October 1993

Self-Determination and/or Self-Government for the Aboriginal Community of Winnipeg:

Results of the Stakeholders Consultation

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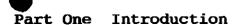
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Part One   Introduction

A.   Context of The Report

This paper reflects the outcome of the stakeholders consultations relative to the nature of self-determination and/or self-government for the Aboriginal community of Winnipeg. The purpose of this report is to provide an analysis of the key issues confronting the Aboriginal community of Winnipeg, with respect to models for self-determination and/or self-government within the urban area.

This research, analysis, and community consultation was made possible through financial support from the Royal Commission's Intervenor Participation Program (IPP). This report has also been made possible by the administrative and other support of the Ma Mawi Wi Chi Itata Centre and the Aboriginal Council of Winnipeg.

Although up to 75% of Aboriginal people in Canada live off a land base, with at least 50% living in large urban areas, and despite the increasing rate of urbanization, the focus of most research on self-determination and self-government is limited to Aboriginal peoples on a rural land base. While the neglect of urban peoples in this regard is problematic in itself, and notwithstanding the significant level of self-determination in service delivery that currently exists within the city, there is much concern that, should self-government be entrenched according to this rural focus, conditions for urban peoples could be worsened rather than improved.

This report will focus entirely on the situations and views of urban people and organizations, and will only comment on non-urban issues as these affect urban self-determination and self-government. Similarly, we will not address in any substantive way issues concerning the legal and constitutional status of Aboriginal peoples off a land base, and will not undertake an analysis of census and other statistical data, since both of these items are being addressed extensively by other organizations, such as the Native Council of Canada, with whom we are also working on the urban self-government project. Neither will we comment on the legal and constitutional source of the right to self-government, since the Royal Commission has recently released a paper which reflects the latest, post-Charlottetown thinking on this matter.

The value of this report, therefore, will be the provision of unique information from Aboriginal and non-Aboriginal stakeholders that will not otherwise be available to the Commission. It will reflect the issues that must be addressed, the priorities, and the philosophical and value base.

It is the hope of the participants - both Aboriginal and non-Aboriginal - and the sponsoring Aboriginal organizations, that these research findings will be used by the Commission in the preparation of its recommendations, and that it will not simply join the many other reports and studies gathering dust on government shelves and archives.

B. Our Approach to the Project

In this section, we will outline the approach we followed in consulting with stakeholders in the Aboriginal community, and the Non-Aboriginal community, in the preparation of this report.This research and consultation project on self-determination and/or self-government was undertaken during the time period from mid-April to the end of August, with the writing of the report during September and October.

There were three components to the urban self-government research and consultation project which was co-sponsored by the Ma Mawi Wi Chi Itata Centre, the Aboriginal Council of Winnipeg, and seventeed other urban Aboriginal organizations and agencies, as follows:

1)   Intervenor Participation Project - Research and consultation among Aboriginal and non-Aboriginal stakeholders relative to a model for urban Aboriginal self-determination and/or self-government.

A grant of $25,000 was provided through the Commission's Intervenor Participation Program (IPP) to the Ma Mawi Wi Chi Itata Centre, which administered the project on behalf of the Aboriginal Council of Winnipeg, and seventeen urban Aboriginal organizations and service delivery agencies, who jointly co-sponsored the project.

The level of funding made available through this grant was significantly less than our original project proposal, which provided for an extensive research and consultation project amongst Aboriginal and Non-Aboriginal stakeholders within the city. As a result, we were required to significantly narrow the scope of the project. Because we were committed to the stakeholders process, and to the articulation of our perspectives on a number of key socioeconomic, cultural, and political issues which confront our urban community, reductions were made to planned activities relative to a review of the literature, an analysis of available statistical and demographic data, including the most recent census data, and the public information campaign.

● Two project staff - a project coordinator and an a m n strat ve secretary - were contracted with the funding received through the IPP grant. Financial management was undertaken by the finance staff of the Ma Mawi Wi Chi Itata Centre; additional administrative services and other supports were provided by Mamawi's administrative support team. The financial statements from the project are appended to this report.

This report reflects the findings of the research and consultations that were carried out through this project.

The Council did, however, continue to look for additional sources of funding in order to undertake a project that more closely approximated our original plan. As a result, we were able to access two additional projects, which are described below.

