The challenge is that urban Aboriginal governments need to have an interface with non-Aboriginal governments, and this could affect their structure and activities.

# Panel III

## What Could Urban Self-Government Look Like?

### SOME APPROACHES TO URBAN ABORIGINAL GOVERNANCE

*Donavon Young*

Urban self-government for Aboriginal peoples is a priority policy issue for the Royal Commission on Aboriginal Peoples. For the past two years the Urban Perspectives Team has been researching approaches to urban self-government and gathering relevant information through the public hearings, the Intervenor Participation Program, and through our own research program.

We received many useful and insightful briefs related to urban governance from organizations such as the Federation of Canadian Municipalities (FCM), the Native Council of Canada (NCC — now the Congress of Aboriginal Peoples), the Métis National Council (MNC), the Federation of Saskatchewan Indian Nations (FSIN), the Assembly of Manitoba Chiefs (AMC), and the National Association of Friendship Centres (NAFC), to name a few. In terms of our own research initiatives, we commissioned two studies which examined the barriers to and successes of Aboriginal institutional development in Regina and Toronto and undertook case studies of the Aboriginal Council of Winnipeg (ACW), the Urban Representative Body of Aboriginal Nations (URBAN) in Vancouver, and the New Brunswick Aboriginal Peoples' Council. An urban governance working group, made up of city managers from Winnipeg, Metro Toronto and Fredericton, and Aboriginal community researchers and senior policy advisors, was created to examine realistic approaches to urban self-government. The research and information base at the commission related to self-government in an urban context is becoming quite substantial.

At the commission we are in the process of documenting and assessing the various approaches to urban governance and discussing these with commissioners. What follows, therefore, is a description of some of these approaches — clearly, there are others. At this point we are not recommending any particular

approach to establishing self-government in urban centres. We are trying not to be prescriptive as local circumstances and conditions will play a key part in shaping self-government initiatives.

#### URBAN ABORIGINAL GOVERNANCE: DEFINITION AND PROPOSITIONS

Governance should include the development of institutions and structures associated with meeting the collective need of urban Aboriginal residents. Viewing urban governance from this perspective means that some law-making capacity should be included in the governance structures, as well as policy-development and service-delivery capacities. The emphasis should be on removing barriers to realizing positive and healthy possibilities for Aboriginal people living in cities. A key goal is to make urban environments places where Aboriginal people can experience a satisfactory quality of life in their dealings with the non-Aboriginal community and in the affirmation of Aboriginal cultures, identities, and rights.

Within the Urban Perspectives Team, we are proceeding on the basis that the inherent right of self-government applies to the urban context, and that it is recognized and affirmed by Section 35(1) of the *Constitution Act*. The right of self-government is closely linked to the right to preserve and enhance Aboriginal cultures and identities in urban areas. Indeed, this is the basis of urban governance. It is likely however that certain conditions might have to be met before self-government could be implemented in urban areas, the most obvious ones being

- a collective or community of Aboriginal residents;
- an adequate number of Aboriginal residents;
- a sense of social cohesiveness binding the community together; and
- a commonality of interests underlying a community initiative.

#### URBAN DEMOGRAPHICS

The past three decades have seen a significant portion of the national Aboriginal population migrate to urban centres in search of employment and education opportunities and better living conditions. This migration to Canadian cities by Aboriginal peoples has resulted in a situation whereby the majority now reside in urban centres. There is little or no evidence to suggest that this migration trend will reverse itself in the foreseeable future.

It is important to consider the following points in the context of urban self-government:

- According to census data, 55 percent of Canada's Aboriginal population resided in urban centres in 1986.

- According to the 1991 Aboriginal Peoples Survey, 70 percent of all Aboriginal peoples live off-reserve, and at least 50 percent live in urban centres.<sup>1</sup>
- Based on the 1991 Census, more than one-half of the urban Aboriginal population live in large metropolitan centres (i.e., over 100,000 population).
- From 1981 to 1991, Saskatoon had a 123 percent increase in its Aboriginal population, Edmonton had a 114 percent increase, Winnipeg 112 percent, Regina 68 percent, and Vancouver had a 56 percent increase.
- According to the 1991 Census, the cities with the highest percentage of Aboriginal people as a function of the overall population are Winnipeg (7.0 percent), Saskatoon (6.8 percent), Regina (6.7 percent), Thunder Bay (5.7 percent), and Edmonton (5.1 percent).
- Fifty-eight percent of the Aboriginal population are under the age of 25 years compared to only 35 percent for the non-Aboriginal population
- The population growth rate for the total Aboriginal population is roughly double that of the non-Aboriginal population: 2 percent per annum compared to 1 percent.

#### URBAN CONTEXTS

There are several different urban contexts in which governance structures might be established and the nature and composition of such structures would greatly depend on the context in which the governance initiative is located. There are at least three contexts to consider:

- large metropolitan centres with heterogeneous Aboriginal populations (e.g., Greater Toronto, National Capital Region, Montreal),
- large metropolitan centres with concentrated clusters of Aboriginal people (e.g., Winnipeg, Regina, Saskatoon, Edmonton), and
- smaller urban centres with essentially culturally homogenous populations (e.g., Sioux Lookout, North Battleford, Lethbridge).

The form and content of local self-government initiatives would vary considerably with the size and composition of the various urban contexts.

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1 The 50 percent living in urban areas does not include reserves in urban areas. Including urban reserves in the calculation would certainly push the proportion over 50 percent.

## APPROACHES TO URBAN GOVERNANCE

We will now consider five approaches to urban governance. Some of these approaches are linked directly to the need for a land base. Others would not require a land base to be implemented.<sup>2</sup>

*Urban Reserves*

The concept of a reserve system of government is familiar to most Canadians because of its obvious role in federal Indian policy during the past 120 years. There are a number of urban reserves, or reserves adjacent to urban municipalities, already in existence in Canada — Musqueam in Vancouver, St. Mary's in Fredericton, Peter Ballantyne in Prince Albert, Muskeg Lake in Saskatoon and Kahnawake near Montreal, to name a few.

Urban reserves are a plausible option to explore since some First Nations, especially in Saskatchewan as a result of Treaty Land Entitlement, are actively pursuing this option in terms of economic and political development. As well, the Native Council of Canada (now the Congress of Aboriginal Peoples) proposed urban reserves as a realistic approach to urban governance in its brief to the commission. This approach might involve the creation of new urban reserves by band or tribal councils, or it might involve extending jurisdictions of existing reserves into cities.

The essential aspect of reserve government in urban areas is that, within its sphere of responsibilities, it will exercise exclusive jurisdiction over a specified land base. It will also exercise significant jurisdiction over the people who occupy that land base, including non-Aboriginal people.

Reserve governments would assume responsibility for the development and delivery of a wide range of government services related to property and people on the reserve. Likely service delivery areas include education, housing, economic development, recreation, community health, and child and family services.

The *Indian Act*, reformed or otherwise, or another piece of federal enabling legislation is necessary to make this approach work.

Many people are quite familiar with the "Sechelt approach" to self-government which is closely related to the urban-reserve approach. Sechelt self-government resembles a conventional local government with enhanced jurisdictional powers in social services, health-care, education and the administration of band lands. Indeed, the motivating factor to establishing this form of governance by the Sechelt people was to have control over band lands.

The establishment of the Sechelt form of self-government was made possible through both federal and provincial enabling legislation, namely the *Sechelt*

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2 I would like to acknowledge the work of Katherine Graham who has assisted the commission tremendously in developing approaches to urban self-government.



*Indian Band Self-Government Act* (Canada) and the *Sechelt Indian Government District Enabling Act* (British Columbia). Also passed by the B.C. Legislature were two ancillary pieces of legislation — the *Land Title Amendment Act* and the *Sechelt Indian Government Home Owner Grant Act*. With the passing of the federal legislation, the affairs of the Sechelt Band are no longer determined by the *Indian Act*.

An important component of the Sechelt model is that it includes a district or regional tier of government that is responsible for the delivery of certain services. Table 1 summarizes the division of legislative powers between the band council and the district council.

TABLE 1: The Division of Legislative Powers between the Sechelt Indian Band Council and the Sechelt Indian Government District Council

Legislative Power	Exercised by	
	Band Council	District Council
1. Access to and residence on Sechelt lands		
2. Zoning and land use	x	
3. Expropriation of lands for community purposes	x	x
4. Building regulation		x
5. Assessment and taxation		x
6. Administration of band lands	x	
7. Education	x	
8. Social and welfare service	x	
9. Health	x	
10. Natural resources of preservation and management	x	
11. Fish and wildlife management	x	
12. Public order and safety		x
13. Road construction, maintenance and regulation		x
14. Regulation of business		x
15. Liquor regulation		
16. Imposition of fines		x
17. Devolution of band lands	x	
18. Financial administration	x	
19. Conduct of band elections/referenda	x	
20. Creation of administrative bodies	x	
21. Matters related to good government	x	x
22. Power to adopt any law of the Province of B.C. as its law	x	x
23. Power to exercise any power assigned to it by the province	x	x

Note: Includes powers exercisable and potentially exercisable.

Source: John P. Taylor and Gary Paget, "Federal/Provincial Responsibility and the Sechelt" in *Aboriginal Peoples and Government Responsibility*, David Hawkes, ed. (Ottawa: Carleton University, 1989), p. 328-30.

In terms of fiscal relations, the Sechelt Band and federal government have negotiated a five-year agreement whereby annual payments are made to the band through DIAND. The monies are allocated to six categories of expenditure: administration, local government infrastructure, social assistance, health, education and economic development. The band augments these funds from its own source revenues.

On the provincial side, the Sechelt have an unprecedented fiscal relationship with the government. The provincial government provides the Sechelt with revenue sharing grants, conditional and unconditional, and with property tax reduction grants. In return, the band has agreed to subject both band members and non-Indian occupiers of band lands to property, school and hospital tax levies. Under this fiscal arrangement the Sechelt Band is treated no differently than any other municipality in British Columbia.

The Sechelt approach to Aboriginal governance is favoured by the Federation of Canadian Municipalities (FCM) and the Canadian Association of Municipal Administrators (CAMA).

#### *Host Nation/Community*

A second approach to urban governance is referred to as the "Host Nation" approach. This approach is rooted in the existence and importance of Aboriginal traditional territory, rather than in urban reserves.

We found during our research and in the written submissions to the commission that land is fundamental to many urban Aboriginal residents, especially their own traditional lands. A key element of one's cultural identity is the spiritual and cultural connection to one's ancestral lands. For this reason, any concept of urban governance must recognize the supremacy and authority of the host First Nation and its traditional lands before it has any merit or validity. That is, the starting point or foundation for urban governance would rest with the host First Nation including the urban lands which form a part of the traditional lands. Since most, if not all, Canadian cities and towns are located on some First Nations' traditional lands, the potential exists for an urban government to be connected with these lands.

As an example, the National Capital Region is located on traditional Algonquin lands. Urban governance initiatives and arrangements could be vested with the Algonquin Nation. Under this approach the host First Nation could take the lead role in urban governance related to such matters as intergovernmental relations, health, education, social services, housing, culture and so forth. The host First Nation could assume primary responsibility for initiating self-government arrangements in a particular city including negotiating reciprocal agreements with other First Nation and Aboriginal governments for service and program delivery. Reciprocal agreements would seek to ensure that all urban

Aboriginal people have the opportunity of receiving services from an Aboriginal government regardless of their nation of origin.

Another possibility would be to have "citizenship accords" whereby citizens of other Aboriginal governments could become citizens of the host First Nation government for purposes of receiving services after having met some basic residency requirements, perhaps. This concept of "multiple citizenship" would help to alleviate situations whereby there are several (perhaps dozens) First Nations and Aboriginal communities represented in some large cities.