2) As a result of the Council's lobbying, the Commission's urban governance research program decided to fund a case study of the Aboriginal Council as an inclusive, status-blind urban Aboriginal political representative organization. With these resources, the Commission contracted two Aboriginal people who were identified by the Council. The principal researcher and the research assistant who were contracted by the Commission worked under the joint direction of the Commission's coordinator of urban research and the Executive Committee of the Aboriginal Council.

3) In June, the Native Council of Canada (NCC) contracted with the Aboriginal Council to establish a study site in Winnipeg, in conjunction with their urban self-government project, which was supported by the Commission's Intervenor Participation Program. The NCC project is being carried out in five other urban areas. A total grant of $21,000 was made available to undertake this aspect of the project. Using structured instruments prepared by NCC and Optima Research, interviews were conducted with urban Aboriginal residents, Aboriginal and Non-Aboriginal service agency stakeholders, and Aboriginal and Non-Aboriginal political stakeholders. The findings from these three surveys were incorporated into the overall report.

Under this project funding, one study site manager was contracted to complete all aspects of the project, and four Aboriginal people were contracted to complete the surveys of Aboriginal residents.

Project Activities

In the following section, we will describe the activities which were undertaken in the context of the stakeholders research and consultation project.

1)   Stakeholders analysis.

A comprehensive analysis of the Aboriginal and Non-Aboriginal stakeholders was completed;

2)   Computer data base of stakeholders.

A computerized data base of all stakeholders, organized according to sectors, was created, including information as to the agency/organization, the key contact people and their position within each agency/organization, the full mailing address, telephone and fax numbers.

This data base supports a number of key communications functions including: mail merge; mailing labels; group fax; and automated voice telephone messages. This data base will have an ongoing utility to the Aboriginal Council, and to all of the community-based organizations who have co-sponsored this project. It will be used to facilitate communications functions as follows: convening meetings, workshops, and conferences; distributing information; community organizing on emerging issues; networking with respect to program and service development and delivery; and securing community/stakeholder input into proposed policies, programs, services, strategies, and so forth.

Extensive project resources were invested in this stakeholders data base because of the important and ongoing contribution it will make to improving communications within the Aboriginal community, and between Aboriginal and Non-Aboriginal stakeholders, thereby enhancing the capacity of urban Aboriginal organizations and service agencies to more efficiently and effectively consult with and meet the needs of the urban Aboriginal community.

3)   Consultations with stakeholders

Consultations with Aboriginal and Non-Aboriginal stakeholders; two consultations were held throughout the research period - one in June with Aboriginal stakeholders only, and another in August with both Aboriginal and Non-Aboriginal stakeholders;

4) Documenting the perspectives of stakeholders;

Using the information gained through the stakeholders consultations, and the written documentation provided by stakeholders, this report was prepared to document the views of Aboriginal and non-Aboriginal stakeholders within the city of Winnipeg.

5) Advancing the urban self-determination/self-government agenda.

The computer data base will be utilized by the Aboriginal Council to continue to advance the urban Aboriginal self-determination and/or self-government agenda, beyond the completion of this research and consultation project.

C. The Organization of the Paper

Part One contains the introduction to this report, and discusses issues concerning the approach to the project, and the contents of the report. Part Two reviews the social, economic and political environment that provides the context for the discussion of models and developmental processes for urban Aboriginal self-determination and/or self-government. Part Three discusses the six elements of governance that must be addressed within any model, and Part Four reviews the various models for urban Aboriginal self-government that have been identified to date, including those which were suggested by stakeholders within the context of this urban self-government project.Part Five outlines a series of recommendations that can form the basis for an action plan for the transition to urban self-determination and/or self-government.

Part Two

The Socio-Economic and Political Environment

Chapter One

The Roots of Economic Underdevelopment and Elements of an Urban Economic Development Strategy

In the following chapters, we will review aspects of the economic, social and political environment that sets the context for the approach of the Aboriginal Council of Winnipeg to self-determination and/or self-government for the Aboriginal community of Winnipeg. This chapter reviews the roots of economic underdevelopment, and outlines some of the strategic considerations relative to the design and implementation of an economic development strategy for the urban Aboriginal community. In our view, economic development is critical to Aboriginal self-determination, and must, therefore, be a central aspect of any plan advanced by the Council.

This chapter begins with the premise that the current socio-economic conditions which prevail in urban Aboriginal communities, as well as in reserve and rural Metis communities, are the legacy of colonization which began in this part of the Americas in the 16th century. The roots of colonization can be traced to the early economic relations between Aboriginal peoples and the Europeans through the fur trade. Current conditions are, in our view, a function of this past economic exploitation, and the subsequent marginalization that arose out of the nature of those early economic relations.