The strength of this approach lies in its recognition of the legitimacy of host First Nations over their traditional territories. A problem to overcome, perhaps, is that some cities may be located on more than one traditional territory. We need to recognize that there may be more than one host First Nation to avoid possible "turf wars."

### *Urban Institutional Development*

Urban service institutions, either directly connected to a larger Aboriginal government or autonomous in their affairs, is a third approach to urban governance. This approach has considerable merit because it builds on the strengths and experiences of existing Aboriginal institutions operating in Canada. There are many such Aboriginal institutions located in urban centres across the country including the Gabriel Dumont Institute of Native Studies and Applied Research in Regina and the Saskatchewan Indian Federated College also in Regina, the Saskatchewan Indian Institute of Technologies in Saskatoon, the Ma Mawi Wi Chi Itata Centre in Winnipeg, and Métis Child and Family Services in Edmonton.

Urban institutions could be quite focused and specialized in their approach dealing in education (including post-secondary), housing, health-care, child and family services, training, culture, and so forth. Or they could adopt more of a generalist approach and combine some services such as education, training, and employment; culture, education and research; or child and family services; and health-care.

These institutions could be truly autonomous and have no connection with a larger Aboriginal political organization or government. Under this approach the impetus to establish the institutions originates with an urban collective(s) and not with an Aboriginal government. The focus is on providing culturally appropriate services to urban residents. It is likely that with this approach the service institutions would be pan-Aboriginal serving all Aboriginal people without regard to legal status.

On the other hand, urban institutions could be created by Aboriginal governments specifically for the purpose of serving its citizens. With this approach there would be a direct political relationship between the Aboriginal government and the urban institutions themselves. "Métis only" or "Treaty only"

institutions would likely result from such a relationship. The Métis National Council (MNC) and several treaty organizations favour this approach to urban governance.

In order for urban institutions to be more self-governing several things would have to change. First, they would have to be more accountable to the Aboriginal community and the people they serve. Currently, Aboriginal institutions are more accountable to funding agencies and accountability regimes involving the Aboriginal community are less developed. Second, institutions require stable and secure funding arrangements if they are to provide permanent services to urban residents. Typical funding arrangements today are fragmented and usually on a year-to-year basis which makes it impossible to build an institutional capacity. Third, federal and/or provincial enabling legislation is required to accord institutions the appropriate powers and authorities within their particular spheres of responsibility. Existing institutions usually are covered by provincial non-profit societies legislation which tend to be quite limited and restrictive in scope.

#### *Urban Governments with Delegated Authority*

The fourth approach to urban governance involves First Nation, Métis or Inuit governments delegating authority to institutions, councils or structures in urban centres to "look after" their citizens. These institutions, councils or structures may be service-oriented or they may be more political in their mandate, advocating on behalf of urban resident's concerns. This approach is commonly referred to as the "extraterritorial" approach.

Under this approach Aboriginal governments assert or extend their jurisdiction into a particular urban centre to serve or represent their citizens living in that centre. Land-based Aboriginal governments would take full responsibility for the provision of services, or for representing the collective interests of its urban citizenry, through the appropriate structures which, would receive their authority from these governments.

Presumably these institutions and representative structures would be created to serve urban residents funded by transfers from the home Aboriginal government, rather than funded through federal or provincial treasuries. The key point is that the land-based home government would take the initiative to establish urban self-governing measures on behalf of its citizens. The impetus is from the home government.

The Siksika First Nation near Calgary advocates this approach and has signed a protocol agreement with the Siksika Urban Association of Calgary affirming the inclusion of all Siksika people in the Siksika Nation, regardless of residence. The protocol agreement expresses that the chief and council desire to assist members off-reserve with matters related to treaty rights and service delivery.

The Inuit of Baffin Island and Quebec have taken similar measures in Montreal. They have established Inuit House to meet the cultural and some daily needs of Inuit people who go to that city. It seems to be working quite well and has the general support of the Inuit community in Montreal.

There are a number of issues to address with the extraterritorial approach. The first relates to how urban residents will exercise influence over the operation and direction of the home government including how to participate in the democratic and/or decision-making process. The second issue relates to how urban residents can ensure that the actions and policies of the home government within a particular city are geared to the well-being of the urban collective. As an example, the home government might decide (or wish) to develop a gaming centre in a particular city to generate revenues, but the urban collective might desire to have a cultural institute in the city instead. Clearly, urban residents cannot be at the "mercy" of the home government in terms of policy initiatives.

#### *Provincially Based Approaches*

The fifth approach to urban governance is a variation of the extraterritorial approach just discussed. It involves provincially based Aboriginal political organizations and governments assuming the responsibility and jurisdiction for urban service delivery. Provincial bodies and structures would establish urban service agencies and institutions or otherwise delegate responsibility for the provision of programs and services to urban residents. This approach has considerable support from some of the Aboriginal political organizations — the Métis National Council and its provincial affiliates, the New Brunswick Aboriginal Peoples Council, the Assembly of Manitoba Chiefs and the Federation of Saskatchewan Indian Nations, to name a few.

The MNC and its affiliates view urban governing structures as "creatures" of provincial Métis legislatures. For the Métis Nation there would be no urban governance regime per se, only provincial governments which would mandate urban institutions to serve the needs of its urban citizens. An important point to make is that the provincial Métis legislatures would have strong representation from the urban centres as Métis locals would elect representatives to the provincial assembly.

The Federation of Saskatchewan Indian Nations (FSIN) proposes to establish an Off-Reserve Treaty and Indian initiative by creating Urban Treaty Administrative Centres first in Regina and Saskatoon and later in other urban centres to coordinate and implement urban political initiatives. These Treaty Administrative Centres would be arms of the FSIN and would assume responsibility for political representation within the FSIN, treaty rights and programs, communications and civic participation, and intergovernmental relations. This particular initiative by the FSIN is clearly designed to facilitate advocacy.

The New Brunswick Aboriginal Peoples Council suggests that urban governance be vested with the council. It would adopt either regional or local approaches to service delivery for those living in cities and towns throughout New Brunswick. An important component of this approach is that the First Nations of New Brunswick, that is, the Mic Mac and Maliseet Nations, would have considerable influence over the creation of urban governance arrangements. In essence, the council would need to receive formal recognition from the Mic Mac and Maliseet Nations as a bona fide off-reserve and urban governance structure.

#### CONCLUDING REMARKS

Until very recently, approaches to and models of Aboriginal self-government have largely been restricted to a land base. With over 50 percent of the Aboriginal population now living in urban centres, the discussion and policy analysis must be broadened to be inclusive of all Aboriginal peoples. And clearly, there is an abundance of knowledge and experience, Aboriginal and non-Aboriginal, to facilitate and strengthen this process.

In this paper, five approaches to urban self-government have been briefly described. All approaches have some merit; no one approach should be seen as the best approach. To a large extent, urban governance arrangements will depend on local economic, political and cultural conditions; intergovernmental relations between non-Aboriginal and Aboriginal governments will be key in shaping the form and nature of urban governance arrangements.

Significant issues which must yet be addressed within the context of urban governance are intergovernmental relations, including those with municipal governments, Aboriginal and non-Aboriginal relations (public education), inter-Aboriginal relationships, especially those between urban collectives and land-based regimes, and the financing of urban self-government.

## URBAN FIRST PEOPLES AND SELF-DETERMINATION

*Carol Ann Knockwood*

I'm going to discuss the study I was involved with last summer, called: *The First Peoples Urban Circle: Choices for Self-Determination*. The study was conducted by the Native Council of Canada (now the Congress of Aboriginal Peoples). First, I will give an overview of the study. Second, I will briefly review the results with regard to support for urban self-government and different models for self-government. Finally, I will discuss the site I'm most familiar with, which is the Halifax site.

The urban self-government study was the first of its kind. It was developed by Aboriginal people for Aboriginal people. It surveyed attitudes to urban self-government, and it also did a needs assessment on service availability within the different cities. There were six sites from coast to coast: Vancouver, Saskatoon, Winnipeg, Thunder Bay, Montreal, and Halifax. The survey asked people about four models of self-government:

1. an urban reserve with complete separation from urban or provincial government, and a direct tie to the federal government;
2. several or many autonomous Aboriginal service agencies with no common governing body (the status quo model);
3. a city-wide Native Aboriginal body which would set rules for Aboriginal services like education, health, housing, and policing; and
4. a community or neighbourhood in which Aboriginal people formed the majority and run their own schools, housing programs, health, and policing.

Overall, the urban reserve received the least support from the people we interviewed. Only 11 percent indicated that they preferred this model. Fourteen percent supported autonomous Aboriginal service agencies; 31 percent supported a city-wide Aboriginal body governing Aboriginal services; and 34 supported an Aboriginal neighbourhood.

To go from coast to coast — in Vancouver, 95 percent of the people interviewed supported urban self-government. The favourite models were the neighbourhood model at 44 percent and the city-wide governing model at 30 percent. In Saskatoon, 84 percent supported self-government. The city-wide government model was the favourite at 31 percent, and the neighbourhood and urban reserve were actually tied at 24 percent. Ninety percent of Winnipeg people interviewed supported self-government, and the neighbourhood one was the favourite at 34 percent. The city-wide model was next at 33 percent. The Thunder Bay circle favoured urban self-government at 87 percent, and the preferred model was the neighbourhood at 30 percent. In Montreal, self-

government had the support of 95 percent. There was only a 10 percent range between three different models: the urban model was 29 percent, neighbourhood 25 percent, and the status quo 19 percent. In Halifax 86 percent supported self-government. The preferred model was the city-wide model at 41 percent and the neighbourhood model was 33 percent. When you look at all the numbers, each region is going to have to have their own type of urban self-government because each region has their own specific problems, although there are certain common themes throughout.

Going on to the Halifax site, although there was a lot of support for urban self-government, there was a lot of suspicion too because a lot of the respondents thought that there might be the same type of band control that they were experiencing already. There are some surprises but there were some affirmations of some of the problems that we'd already suspected in the Halifax area. The Aboriginal population in Halifax was very difficult to find. It was almost like they were hidden, but we managed to find them anyway; they couldn't hide from us. One issue which was reaffirmed was the fact that Aboriginal people in the city had an income level much lower than the average income of non-Aboriginal people. Fewer than 5 percent earned more than \$50,000 per year. Overall, 66 percent of the respondents made less than \$20,000 per year. When the survey was conducted the Canadian unemployment rate was 11.4 percent and, of those surveyed, 24 percent were unemployed, so that's double the amount of unemployment among Aboriginal people. This is one of the common factors which was seen throughout the survey — that the unemployment rate in most cases was double the national rate.

In Halifax, culturally appropriate services were almost non-existent and those that were available were found in the nearby Friendship Centre. A lot of people didn't feel comfortable using general services that were not specifically adapted to their needs. They felt very uncomfortable about going into an agency that didn't have an Aboriginal person or an Aboriginal presence, so they just wouldn't use them. One of the questions that was asked with regard to services was whether you or a member of your family have used a certain service such as housing, health, or whatever. It surprised me in a way, but it's not really surprising when you stop and think about it, that people didn't actually think about family in the nuclear family sense, they thought of the extended family. So when you asked about a service they would say well I think my grandmother in Cape Breton used a health service in the past year, or whenever.

There were actually three surveys: the Aboriginal population, the service providers, and the political stakeholders. The political stakeholders were both Aboriginal and non-Aboriginal. We utilized Native Councils and Friendship Centres, the mayors, the premiers, whoever would answer our questions. Many times they asked not to be identified so we held their answers in confidence and did not identify who they were and what their comments were. A lot of times



they were very suspicious. One of the things about doing the interviews was that we had to do a verbatim account. When you're sitting and interviewing someone, writing is very difficult, so you tend to use a microphone, a tape recorder. You can imagine going into some politician's office bringing in a tape recorder, and say: "We would like to tape you, but if you don't want your name used then we're not going to use it." But a lot of people were actually very supportive.

One of the big issues that came forward when we talked to the municipal people was when the subject of an urban reserve came up, they got very defensive. They thought we were going to split the city up, and they never thought of the use of services. It was quite interesting to see that.

Aboriginal people talked about divisions in terms of status/non-status, Bill C-31, and so on. A lot of that stemmed from the *Indian Act*. Many people if they went to social services they would be told that they should go back to their band and their status. They'd go to the band, the band would say sorry we can't help you, you don't live on the reserve. So they were stuck in a sort of limbo.

Accountability was another factor. They felt there was no accountability to them. If they were status, the money was being received for them through the band, but they weren't seeing any of it themselves, and they felt that the band had no accountability to them.

One of the things the people were talking about is the fact that we need to get back to our culture, and our culture is our healing that keeps us going. We need a strong cultural identity. One of the factors that can do this, especially in the Maritimes, is the Micmac language. It is beginning to come back but it's been, I would say lost, it's been sleeping for a long time. One of the factors that caused this to happen was the residential schools. A lot of Micmac people throughout the Halifax area and throughout the Maritimes were greatly affected by this. When it comes to healing, there needs to be culturally appropriate services available to the people in order to heal themselves. People we interviewed said they don't want other people to be responsible, they'd rather do it themselves, and they can support other people.

In conclusion, the study indicates that there's a strong support for urban self-government. Also, self-government has to be region specific — it can't be one huge base that's going to be used throughout the country because there are too many Nations to deal with. Finally, there needs to be a strong cultural identity and that needs to be fostered amongst the people themselves.

## URBAN SELF-GOVERNMENT AND THE ONTARIO MÉTIS NATION

*Tony Belcourt*

Many Métis people like me, with respect to the discussion on self-government, have to make some conscious decisions as individuals because there is a great deal at stake. I have to ask, as an individual, "Am I going to give a government for the Métis nation some power over me?" That's pretty scary unless I have some confidence as to what that government is going to be all about.

We in the Métis nation are going through a great deal of soul searching and a lot of reorientation. Until now, our foremost objective was to get recognition that we are Aboriginal people and that we have rights. The debate in the last decade has moved to the single question of self-government. We're going to have to start making some decisions about self-government fairly soon if this is going to have any meaning for us. In the Métis nation, we have come to conclude that we're not talking about self-government in regard to geography. We're talking about self-government as it applies to people. We are a people and we use international standards about Nations for defining peoples, self-identification, and community acceptance.

People are asking "Who is the Métis nation?" I don't think anybody asked Riel whether he was a Métis, the leader of the Métis. The Métis in Canada are an historic fact. In Ontario there were 106 Métis settlements in fur trade posts in the province at one time. We took the 1991 census to see where people were reporting Métis ancestry lived in the province. There were 318 of the 500 census subdivisions where Métis were reported in the Province of Ontario. Most of these are in the cities. Our people at one time used to live on the land. But it's the way of the Métis to take care of themselves. Without land base, with a constant erosion of our rights, with legislation, people have had to go where they can survive, and so they go to places where they can get jobs and that has been in the cities. That's where the Métis people, by and large, live, with the exception of some Métis settlements in Alberta and in northern parts of provinces. The question of how self-government would apply is probably more acutely an issue concerning the Métis than any other people.

We are starting by defining our own people, by establishing registry committees in the communities. We're establishing an appeals process. There might be some people who get registered and others might challenge that, and there are people who might be turned down and they need a second hearing. It's going to be a challenge for us to complete the registry, but I'm pretty confident that we're going to be able to do it in a couple of years.

In Manitoba, Saskatchewan, and Alberta where our organizations have been strong over the years, we have voter lists with 15,000 to 20,000 names. We're

not talking about not knowing where our people are or who our people are, but we do have to establish a common registry. Our experience is that people are coming forward to us in family packages. People are saying "send me 30 to 40 registry forms. I need that many because that's how many are in our family and I want to make sure everybody gets registered." This to us is a first step in self-government. We have to know who our people are.

We also have to talk about what our vision is for our government. Organizations might serve an immediate purpose, might serve for five years, might serve somebody's self-interest. When we talk about vision we're talking about establishing the nation that will serve for eternity.

In our communities now the debate is about our values. If we are solid on what our values are, then we can start putting structures around that. We're not at the stage in the Métis nation of Ontario to say this is what our self-government structure will look like.

The primary issues for us are certainly addressing the whole question of rights. It is here we are saying that as Aboriginal peoples, we have Aboriginal rights. An important issue for us is to get governments to talk about how we can have cooperative management of resources. Our people are living in cities, but they're going to be involved in these kinds of discussions. As custodians of the land, our first concern is conservation. Our first concern is preservation of the environment.

To us it seems logical that we should have two levels of jurisdiction; one would be national, but another, the biggest area of self-government jurisdiction for us, would probably be provincial, and establishing a provincial legislative body. Where we're heading is to see that laws are established concerning our people no matter where they are living. I'm happy to see the interest by the municipalities and others in working together to create a greater understanding. We have to do that among ourselves as Aboriginal people, but we also have to do that among Canadians-at-large.

## TREATY FIRST NATIONS PERSPECTIVE ON SELF-GOVERNMENT FOR ABORIGINAL PEOPLES IN URBAN AREAS

*Delia Opekokew*<sup>3</sup>

Treaty First Nations retained jurisdiction over their citizens residing on or off the reserve by virtue of the Treaty agreements that were made. First Nations seek to ensure the continued viability of Indian self-government. The history of First Nations' self-government forms the basis for the exercise of modern powers. This present right of First Nations to govern their citizens and territories flows from the pre-existing sovereignty of the First Nations. By exercising their powers they preempt competing non-Indian governments from taking away their powers over their territories and citizens. This is the first defence against the assimilation of the Indian Nations' citizens and governments. For the protection of all Indian people, it is necessary for First Nations to jealously guard their inherent and sovereign powers.

### SELF-GOVERNMENT

The inherent rights which Aboriginal peoples hold sacred flow from their original ownership of the North American continent. The Europeans had to live by natural rights as recognized by the law of nations and respect of the governments of the First Nations, in their use of the land, and conduct of trade. The fact that the First Nations had ownership of their lands, and exercised self-government over their peoples and territories, is the foundation of inherent rights. First Nations had to voluntarily consent to make arrangements with the imperial powers, through treaties, in order for Europeans to obtain lands validly under international law. In this principle, First Nations and other nations must be treated alike. Consent through treaties involves three principles and assumptions:

- that both parties to treaties were sovereign powers;
- that First Nations had title and some form of transferable title to the land; and
- that acquisition of First Nations' lands was solely a governmental matter, not to be left to individuals.

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3 Editor's Note: A representative of Treaty First Nations was unable to make a presentation at the conference. We are grateful to the author for providing these remarks for publication. Ms. Opekokew is a lawyer practising in Toronto.

These tenets were adhered to in the earliest dealings between Europeans and First Nations. The recognition of the First Nations' inherent rights and the principle of seeking First Nations' consent was recognized and embodied in the *Royal Proclamation of 1763*. These treaties are now the supreme law in Canada under the provisions of the *Constitution Act, 1982*. The highest and best indication of the equality of First Nations is their right to self-government, the regulation by themselves of their own domestic affairs, and the maintenance of order and peace among their own members by the administration of their own laws and customs.

The inherent right to self-government includes the powers of the First Nations to govern themselves and their citizens both on and off-reserve. First Nations have the authority and capacity to determine how they will collectively, on and off reserve, structure their governments. Once First Nations have determined how they wish to structure their governments federal and provincial governments will need to develop complementary or concurrent legislation to facilitate intergovernmental relations.

Federal or provincial authorities cannot create First Nations governments. Neither should they seek to "delegate" their authorities to First Nations governments. Federal and provincial governments must recognize the inherent rights and powers of First Nations to govern themselves and support that principle. The self-governing rights of First Nations are not "contingent" rights flowing from Section 35 of the *Constitution Act of 1982*, they are inherent rights flowing from their occupation of the land since time immemorial.

Under treaties First Nations "reserved" their jurisdiction over their citizens whether residing on or off the reserve. Matters related to the exercise of self-government, treaty rights, treaty benefits, land and resource rights, taxation, as well as service and program delivery for education, health, child and family services, are all matters which should be decided by the citizens residing on and off reserves collectively.

#### IDENTITY AND TREATY FIRST NATIONS' CITIZENS RESIDENT IN URBAN AREAS

In Canada, especially in the provinces covered by treaties, First Nations identify themselves by their Nation and, with equal stature and importance, as "Treaty Indians." This is, on their part, a clear and distinct wish to identify themselves as members of Nations who have treaties with the Crown. Historically, and currently, this is meant to convey to Canadians that they have "special status" as the original owners of the land, and therefore have a special relationship to Canada by virtue of sharing their land with Canadians. It is common to hear many citizens of the Western Provinces referring to themselves as "Treaty Indians."

The suggestion that Treaty Indians should exchange their treaty status for a "status blind" identity would be abhorrent to them. There has been a suggestion from Friendship Centres and other "pan-aboriginal" organizations that Treaty Indians should abandon their treaties in favour of generic Aboriginal groupings in urban centres for the purposes of forming new governments. It would be safe to say that Treaty Indians would look upon this suggestion as tantamount to renouncing their treaties and their treaty relationship with the Crown.

#### INDIVIDUAL AND COLLECTIVE RIGHTS TO EQUALITY

Equality means that each individual should have the same access to the various benefits of society without being hindered by their cultural identity. It is not enough for members of a collective, such as a First Nation, with a different culture from Canadian society to have access to the same institutions and benefits. This would simply mean an absence of discrimination within institutions as such. The equality referred to requires that First Nation citizens who engage in some activity or associate with some institution need not renounce their culture, but can offer their services, act, show their presence, develop, and be accepted with all their cultural traits and integrity. It creates a social milieu wherein a member of the First Nation can develop their potential with a minimal amount of social restrictions. The result is that the individual would be able to contribute to the cultural advancement of the First Nation since he or she would not be obliged to assimilate to an alien setting.

There must be equality between cultural groups as groups for the realization of the full equal partnership objective desired by First Nations within Canada. Individual equality of citizens of the First Nations can only exist if their community has the means to progress within its culture and to express that culture. To that end First Nations will have their own institutions in certain fields, while in other sectors they will be free to participate, on satisfactory terms, in Canadian institutions like other Canadians.

Collective or community equality, based on the preservation and advancement of the First Nation's cultural identity, will have to manifest itself in the economic and political life of the citizens. It is necessary for citizens of First Nations to be part of and help determine the industrial and commercial life of the country. They should have representation in the public and private sectors.

In the political realm, collective equality is measured by the extent of control the collective has over its government. To progress within its own culture it must have the means to do so by the development of strong economic and political institutions. Cultural preservation and enhancement only takes place if the First Nations have control of their institutions.

## ABORIGINAL OR FIRST NATION SELF-GOVERNMENT AND THE DEMOCRATIC PROCESS

There appear to be two different tensions. One is between Treaty First Nations' citizens who reside on reserve and those who reside off the reserve. Citizens of First Nations living on reserve and off reserve are concerned with the question of accountability by their governments. It is their belief that they have the right to participate in their First Nations governments. Citizens of First Nations want to vote in the elections of leaders who will serve their First Nations governments, on reserve, off reserve, and at the provincial and national levels.

However, many on-reserve citizens are concerned that off-reserve residents will affect matters that pertain to on-reserve residents only. There is also a concern that many off-reserve residents may have less loyalty and cultural affinity for the hopes and aspirations of on-reserve residents of the same First Nation. It is thought that the primary motivation of off-reserve residents may be access to programs and services, and so only the most economically disadvantaged may be seeking participation, not necessarily for the greater good of the First Nations, but only for purposes of having someone help them with their day-to-day existence.

Citizens of Treaty First Nations tend to see their government as being the First Nations who govern their territories and their people and are not restricted to reserve boundaries. In many cases they consider their sojourn in the cities as being temporary and their reserve land as their permanent domicile in the same way as diplomats or soldiers see Canada as their domicile even though based elsewhere. They wish to have the right to vote in their reserve-based First Nations' governments.

The second tension is between those Aboriginal peoples who identify as citizens of treaty First Nations and those who are Aboriginal peoples outside the treaty First Nations. Those Aboriginal peoples known as Métis or non-status Indians who live in cities support urban self-government according to a study conducted in six cities by the Native Council of Canada (now the Congress of Aboriginal Peoples) in the summer of 1994, entitled *The First Peoples Urban Circle: Choices for Self-Determination*. This form of government is described as being either a city-wide native Aboriginal body which would set rules for Aboriginal services or a community or neighbourhood in which Aboriginal peoples form the majority and run their own schools, housing programs, health services, and policing. Presumably such a government would be the creature of general provincial and federal legislation and perhaps have municipal status. Concerns were expressed about the divisions between status and non-status Indians based on the membership rules under the *Indian Act*.

## CONCLUSION

Treaty First Nations want to have jurisdiction over their citizens whether residing on or off the reserve as a safeguard over their inherent sovereignty. They maintain that only First Nations can form their own governments and that neither the provinces nor Canada have the power to create new "Aboriginal" governments or new "nations."

First Nations governments need to consult with their citizens living on and off reserves to determine how they wish to govern themselves. If the desire is for urban self-government then the appropriate machinery for the delegation of its establishment must come from the First Nations and not the provinces or the federal government. At the same time, the government of Canada should pass legislation to recognize and affirm the self-governing status of First Nations governments on and off reserves. The governments, however, must be structured to serve the off-reserve citizens and to be accountable and responsible to their citizens, wherever they reside.



APPROACHES TO ABORIGINAL SELF-GOVERNMENT  
IN URBAN AREAS:  
WHAT COULD SELF-GOVERNMENT LOOK LIKE?

*John Les*

In a written brief to the Royal Commission on Aboriginal Peoples, the Federation of Canadian Municipalities decided to focus on aboriginal self-government, using this concept as a prism through which current relations between Aboriginal authorities and municipalities could be analyzed and strengthened.

To be frank, we do not know what Aboriginal self-government will look like, be it land based or not. We tend to focus on the approach rather than the end product, because we are convinced that Aboriginal self-government is a local form of government and will therefore reflect local dynamics.

The federation attaches a high priority to productive relations between municipal governments and Aboriginal authorities. We believe local government leaders are in an excellent position to contribute to the evolution of Aboriginal self-government. We welcome and appreciate the opportunity this workshop provides to discuss what we consider to be a new partnership in public service. In true local government fashion, I would like to share with you a practical perspective on this partnership and some of the foundations for its success.

Municipal leaders understand the importance of addressing the challenges faced by Aboriginal peoples. No further proof of the marginalized position of Aboriginal peoples is needed. Increased authority by Aboriginal peoples over their own affairs would allow the growth of political, social, and economic self-sufficiency necessary for an improved quality of life.

The federation supports the right to Aboriginal self-government, but believes its realization should evolve through negotiations with other governments, including municipal government against a backdrop of vigorous community relations. No government can operate in a vacuum and we emphasize the tangible interface between municipal and Aboriginal interests. Quite independent of any constitutional fiat, it is at the local community level that Aboriginal self-government will be realized. We prefer to be partners in this process to ensure that this new form of local government is developed and implemented with foresight and harmony.

Local government in Canada is the order of government closest to the citizens providing two basic types of services: those to people and those to property. Generally, services are delivered uniformly within the municipal boundary. For example, social services are administered equitably among all citizens. Regulatory powers are applied evenly across the defined territory. By sharing

knowledge and capacity of service delivery, local government can play a pivotal role in fostering the evolution of Aboriginal self-government.

Municipal government is best distinguished from the other two orders of government in Canada by the services it provides, which include programs, facilities, and regulations that shape our daily lives. The scope of services varies a great deal and depends on population and tax base. Although municipal government is the core unit, the term local government includes a variety of complementary local agencies, boards and commissions such as school boards, police commissions, conservation authorities, parks boards, health units, public utilities commissions, and voluntary associations.

Municipalities contribute to the physical fabric of civil society by providing roads, sidewalks, streetlights, and bridges. They provide and regulate transportation systems, including urban transit, airports, harbours, taxi industries, and generally the movement of traffic as well as parking. Physical services include the provision of water and sewage treatment systems, land drainage, garbage collection, and waste disposal. Urban planning, the regulation of land use, industrial areas, and economic development also fall within the municipal mandate.

Municipalities do much to ensure public safety and have a wide range of regulatory powers. Protective services include emergency services such as police, fire, and ambulance. Health services are geared to the prevention and control of communicable diseases, the availability of potable water, and the maintenance of sanitary standards in the handling of food and the management of waste. Municipalities may inspect construction sites to ensure the application of safety standards, conduct health inspections of locally licensed establishments such as restaurants, and license everything from animals to street vendors.

In some parts of Canada the provision of social services is purely a provincial function, but in other parts it is assigned or contracted to local governments. Municipal social services may include the administration of social assistance (welfare), children's aid, daycare, homes for the elderly, emergency shelters, counselling services and public housing, including rent-geared-to-income housing.

Recreation, culture and education constitute a major feature of municipal activities. Local governments operate schools and libraries, provide parks and sports facilities; they support performing art centres, art galleries, museums and zoos.

Municipalities are the public agents most directly responsible for the quality of life in our communities. Uniformity of the full range of municipal services to people and property depends to a large extent on territorial integrity. The advent of aboriginal self-government creating autonomous territories within or adjacent to municipal boundaries raises a number of concerns. Service

standards, development priorities or regulatory objectives may not be shared, the municipal tax base may be compromised, and the potential need to supply unique services to particular groups within the municipal area may impact on municipal administration and finances.

To date, there is little apparent support from the other two orders of government or, indeed, from aboriginal authorities themselves, for consultative mechanisms to reflect local government interests or contributions. The Federation believes that any amendments to jurisdictions and systems of accountability must be addressed by all orders of government. We understand that different circumstances will require different forms of Aboriginal self-government. Whatever the shape however, constructive intergovernmental relations and institutional harmony are necessary conditions for the successful realization of Aboriginal self-government.

On the positive side, relations between municipalities and Aboriginal authorities have emerged in spite of legislative and constitutional limitations. Aboriginal authorities are developing practical solutions when providing services and political representation. Similarly, municipalities are investing in the development of cooperative arrangements with aboriginal authorities to deliver municipal services.

Positive relations between municipal governments and Aboriginal peoples are generally rooted in pragmatic cooperation such as service delivery agreements, joint meetings, Aboriginal representation of relevant boards, agencies or committees, and the joint pursuit of economic development opportunities.

More than half of Aboriginal people now live in urban centres. Aboriginal leaders have expressed a desire to work together with municipalities to address the many social ills urban Aboriginal people face. Most have not indicated an interest in some form of land-based self-government or law-making powers. Instead, they wish to have more control over the planning, design and delivery of services to urban aboriginal people. Most major urban municipalities have developed a relationship with the Aboriginal community within their boundaries and this relationship is constantly being reviewed and adapted. Nevertheless, local government leaders recognize the need for improvement.

The Aboriginal community within urban centres is not homogeneous. The community consists of status and non-status Indians and Métis. Within this diversity, aspirations vary owing to differences in cultural background and socio-economic condition. Different jurisdictions and programs or policies dealing with the variety of Aboriginal groups result in situations where people living in the same community can receive different treatment.

Municipalities have made gestures to ameliorate the situation of Aboriginal citizens living in or adapting to life in the city, especially in crucial areas such as education, employment, housing, social services and health care. Local governments recognize that municipal services are not always culturally sensi-

tive and that service priorities of Aboriginal peoples are not always synonymous with the responsibilities formally assigned to municipalities.

The working relationship with Aboriginal political and service organizations varies and often depends on the issue in question. In general, urban municipalities acknowledge the importance of separate service delivery and the need for Aboriginal people to manage their own socio-economic affairs. Most urban municipalities provide funding for Aboriginal organizations and programs within their communities. Representatives from a number of such communities are present at this conference to offer you more specific insights into these developments.

Our research does not suggest any preferred model of service delivery for Aboriginal people living in urban centres. There does seem to be a need, however, for a central location where Aboriginal people can find assistance, referrals and guidance. Some municipalities report regular inter-agency meetings. These meetings could become the foundation for a one-stop approach to urban Aboriginal services. This scenario would, however, require all orders of government to cooperate instead of focusing on the delineation of jurisdictions as is now the case.

By and large, positive relations between municipalities and Aboriginal governments are rooted in pragmatic cooperation. Two observations can be made from our research and consultative process, as well as recent developments. The first is that Aboriginal authorities exercise delegated powers at the local level and in doing so, resemble local governments. The second is that a new partnership in public service is already emerging between Aboriginal authorities and local governments.

In our view, the role and purpose of local government in Canada are strikingly similar to the expressions of self-government pursued by Aboriginal authorities. Local governments act in many ways as the delivery agents of federal and provincial/territorial governments, as it is recognized that certain services are better delivered directly at the local level. Because the statutes that provide for the creation of municipal corporations emanate from provincial/territorial governments, there is much variety across Canada in the types of municipalities and functions performed. Similarly, Aboriginal self-government will vary greatly across the country as it too will be shaped by local dynamics.

We acknowledge that many Aboriginal people have difficulty with the term "municipal government." Municipal governments do not have constitutional status and are the responsibility of the provincial and territorial governments. In addition, Aboriginal authorities, no matter how small, generally face a broader range of responsibilities as they have a mandate to ensure that certain cultural and behavioral traditions are maintained. The multifaceted nature of the interest they represent creates many organizational complexities for Aboriginal authorities.

Yet, Aboriginal authorities are similar to municipal governments in that they too exercise delegated powers at the local level. In our opinion, it is not inconceivable or improbable for aboriginal authorities to divorce their political agenda from the more immediate and practical concerns of individual communities.

Local government is a provider of services based on local needs and desires; it is a forum for local citizens to make decisions on the way they want to live; it is a forum for the resolution of conflicting views within local communities; and it provides representation of the community to lobby on its behalf. We could call this type of government "community government," if you will. Whatever the term, the framework can accommodate the needs and aspirations of both Aboriginal and non-Aboriginal people.

By and large, Canadian municipalities constitute a major asset. They provide a high quality of services and are well maintained. Services are universally available at a reasonable cost. Municipal governments remain financially solvent and relatively debt-free. They are accountable and accessible to their citizens. They provide a competent, stable and relatively safe environment to live and invest.

Finally, I would like to leave you with three key requirements the federation has identified to advance a new partnership in public service between Aboriginal authorities and local governments:

- There is a need for direction and coordination in the pursuit of constructive municipal/aboriginal relations. Many local governments and aboriginal authorities are working in isolation while investing in the identification, development and implementation of Aboriginal self-government.
- There is a need to collect experiences and agreements as a result of current municipal/Aboriginal cooperative practices, extrapolate the essential principles of successful intergovernmental dynamics and adapt these for general application.
- There is a need for collective action by Aboriginal and non-Aboriginal communities to assemble teams of knowledgeable people to help develop strategies to adapt to new situations and provide technical support in areas such as strategic planning and program development, service delivery agreements, staff training and cross-cultural management, community negotiations and conflict resolution.

In conclusion, to the best of our knowledge, this conference is the first occasion where representatives from all relevant constituencies are gathered to discuss Aboriginal self-government and how we may contribute to its success. I would like to leave you with the thought that we may wish to discuss some continuation of this spirit of cooperation. The federation is prepared to explore different avenues to build a new partnership in public service.

## DIGEST OF THE DISCUSSION

The discussion followed four quite distinct threads. Two questions were asked about the potential of pursuing a model of self-government that would not compromise the federal fiduciary responsibility for Indians. There was no resolution to this question among participants.

A larger thread began with a question about sovereignty and the inherent right of self-government. How can a leap be made from a right deriving from traditional land use and occupancy to an urban situation without a land base? There were several responses. Regarding traditional land use and the "landless" character of urban Aboriginal communities, it was pointed out that most, if not all, Canadian urban areas are or once were Aboriginal land. One panelist referred to the Royal Commission's February 1992 commentary on self-government, where the commission writes off the possibility of sovereignty in certain spheres. The key question revolves around the areas in which sovereignty would be exercised in urban areas. A circumscribed sovereignty is relatively easy to conceptualize on a land base but considerably more difficult in a city where the community lacks a coherent geographic territory. This panelist also referred to a list of characteristics a group needed to have to be seen to possess the inherent right of self-government. These included adequate numbers, some sense of social cohesiveness and a desire to preserve and promote a cultural identity. Possession of a land base was not one of the necessary characteristics.

One participant laid out five questions that models of self-government for urban people would have to deal with. Are self-government arrangements to be arrived at in Nation-to-Nation negotiations or by bottom-up community development? Who ought to be involved in self-government negotiations? What about financing? What is the role of provincial and municipal governments in the implementation of future self-government arrangements? Can two competing visions of self-government — pan-Aboriginal vs. differentiation by Nation — be reconciled?

A fourth thread of discussion tried to come to grips with the potential for intransigence and backlash on the part of municipalities or the general public once self-government was instituted. It was generally agreed that a large scale program of public education would have to be undertaken.

## Panel IV

# Implementing Self-Government in Cities

### IMPLEMENTING ABORIGINAL SELF-GOVERNMENT: A PERSONAL PERSPECTIVE

*Katherine Graham*

Kingston has been the home of many historic gatherings, including one of Aboriginal leaders shortly after the 1969 White Paper, so we're not just travelling here in the steps of Sir John A. MacDonald and other non-Aboriginal illuminaries.

I am going to speak, as an individual and from an academic perspective, on implementation strategies and issues. Thinking about implementation, we usually ask four basic questions: what, who, when, and how? The question of implementing self-government in cities is a particularly difficult one because for many governments in Canada, local as well as provincial, and perhaps federal, it is as yet unclear what we are actually implementing. When the first question, the "what" question, is unclear that puts your whole world in a turmoil.

Aboriginal people very often say they know what self-government is. It is what they have been doing since time immemorial and it's based on traditional laws and practices. While I can accept that, we must be upfront in acknowledging that the "what" is a challenge for some, perhaps even many, Aboriginal people who are living in urban areas. The work on identity which the Royal Commission on Aboriginal Peoples has done and some of the literature on Aboriginal people in cities suggests that the quest for control over their own lives, is, for many urban Aboriginal people a time when they are just beginning to learn about their laws and traditions. For some, their identity is something which they want to realize more fully. Others are in cities because of the perversions of Aboriginal traditions and governance, in some cases, as a result of the actions of other governments in Canada. In the worst situations, people are completely estranged from their past. So the "what" is not clear, not only from the standpoint of non-Aboriginal people and Canadian governments, but also from the standpoint of Aboriginal people in the cities. That makes

development of an implementation strategy difficult and I think that the plea by some other panelists to go slowly may in fact be a reflection of that.

Acknowledging the fact that the "what" isn't clear, I would like to just speak very briefly about the other implementation questions: the when, the who, and the how. Then I want to return to a comment about the "what" again, and speak to what I see possibly as the illustration of my worst nightmare — early signs regarding the federal initiative in Manitoba and its potential impact on cities.

First of all, back to the "when" question. I'm sympathetic to pleas about approaching implementation more slowly. I think that one must understand where those comments are coming from. The danger though, in terms of strategizing, is that if urban people wait they will be left in the dust. The danger comes from developments on other fronts away from cities vis-à-vis self-government. These developments may force urban people to make certain choices which they might not otherwise make. Specifically, developments occurring outside urban centres may foreclose funding choices for peoples in cities, and that would be unfortunate. Healing, governance, and economic self-sufficiency and capacity may be things that have to move parallel to one another if better conditions for Aboriginal people in cities are to be realized. In my view, these are three key elements of a strategy which should make the "when" occur sooner rather than later.

The next point which I want to make concerns the "who." Who should be involved in developing this vision of how we might approach urban government as it relates to Aboriginal people? There are many approaches that could be considered and I have no strong views about which one(s) are appropriate. I do think, however, that we require a strategy so that Aboriginal people who are living in cities have the say in what happens to them, so that others don't take it upon themselves to speak for their needs. Some Aboriginal people have lived in cities all of their lives, evidently with an emerging sense of urban identity and Aboriginal identity. Those people will have a sense of what they want in terms of government and those are the people who should have a key role in determining what should occur. That doesn't mean there can't be reference to home communities or traditional communities. The important thing is that urban people have to decide. Acknowledging the contribution of the Congress of Aboriginal Peoples, urban people have yet really to make their voice heard in terms of the approaches that they want to see in place. I'm suggesting that the "who" has to be a grass roots phenomenon with an urban base.

Next, the question of "how." How do you implement self-government in the urban context? Aboriginal people have asked, "Why should we engage ourselves with local governments when our fundamental relationship is with the federal government, and we see ourselves being capable of steering self-government initiatives ourselves?" I think that there are merits in a two-track approach which, in parallel, introduces some special initiatives in the orbit of



local organizations and which pursues the issue of Aboriginal self-government in cities. When I say "at the local level" I mean in the domain of the municipal government and the other agencies, boards, and commissions of local government. I also mean in terms of the local delivery organizations of provincial and federal governments, because governance in a city is not just in the hands of a municipality or a school board; federal departments and provincial departments are also "directly on the street." There is merit in engaging in the challenge of making those institutions more responsive and more representative of the urban Aboriginal population and respectful of their needs. In addition to improving service delivery, which is not an inconsiderable consideration, this approach would go some way to generating a sense of empowerment, to generating capacity and knowledge among the Aboriginal population.

One of the things that has struck me in working with community people who are administrators in Aboriginal communities, is that they see other governments as black boxes. They don't know how other governments work. They need to know. The prospect that Aboriginal people might be more represented within the institutions of other governments working in cities would contribute to this knowledge. Ultimately, experience in "mainstream institutions" would improve the capacity of Aboriginal people to govern themselves in cities. They would have a better sense of the whys and wherefores of other governments who share the same fields of activity as Aboriginal government.

I also, however, think that the second element of the two-track approach is equally, if not more, important — to pursue the agenda of self-government and self-governing issues in cities. Strategies for doing this are for urban Aboriginal people to develop.

I can't leave the question of "how" without returning to the issues of funding self-government in the urban context. How might we implement self-government in urban centres in the context of the current fiscal reality? This is an extremely difficult question and it's a question for which there are no answers.

The first inclination is to look at transfers. The prospect of sharing a shrinking financial pot gets every other government in Canada very excited and sometimes outright scared. We have to be mindful of the fact that under section 91(24) the federal government has responsibility for Indians and lands reserved for Indians. We all know that the federal government has chosen as a matter of policy to interpret that as responsibility for Indians living on reserves and Inuit in the North. But the words speak to themselves, it's "and," not "on." That's something which has to be confronted in the context of intergovernmental transfers for supporting Aboriginal people living off reserve, in cities.

If transfers will, inevitably, be crucial, we also need to look to the economic capacity of Aboriginal people themselves. Not all Aboriginal people in the cities are poor, although many are. Aboriginal people have substantial assets in urban

centres, and there is the beginning of a capacity there, both an economic capacity in terms of assets, and an economic development capacity in terms of levers — human capital and other kinds of capital.

If nothing else, I hope my remarks illuminate how to think about very basic issues when confronting those important implementation questions of “when,” “who,” and “how” without knowing what the “what” is. I would like to close by talking a little bit about the “what” in the context of who gets served by the institutions of government for Aboriginal people in urban centres. Are we talking about services for those just in dire need or services for everyone? I suggest that the best strategy is for self-governing Aboriginal institutions in urban centres to speak to the needs of the full spectrum of the urban population. I say this while acknowledging that Aboriginal people in urban centres will have different needs and will affiliate themselves with urban governments and other institutions in different ways. From the standpoint of the general population, as well as the Aboriginal population, urban Aboriginal governing institutions will be seen as legitimate if they offer effective services, meeting the needs of different segments of the population. The danger is that Aboriginal peoples will not participate if they see urban institutions as “second best.” To some degree, this is a danger related to the current fragility of funding for urban services and institutions. In some instances, Aboriginal people have recognized this as a potential issue.

I’m going to conclude by returning to what I said is potentially my own worst nightmare in terms of implementing self-government — what is going on in my home province of Manitoba. I don’t get a sense that the Manitoba initiative is really involving Aboriginal people in the urban context. My concern is that things will move so fast and so many brass rings will be grasped by non-urban hands that the urban people in Manitoba will get left in the dust in terms of the choices that they can make in the future about how they govern themselves. If my fear is realized and if the “Manitoba experiment” is the prototype for the future, urban Aboriginal people will have to think hard and mobilize to have their voices heard on governance issues.

## IMPLEMENTING SELF-GOVERNMENT IN CITIES

*Theresa M. Dust*

For those of you who are not familiar with Saskatoon, it is Saskatchewan's largest city with a population of approximately 200,000 people. It has a relatively large and growing Aboriginal population, and the issues are very similar to those in other western Canadian cities. However, Saskatoon is unique among larger cities in that it has a land claims experience dating from the early 1980s.

In 1983, the Muskeg Lake Cree Nation began the process of establishing a new 35 acre reserve within the boundaries of the City of Saskatoon. The purpose of the reserve was for economic development. It was to be created under the Federal Additions to Reserve Policy. The City of Saskatoon entered into negotiations with the Muskeg Lake Cree Nation on matters such as tax loss compensation, sale of services, bylaw compatibility, and dispute resolution. As a result, an agreement was negotiated between the city and the Muskeg Lake Cree Nation in 1988. Various other agreements have been negotiated from time to time since then. Saskatoon enjoys an ongoing working relationship with the Muskeg Lake Cree Nation.

In September of 1992, the Province of Saskatchewan signed a Treaty Land Entitlement Framework Agreement which was a comprehensive land claims settlement for 27 First Nations within the province. One of the features of the Treaty Land Entitlement Framework Agreement was that the Treaty Entitlement First Nations received cash settlements to purchase land on the open market. Some of this land will be within cities. This means that there will be a number of new urban reserves created throughout Saskatchewan.

Before an urban reserve is created, an agreement must be signed between the First Nation and the urban municipality regarding the same matters as were addressed in the Saskatoon\Muskeg Lake Agreement. Saskatoon has been involved, along with other cities, in working with the Federation of Saskatchewan Indian Nations regarding the proposed implementation of the Treaty Land Entitlement Framework Agreement.

The topic which I have been asked to address today is the question of implementing self-government in cities. In particular, I have been asked to speak on strategies for making urban Aboriginal self-government a concrete reality.

The experience of Saskatoon is very much a land claims experience. It is certainly not representative of the entire spectrum of issues between the Aboriginal community and urban municipalities. However, Saskatoon's experience has enabled us to learn lessons which we believe may be applicable to the wider

issue. These lessons may be of practical assistance in working toward urban Aboriginal self-government.

Saskatoon, as a result of land claims, has had the experience of dealing with an Aboriginal government. The Muskeg Lake Cree Nation has an existing, clearly recognizable Aboriginal government. The Federation of Saskatchewan Indian Nations is what I would call an Aboriginal government in development. These governments are not the same as the service delivery organizations that have historically operated within urban centres.

Aboriginal governments do not want to be part of existing municipal governments. They have their own committees and their own agendas, as we have ours. What they seek is structured formal cooperation in areas of mutual interest and concern.

Dealing with Aboriginal government is a new experience for many cities, and presents unique fears and challenges. However, cities are expert at dealing with other governments and governmental institutions on an issue-specific basis. Dealing with Aboriginal governments is different, but not that different.

Within the land claims context, in dealing with Aboriginal governments, what we find is that we are not constantly involved in each other's affairs. Rather, we each attend to our own business and where our paths converge, we negotiate and compromise within an existing framework of protocols and jurisdiction. This may not be the process which everyone wishes to engage in, but it is one formula which is in existence already.

What do we as cities need to make good Aboriginal/municipal relations possible beyond the narrow area of land claims? First of all, we need strong Aboriginal governments or institutions with which to deal. As with all other organizations, urban municipalities find it much easier to deal with people who have a clear, positive agenda. Aboriginal governments or institutions need to have at least identified the issues which they consider a priority. It also helps if the organization is clearly representative of a wider community, and if it can bring that community with it to whatever solutions are arrived at. The more work that is put into making strong Aboriginal institutions, the better for the municipalities.

The second thing that is needed, and this is the most important and it is the reason I have come today, is that urban municipalities and the Aboriginal community have a framework within which to negotiate between themselves the specifics of Aboriginal urban self-government. This is the major lesson which we believe we have learned from land claims in Saskatchewan and from our experiences over the last decade. In order to have actual practical implementation of any self-government arrangement, at some point in the process the key parties, which are the First Nations or other Aboriginal community and the local government, must sit down together face-to-face and work out between

themselves the specifics of how a new Aboriginal government will work in combination with the existing local government.

Nothing else works — that is my main point today. Detailed plans imposed from above, with no local negotiations, will not create a functioning parallel jurisdiction at the local level. The urban municipality and the First Nation talking indirectly to each other through the provincial and federal governments, also does not work. I believe it has been proven not to work.

General information meetings within the community are useful, but again they do not work. You cannot have negotiations with a whole community. You have to deal with the local leadership. One of the problems that urban municipalities have is that they are often not recognized by the federal government, and to some extent by the provincial government, as being the legitimate local leadership of a community.

Effective parallel jurisdiction can be created if the local government and the First Nation or other Aboriginal community, sit down together and talk to each other, and negotiate some form of formal agreement or understanding. Why does this work? Because the process of negotiation itself is what creates the beginning of the working relationship. You cannot sit across the table from someone and negotiate specific issues with them and not learn something about them or get to know them or begin to understand their point of view. You may not necessarily agree with them, but you will begin to understand them, and that is what has to happen in order for a working relationship to develop.

In order for negotiation to work, both sides must come to the table, and both sides must be willing to make some compromise, or at least meet each other part way. It is our experience that at some point in these negotiations each side faces a fundamental reality and each side makes a key compromise.

From the urban municipality's side, the key is the recognition of and respect for the fact of Aboriginal jurisdiction and an acceptance of a loss of control. At some point in the negotiations, the urban municipality comes to terms with the fact that the Aboriginal community doesn't "have to do what we say." The way that this will play itself out will be in terms of the question of who has the jurisdiction to pass bylaws, who is the taxing authority, etc.

From the First Nation's side, the key is the recognition of and respect for local governments as the legitimate elected leadership of the non-Aboriginal community and the acceptance by the First Nations that they cannot exist and operate in isolation from this local community. This will play itself out usually in terms of tax loss compensation, sale of services, or other payment of money.

These two key points are the sticking points, in some fashion or another, with all urban municipality/Aboriginal negotiations. Each community deals with these issues in its own fashion. It either addresses them or not, in its own time and in its own way. What we find is that once these issues are dealt with, you have the basis of a working relationship. If you do not deal with these issues

successfully in negotiations, then the parties are going to stay apart and have a very limited relationship, if any relationship at all.

Establishing a relationship does not mean that everything will be perfect, of course, or that there will not be disagreements, because each side will continue to have legitimate fears. From the urban municipality's side, the concern is that once there is a loss of control, it will have no end and no limits. From the First Nation's side, there has been expressed to us a concern that by sitting down and negotiating with urban municipalities and dealing with them as equals, First Nations will be "downgraded" by senior levels of government in their quest for a wider jurisdiction.

Nevertheless, the relationship will be there and that can only be created by negotiation. The reason I have come today is to plead for that face-to-face negotiation to be built into any process of creating urban Aboriginal self-government.

The other plea I would like to make today is for senior levels of government, at both the federal and provincial levels, to please end their obsession with treating government and jurisdiction as exclusively a constitutional law issue.

There is such a thing as constitutional jurisdiction. It is an important issue at the negotiation table as Aboriginal people seek their correct place within the wider Canadian constitutional framework. However, there is also such a thing as practical jurisdiction, jurisdiction in day-to-day reality. That is where local government comes in, and to ignore that and to pretend that it does not exist as a level of government is not reality. Because a government does not have constitutional status, does not mean that it does not exist. The refusal to recognize local government creates great harm at the local level between urban governments and Aboriginal governments.

One of the things that we did in Saskatchewan, and that was very important, was to talk to First Nations about what local government is and who we are. We talked to them about how the mayor is the legitimate elected representative of a city and that when, for instance, a chief comes to a city to buy land, it is the proper procedure to pay a courtesy call on the mayor — that to not do so is a mark of disrespect, just as the reverse would be. And one of the things that we have tried to emphasize in all dealings, as the First Nations have emphasized to us, is that respect is a two-way street. This is something I would suggest that senior levels of government do not always recognize when dealing with local governments and with First Nations.

Another problem that causes difficulties between us is a funny idea being floated about that because municipalities want to talk to First Nations, this means municipalities are insisting that Aboriginal government be exactly like existing urban government. This is not true. Municipalities are well aware of their own lack of constitutional status and they are well aware of the assertion by First Nations of jurisdiction at all levels of government, so as to be able to

control their own affairs. It is not fair to characterize local government as trying to control or limit First Nations.

What local government wants is equality with First Nations within the areas of jurisdiction that directly impact on the local community. What municipalities want is to be able to deal as equals with First Nations in those areas where local government normally has responsibility and control, so that both sides have some say, and so that both sides must negotiate and compromise on how this will work. That does not mean that local governments are necessarily opposed to, for instance, First Nations negotiating for health services or social services powers with a provincial government or for taxation issues with the federal government. What we are looking for is equality and negotiation and compromise at the local level.

Lastly, I would like to answer the question that was put by one of the people here today which was: "Why should First Nations talk to cities?" There are two reasons.

First, because we have the expertise to make things happen on the ground for you. We have technical skills of all kinds, far beyond the traditional ideas of water and sewer delivery. What we need is for you to trust us to work with you, using those skills, without insisting that you do everything exactly our way. If that trust can be established in the areas where our interests combine, which are numerous, we will make great allies.

Secondly, because real change, fundamental change, the way people think, the way they interact with each other, happens in the local community. The federal and provincial governments cannot give you that. That change is messy, that change is difficult, that change is personal, but if it is going to happen at all it will happen in the communities where we live — Aboriginal and non-Aboriginal together. And that is why it is so important that we deal with each other face-to-face, that we talk to each other, and that we begin to establish the working relationships that we need to function together.

## ISSUES AND STRATEGIES FOR IMPLEMENTING URBAN SELF-GOVERNMENT

*Bob Watts*

I intend to give a brief overview of some of the things that Ontario is doing, some of our thinking with respect to urban Aboriginal issues and also I intend to add my own personal views to this discussion, given that we are in an academic setting.

I would like to start by introducing some assumptions that the rest of my talk will be based on. The first assumption is that we are in a period of both revolution and evolution, that there is a process going on within the Aboriginal community and within Canadian society in general that is not going to be turned back. We can build walls or build bypasses and try all sorts of things, but there is a process that is happening within the Aboriginal community that is not going to be turned back. Perhaps that is an assumption that we should try to adopt. It is something that I adopt for this talk.

Second, we should try to get away from this idea of "land-based" self-government and somehow or other "land-less" self-government. I would argue that irrespective of where we live in Canada each one of us is associated with some piece of land. That land may be used differently at different levels of government, but in fact we are all associated with land.

Third, what we are talking about is relationships between people. We are talking about interdependence in terms of communities and in terms of people right across Canada. Nothing that anyone does in Canada fails to have some sort of reaction in some other areas, including throwing garbage in a river. We are interdependent, and that relationship has been confirmed since the earliest times in terms of contact between Aboriginal and non-Aboriginal people through Treaty. When I hear non-Aboriginal people talk about Treaty rights that Aboriginal people have, I tend to point out that in fact everybody in Canada, perhaps except in some parts of B.C. and maybe the Territories, have Treaty rights. That Aboriginal people have particular rights that they chose to protect through Treaty and non-Aboriginal people have Treaty rights. Where people work, where they shop, where they play, all came about through Treaty. We all have Treaty rights of some sort in most parts of Canada.

In Ontario we have had an Aboriginal agenda that was set up in 1990 and that agenda talks about giving priority to settling land claims, promoting self-government and recognizing inherent rights to self-government, and improving the quality of life in Aboriginal communities. We have not, in fact, adopted a corporate policy with respect to urban Aboriginal issues. The government of Ontario tries to strike a relationship with a number of urban Aboriginal organizations and assist in the development of organizations. But



there is no overall corporate policy. We took particular approaches during the last constitutional process that spoke of Aboriginal issues and there is work going on, but it hasn't been adopted yet. There has been no adoption of any policy.

A number of ministries working in liaison with municipalities have contributed and worked with Aboriginal organizations in different cities and towns in Ontario. We have a number of Aboriginal specific services, whether we are talking about health services like Anishnawbe Health in Toronto and a health centre in Timmins or Aboriginal legal services such as the ones in Toronto and on reserves. There are different education pilot projects that are going on in some of the Friendship Centres across Ontario. We have been involved in a collaborative fashion with a number of Aboriginal organizations representing both on- and off-reserve people. There is an AIDs strategy and an overall health care strategy which we call Aboriginal Family Healing. These last two initiatives speak to co-management and Aboriginal-designed programs and services and control over planning, and, I hope, the eventual transfer of services and resources to Aboriginal control.

The one thing I think that those two initiatives speak to — it is something I recognized when I was working with some of the Aboriginal organizations in Toronto and also with some of the First Nations — is how programs and services have developed in a fairly linear fashion in some of the Aboriginal communities. There are contribution agreements associated with drug and alcohol counselling, and contribution agreements associated with child care, and contribution agreements associated with the community health representative. Those contribution agreements bear no relationship to each other and tend to separate services from each other. We are looking at how we can change that so that the community ends up having some control and is able to design and deliver programs and services in a more holistic fashion.

We have also had some relationship with the Native Canadian Centre of Toronto in terms of offering some funding support to the self-government work they are doing in conjunction with a number of other organizations in Toronto.

I would argue that in many senses we are already implementing self-government. It may not be in the fashion that Aboriginal communities want in the final analysis, but there are some "baby steps" toward implementing self-government that are happening right now. These steps are also strengthening the relationships between the various levels of government and Aboriginal government.

In terms of implementation, I want to put some issues on the table. They are going to require a lot of work, but they are important for developing a strategic direction for implementation of self-government. One of the issues we need to come to grips with is trying to separate issues of the exercise of Aboriginal Treaty rights from the delivery of programs and services. It seems in a lot of

discussions we start talking about for example, Aboriginal communities having jurisdiction over health care and immediately someone says, "Well, what about ambulance response time?" Every time we talk about jurisdiction people bring out something that is not related to a pure discussion about jurisdiction. I think once we get over some of the hurdles of jurisdiction then we can sit down, face-to-face, and talk about how jurisdiction is going to be exercised and how services are going to be made compatible with each other. Perhaps it is an extension of services in a lot of cases.

We are moving into an area where we are no longer talking about delegated authority. We are talking about authority that comes from the original occupation of the land and from the Creator. That is going to take a tremendous leap in terms of thinking for non-Aboriginal governments. I would argue that when we talk about the provision of programs and services which will be municipal-like and will require that interface with cities and towns, that we are generally going to be talking about the same authority. Aboriginal people will be bringing their authority to the table and municipalities, and provinces, and the federal government will be bringing their authority to the table. What we are talking about is how these various authorities relate to each other and how people can be served better on a day-to-day basis.

With respect to rights, there is a need for us to get a handle on the relationship between individual Aboriginal Treaty rights, collective rights, and what is the collectivity. Is the collectivity a number of people that happen to live in an urban setting, or is collectivity a band as determined by the *Indian Act*, or is it a Nation of people? There are some hard decisions to be made and there are going to be some hurt feelings over that, but it certainly needs to be ironed out because the whole exercise of Aboriginal Treaty rights certainly relates back to some sort of management of that right, and that management rests with the collectivity.

With respect to recognition of Aboriginal jurisdiction over particular programs and services, governments will argue for some sort of protection in terms of legal liability. If the province, for example, has jurisdiction over a particular program or service that an Aboriginal community is going to exercise, then the province will want to have protection from liability if the Aboriginal community provides a service that may not respond in time to a particular health issue. The Aboriginal community will be liable. In terms of protocols and agreements, those things will need to be addressed.

I am persuaded more and more during this conference that when we talk about roles of governments, that there are roles for each of the various orders and levels of government. It may be that when you are talking about the central institution of government and what rights and jurisdictions are associated with that central institution of government, then you are probably talking about something between the federal government and an Aboriginal community. When you are talking about how those jurisdictions are going to be imple-

mented on a daily basis you are probably talking about relationships and negotiations with the provincial government and with local governments, because that is where the interface of those programs and services will happen. In fact there is a role for all the governments and there will continue to be in terms of funding the various institutions and programs and services. I would agree that that is going to be a hard thing for some of the Aboriginal communities to adjust to, that at some point there are going to be face-to-face negotiations with municipalities. But I think, in terms of implementation of self-government programs and services, that that is where we are going to be at. However the municipalities and the provinces probably have no role — sorry for bringing up the “C” word — but they probably have no constitutional role in terms of deciding or perhaps even recognizing jurisdiction associated with the inherent right to self-government.

All governments certainly have a role in trying to remove barriers to Aboriginal communities' taking more control over their life. They have a role in trying to promote social harmony and public education.

Non-native governments should not try to dictate the pace of negotiations. There has certainly been the view that I have heard many times that “Well, we don't want to talk to an Aboriginal government because all they want to talk about is health care and education and we want to talk about the whole thing or nothing.” The Aboriginal community needs to be able to dictate the pace and the priority in terms of negotiation.

## ABORIGINAL SELF-GOVERNMENT IN URBAN AREAS: A FEDERAL PERSPECTIVE ON ISSUES AND STRATEGIES

*Pierre Vincent*

As you know, the Government of Canada has begun to act on its commitment to respect the implementation of the inherent right of self-government for Aboriginal Peoples. Consultation started in January 1994, to listen to the views of Aboriginal Peoples, provinces and territories and other interested groups, on how best to proceed to implement the inherent right to self-government.

As it was so eloquently portrayed in previous presentations to this conference, the active participation of Aboriginal Peoples in the life of Canada's urban centres just cannot be ignored: it is both an important dimension of today's Aboriginal reality, and one which is increasingly significant in a number of Canadian cities.

The inherent right to Aboriginal self-government must also be meaningful in urban areas. So we all have to explore and develop means and approaches to make it possible to have Aboriginal self-government in urban settings. And to me, "possible" means "viable," "successful," certainly not "meagre" or "token."

Earlier in this conference, we heard presentations and had discussions on initiatives in urban areas, and on models of self-government — what this could look like. Obviously, there is no lack of seemingly reasonable, workable options.

I see no need at this stage for me to advance yet more options, or variations on familiar themes. Instead, I intend to share with you some perspectives on questions and issues related to urban self-government.

First, representativeness; who speaks for whom, and how to deal with "overlapping constituencies" may be challenging issues, for both First Nations and the Métis. Interestingly, this has already generated substantial research, including possible approaches or models, from Aboriginal peoples and the academic community.

Second, as you know, the federal position is that it has primary responsibility for Indians on reserve and Inuit. Responsibilities that could be assumed by urban Aboriginal governments are, for the most part, under provincial jurisdiction. So, obviously, provinces have a major role to play.

Third, I would find it hard to imagine that municipalities, and other locally-based institutions, such as school boards, would not play an important role in practical, day-to-day relationships once Aboriginal self-government is implemented. Given that, an issue arises now as to who and which parties should be involved in the negotiations on the non-Aboriginal side. Should it be the federal and provincial governments, the municipalities, the school boards, and other

institutions as well? And if so, how can all of these participants work effectively in the same process? Can you think of some guiding principles, which could accommodate potentially significant local variations, while maintaining overall consistency?

Fourth, financing self-government is a huge question, to which there is unlikely a single, simple answer. I am not going to search for that elusive, magic answer. However, I will note that the federal government's initial view is that the financing of Aboriginal self-government should be a shared responsibility of governments and Aboriginal people, and I will stress the need for a financing process which would:

- be manageable and cost effective,
- avoid duplication in the provision of services,
- generate a funding level sufficient to provide quality services; and
- attract and maintain the confidence of the urban Aboriginal population.

Fifth and lastly, today, many Aboriginal people, as individuals and in political associations, are interested in or actively involved in discussions concerning urban self-government, or even in the practice of it. All have an important, legitimate role to play. Currently, the federal government conducts self-government negotiations with First Nations on reserve, as well as tripartite self-government negotiations, involving Métis and off-reserve Indian associations and provincial governments. Clearly, the evolution of Aboriginal self-government in urban settings will have to be related to and be consistent with what happens in other realms. The relationships between political groups (e.g., the MMF Local in Winnipeg) and services organizations (e.g., Friendship Centres) need to be addressed. For example, should both participate in negotiations on Aboriginal self-government in urban areas?

## DIGEST OF THE DISCUSSION

The final roundtable was organized around five fundamental questions.

1. What process or mechanism exists or should be created for the next steps towards self-government for urban Aboriginal people?
2. What are/should be the respective roles of municipal, provincial, and federal governments?
3. What are some useful approaches to dealing with the diversity of urban Aboriginal people and urban situations?
4. Who should be doing the negotiating? Who are the legitimate representatives of urban Aboriginal communities?
5. How can urban aboriginal governments be financed?

With respect to the first question, one participant outlined a number of steps municipalities could take to clear away some of the current barriers to understanding between urban Aboriginal people and municipal institutions. First, she said, municipal governments should find out on what Aboriginal Nation's territory the urban area is situated. Second, municipal governments should explore the cultural significance of specific areas of land which local Aboriginal people consider to be sacred. Third, municipal officials should routinely explore what Aboriginal and Treaty rights are affected by various initiatives and programs. Fourth, municipal governments should address how or whether Aboriginal reality and culture are reflected in urban space in their community. She also noted that it was important to educate Aboriginal people about municipal governments — what municipal governments do and how they operate — since this is an area with which few Aboriginal people are familiar.

Other participants made suggestions concerning "next steps" as well. Several people noted that there was a need for a knowledge bank or repository of information about successful initiatives in the area of municipal-Aboriginal relationships. At the present time, there are many municipal organizations and governments that have worked out successful agreements with local Aboriginal governments on a variety of issues. Yet each municipality is working in isolation and not benefitting from the experience, advice, and legal expertise other municipalities could share. Participants also felt that forums such as this one, but organized at the regional level, would be useful to encourage dialogue and communication.

With respect to the roles of various levels of government, municipal officials argued strongly that municipalities need to be involved in negotiations surrounding aspects of self-government, and not just in implementation. They pointed out that frequently decisions made by federal and provincial governments have significant implications for municipalities, yet the views of

municipalities are not taken into account, nor is their expertise in local issues incorporated into decision making. Particularly with respect to Aboriginal issues, municipal governments find themselves having to implement decisions that may result in considerable backlash from local populations. Participation in earlier discussions and decision making would give local municipal people the opportunity to plan for and work out how best to implement steps toward urban self-government.

With respect to questions about accommodating the diversity of urban Aboriginal peoples and identifying who represents them, participants emphasized that these are decisions Aboriginal people need to make for themselves. However, non-Aboriginal governments can provide resources that facilitate consultation, and consensus, and community building. One participant pointed out that although it is very easy for municipalities to deal with other governments, they have to be careful about which Aboriginal leaders they deal with in order to avoid questions of legitimacy and representation/recognition. From 1763 this has been the exclusive jurisdiction of the Crown and it is therefore imperative to soon have a federal policy of recognition.

One participant noted that financial strategies are always placed at the bottom of such lists, but that in a time of fiscal crisis, this aspect of the process was taking on increasing importance. Another participant argued that the two existing approaches to the financing of self-government — the entitlements approach whereby money is due to Aboriginal people because of Aboriginal rights, and the federalism approach whereby future self-governments would be funded as a third order of government in a manner similar to transfer programs between federal and provincial governments — would have to eventually be supplemented or replaced by one emphasizing “own source” revenues. Transfer payments, noted participants, are not secure. Moreover, the power over these payments rests with their source. Shifting finances is a power and control issue, and financing for self-government needs to reflect changing power structures. “Own-source” revenues for urban Aboriginal governments identified by participants included trade among Aboriginal people, land compensation, community assets, taxation, and access to natural resources on traditional lands. With respect to tax collection, participants pointed out that it will be important for urban Aboriginal governments to harmonize collection strategies with municipal governments.

# **PART IV**

## **Appendices**



# Appendix A

## Aboriginal Self-Government in Urban Areas

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### **Program**

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Conference organized by the  
Institute of Intergovernmental Relations  
Queen's University

*May 25-26, 1994*

# Program

All sessions will take place in the Conference Room (202) of the Policy Studies Building, Queen's University, Main Campus, Union St., Kingston, Ontario.

## Tuesday, May 24

8:00-10:00 p.m. RECEPTION — Howard Johnson, Salon A  
(Cash Bar)

## Wednesday, May 25: THE CONTEXT

### Morning Session: Living in Cities

9:00-9:30 a.m. Welcome and Opening  
*Evelyn Peters* (Associate Professor Geography)  
*Doug Brown* (Executive Director, Institute of Intergovernmental Relations)

9:30-11:00 a.m. Panel: Self-Government and Living in Cities  
Chair: *Evelyn Peters*  
*Sylvia Maracle* (Executive Director, Ontario Friendship Centres)  
*John Dorion* (President, Prince Albert Metis Local No. 7)  
*Rosalee Tizya* (Urban Perspectives, Royal Commission on Aboriginal Peoples)  
*Rick Frost* (Chief Commissioner, City of Winnipeg)

11:00-11:15 a.m. Coffee Break

11:15-12:30 p.m. Roundtable Discussion

12:30-1:30 p.m. Lunch

**Afternoon Session: Current Practice**

- 1:30-3:30 p.m. Panel: Initiatives in Urban Areas  
*Wayne Helgason* (Aboriginal Centre, Winnipeg; President, National Association of Friendship Centres)  
*Doug Vivier* (Chair, Calgary Aboriginal Urban Affairs Committee)  
*Terry Mountjoy* (Manager of Social Development, City Manager's Office, City of Regina)
- 3:30-3:45 p.m. Coffee Break
- 3:45-5:00 p.m. Roundtable Discussion  
 (Evening free: group reservations for dinner can be arranged)

**Thursday, May 26: THE POSSIBILITIES****Morning Session: Approaches to Self-Government in Cities**

- 9:00-10:45 a.m. Panel: What Could Self-Government Look Like?  
 Chair: *Douglas Brown*  
*Donavon Young* (Urban Perspectives, Royal Commission on Aboriginal Peoples)  
*Mary Guilbeault* (Elder Statesman, Winnipeg Council of First Nations)  
*Carol Ann Knockwood* (Congress of Aboriginal Peoples)  
*Tony Belcourt* (Métis Nation of Ontario)  
*John Les* (Mayor of Chilliwack; Chair, Task Force on Aboriginal Issues, Federation of Canadian Municipalities)

- 10:45-11:00 Coffee Break

11:00-12:00 Roundtable Discussion

12:00-1:00 p.m. Lunch

**Afternoon Session:  
Implementing Self-Government in Cities**

1:00-2:45 p.m. Panel: Issues and Strategies

Chair: *Robert Groves*

*Katherine Graham* (Director, Public Administration, Carleton)

*Gale Mason* (Director, Native Canadian Centre, Toronto)

*Theresa Dust* (City Solicitor, City of Saskatoon)

*Robert Watts* (Ontario Native Affairs Secretariat)

*Pierre Vincent* (Privy Council Office, Government of Canada)

2:45-3:00 p.m. Coffee Break

3:00-4:30 p.m. Final Roundtable: Where Do We Go From Here?

Chair: *Donavon Young*

*Evelyn Peters* (Geography, Queen's)

*Doug Brown* (Intergovernmental Relations, Queen's)

# Appendix B

## *Workshop Participants*

MR. ART BEAVER  
Native Studies Department  
Trent University

MR. TONY BELCOURT  
President  
Métis Nation of Ontario

MR. RANDY BRANT  
Deputy Minister  
Ministry of Aboriginal Affairs  
Government of British Columbia

MR. DOUGLAS BROWN  
Executive Director  
Institute of Intergovernmental  
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National Association of Friendship  
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Ontario Native Affairs Secretariat  
Government of Ontario

MR. JOHN DORION  
President, Prince Albert Métis  
Local #7

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Executive Director  
National Association of Friendship  
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Research and Analysis Directorate  
Indian and Northern Affairs Canada

MR. RICHARD FROST  
Chief Commissioner  
City of Winnipeg

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Government of Northwest  
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Carleton University

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Executive Vice-President  
Optima Consultants

MR. DAVID HAWKES  
Co-Director of Research  
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MR. WAYNE HELGASON  
Aboriginal Centre of Winnipeg  
President, National Association of  
Friendship Centres

DR. CATHERINE HOOEY  
Assistant Professor  
Department of Geography  
Queen's University

MR. DAN HORSMAN  
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Dept. of Intergovernmental Affairs,  
Province of New Brunswick

MS. MARJA HUGHES  
Policy Advisor, Aboriginal Issues  
Federation of Canadian  
Municipalities

MR. TOM ISAAC  
Special Advisor to the Deputy  
Minister  
Saskatchewan Indian and Metis  
Affairs Secretariat

MR. BRIAN JONAH  
Senior Research Manager,  
Research and Analysis  
Indian and Northern Affairs Canada

MR. ALAN KARY  
Department of Political Studies  
Queen's University

MS. CAROL ANN KNOCKWOOD  
Congress of Aboriginal Peoples

MR. KEVIN LEE  
Department of City Planning  
University of Manitoba

MR. JOHN LES  
Mayor of Chilliwack, B.C.  
2nd Vice President,  
Federation of Canadian  
Municipalities

MS. SYLVIA MARACLE  
Executive Director  
Ontario Federation  
of Indian Friendship Centres

DR. CLAUDE MARCHAND  
Research Coordinator  
Intergovernmental Committee on  
Urban and Regional Research

MS. GALE MASON  
Director  
Native Canadian Centre  
Toronto

DR. CHRISTOPHER MCKEE  
McKee Associates  
Vancouver

MR. BRUCE MCLEOD  
Senior Manager  
Ontario Ministry of Municipal  
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MS. PAT MCMAHON  
Mayor of Yellowknife

MR. TERRY MOUNTJOY  
Manager of Social Development  
City of Regina

MS. CAROLYN METZ MURRAY  
Chief Administrative Officer  
City of Dawson

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Department of Geography  
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MR. CLAUDE PICARD  
Policy Advisor  
Secretariat aux Affaires Autochtones  
Gouvernement du Québec

MR. DAN SMITH  
President  
United Native Nations, B.C.

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Manager, Aboriginal Affairs  
Union of B.C. Municipalities

MS. ROSALEE TIZYA  
Co-Coordinator of Research  
Urban Perspectives  
Royal Commission on Aboriginal  
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Privy Council Office  
Government of Canada

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Chair, Calgary Aboriginal Urban  
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MS. PEGEEN WALSH  
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MR. BOB WATTS  
Assistant Secretary  
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MS. JILL WHERRETT  
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MR. IVAN WILLIAMS  
Vice President  
National Association of Friendship  
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MR. DONAVON YOUNG  
Co-Coordinator of Research,  
Urban Perspectives  
Royal Commission on Aboriginal  
Peoples

# Appendix C

## *Panelists*

### **Panel I: Self-Government and Living in Cities**

MS. SYLVIA MARACLE

Executive Director  
Ontario Federation of Indian Friendship Centres

MR. JOHN DORION

President, Prince Albert Métis Local #7

MS. ROSALEE TIZYA

Co-Coordinator of Research  
Urban Perspectives  
Royal Commission on Aboriginal Peoples

MR. RICHARD FROST

Chief Commissioner  
City of Winnipeg

### **Panel II: Existing Initiatives in Urban Areas**

MR. WAYNE HELGASON

Aboriginal Centre of Winnipeg  
President, National Association of Friendship Centres

MR. DOUG VIVIER

Chair  
Calgary Aboriginal Urban Affairs Committee

MR. TERRY MOUNTJOY

Manager of Social Development  
Regina



**Panel III: What Could Urban Self-Government Look Like?**

MR. DONAVON YOUNG  
Co-Coordinator of Research,  
Urban Perspectives  
Royal Commission on Aboriginal Peoples

MS. CAROL ANN KNOCKWOOD  
Congress of Aboriginal Peoples

MR. TONY BELCOURT  
President  
Métis Nation of Ontario

MR. JOHN LES  
Mayor of Chilliwack, B.C.  
2nd Vice President,  
Federation of Canadian Municipalities

**Panel IV: Implementing Self-Government in Cities**

PROFESSOR KATHERINE GRAHAM  
Director, School of Public Administration  
Carleton University

MS. THERESA DUST  
City Solicitor  
Saskatoon

MR. BOB WATTS  
Assistant to the Secretary  
Ontario Native Affairs Secretariat

MR. PIERRE VINCENT  
Policy Advisor  
Privy Council Office  
Government of Canada

# List of Publications

## Aboriginal Peoples and Constitutional Reform Series

Douglas Brown, ed., *Aboriginal Governments and Power Sharing in Canada*, 1992. (\$7)  
Thomas J. Courchene and Lisa M. Powell, *A First Nations Province*, 1992. (\$7)

### BACKGROUND PAPERS

1. Noel Lyon, *Aboriginal Self-Government: Rights of Citizenship and Access to Governmental Services*, 1984. (\$12)
2. David A. Boisvert, *Forms of Aboriginal Self-Government*, 1985. (\$12)
3. (not available)
4. Bradford Morse, *Aboriginal Self-Government in Australia and Canada*, 1985. (\$12)
5. Douglas E. Sanders, *Aboriginal Self-Government in the United States*, 1985. (\$12)
6. Bryan P. Schwartz, *First Principles: Constitutional Reform with Respect to the Aboriginal Peoples of Canada 1982-1984*, 1985. (\$20)
7. David C. Hawkes, *Negotiating Aboriginal Self-Government: Developments Surrounding the 1985 First Ministers' Conference*, 1985. (\$5)
8. John Weinstein, *Aboriginal Self-Determination Off a Land Base*, 1986. (\$7)
9. Marc Malone, *Financing Aboriginal Self-Government in Canada*, 1986. (photocopying costs)
10. Jerry Paquette, *Aboriginal Self-Government and Education in Canada*, 1986. (\$10)
11. Richard H. Bartlett, *Subjugation, Self-Management and Self-Government of Aboriginal Lands and Resources in Canada*, 1986. (\$10)
12. C.E.S. Franks, *Public Administration Questions Relating to Aboriginal Self-Government*, 1987. (\$10)
13. Ian B. Cowie, *Future Issues of Jurisdiction and Coordination Between Aboriginal and Non-Aboriginal Governments*, 1987. (\$7)
14. Delia Opekokew, *The Political and Legal Inequities Among Aboriginal Peoples in Canada*, 1987. (\$7)
15. Evelyn J. Peters, *Aboriginal Self-Government Arrangements in Canada*, 1987. (\$7)
16. Bradford W. Morse, *Providing Land and Resources for Aboriginal Peoples*, 1987. (\$10)

## DISCUSSION PAPERS

David C. Hawkes, *Aboriginal Self-Government: What Does It Mean?* 1985. (photocopying costs)

David C. Hawkes, *The Search for Accommodation*, 1987. (\$7)

## POSITION PAPERS

Martin Dunn, *Access to Survival, A Perspective on Aboriginal Self-Government for the Constituency of the Native Council of Canada*, 1986. (\$7)

Inuit Committee on National Issues, *Completing Canada: Inuit Approaches to Self-Government*, 1987. (\$7)

## BIBLIOGRAPHIES

Evelyn J. Peters, *Aboriginal Self-Government in Canada: A Bibliography 1986*. (\$12)

Evelyn J. Peters, *Aboriginal Self-Government in Canada: A Bibliography 1987-90*. (\$10)

## WORKSHOP REPORTS

David C. Hawkes and Evelyn J. Peters, *Implementing Aboriginal Self-Government: Problems and Prospects*, 1986. (\$7)

David C. Hawkes and Evelyn J. Peters, *Issues in Entrenching Aboriginal Self-Government*, 1987. (\$12)

## FINAL REPORT

David C. Hawkes, *Aboriginal Peoples and Constitutional Reform: What Have We Learned?* 1989. (\$7)

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