While it is beyond the scope of this chapter to provide an extensive analysis of colonialism, for the purpose of this paper, we would summarize the processes of impoverishment under colonization as the disruption of Indigenous societies, economies, spiritual belief systems, social organization and political systems. For analytical purposes, we will attempt to isolate the various dimensions conceptually, although in reality each dimension is interrelated with the others.

While many people question the relevance of history in the development of current strategies, we believe that any attempts to understand, that are not rooted in an awareness of our economic history, will fail to bring any understanding as to why these conditions exist and persist. Before it is possible to come to terms with the concept of urban Aboriginal self-determination and/or self-government, and the issues which must be addressed if this agenda is to be achieved, it will be necessary to begin by

understanding how these collective historical experiences find
reflection in the current socio-economic and political conditions
within our communities.

Understanding the roots of our modern impoverishment will
necessarily demand consideration of: the impacts of the early
integration into the capitalist global economy; the change in the
locus of production and the resulting economic marginalization;
the growth of the welfare economy as a result of government
failure to support economic development; destructive development;
the assertion of traditional harvesting rights, the emergence of
Aboriginal resource development companies, and the racist
backlash; the impact of the changing national and global economy,
and the non-existent or inappropriate economic strategies of
government. In this chapter, we will review each of these
processes, and conclude with a discussion of the current
conditions within the urban Aboriginal economy.

**The early integration of Indigenous economies into the global
economy.**

The modern phenomenon of globalization, or in other words, the
increasing displacement of local and national economies by a
world-wide economy under the control of transnational
corporations rather than governments, actually began centuries
ago with the development of trade relations between Europe, Asia
and North Africa. In 1492, as an outcome of the search for a
shorter route to Eastern riches, this mercantile capitalism
expanded to the Americas.

In other parts of the Americas, Indigenous peoples were
integrated into this expanding mercantile economy, through the
supply of a variety of precious minerals, tropical agricultural
products, hardwoods, and other products. The economic integration
process experienced by southern Indigenous peoples was brutally
exploitive and took the form of slavery and a form of serfdom and
tribute. The widespread depopulation of territories under
contact, either through slaughter or exposure to new diseases,
gave rise to the African slave trade.

In the northern parts of the Americas, Indigenous peoples were
integrated into the global economy through the fur trade. Labour
was organized as independent commodity production simply because
of the nature of the production process, not because the British
and French colonists were less brutal and exploitive than the
Europeans who colonized Central and South America. In fact, the
experiences of Indigenous peoples in other British and French
colonies demonstrates that these regimes were just as oppressive
as those of the Spanish, Portuguese and Dutch.

Economic integration had a number of profound and far-reaching consequences. First, the production of a cash crop (semi-processed wild furs) to meet demand in the European economy displaced production for local demand and consumption, and created dependency on external sources of demand. This dependency made our ancestors vulnerable to downturns and other crises of the European economies. Secondly, European trade goods, such as guns, iron pots and blankets, displaced Indigenous technology. This resulted in a loss of traditional skills and a dependency on outside sources of technology. As dependency increased, the interdependent nature of the trade was eroded.

The notion of economic underdevelopment provides a way of understanding the impact of these economic forces. In this sense it is important to note that "underdevelopment", contrary to much modern thinking, is not the same as "undevelopment", since the former is the result of historic exploitation while the latter, according to neo-conservative economic thought, refers to societies who have not had the opportunity to benefit from exposure to the so-called civilizing forces of the western world. Development and underdevelopment are two sides of the same coin. Because many of the currently impoverished areas of the modern world, such as North Africa, were once the richest parts of the world, their current poverty should be seen as the result of too much exposure to the west, rather than too little. Our modern Aboriginal societies have little to show despite hundreds of years of labour and production, because the wealth that was generated here was re-invested elsewhere. The loss of the economic surplus, and its re-investment in Europe, resulted in the development of European economies and the underdevelopment of our Indigenous economies.

The change in the locus of production and the resulting economic marginalization.

Throughout the fur trade period, Indigenous people were able to maintain a level of relative economic interdependence because the trade required their knowledge, skills and technology. Although there was increasing dependency in the traditional economy, and notwithstanding its integration into the commercial economy, traditional subsistence production still provided a means to meet material needs outside of the commercial economy. With the decline of the fur trade and the shift to a new economy based on agriculture and industry, our people were pushed into economic irrelevance.

Because the new economy demanded access to land, treaties were negotiated and reserves established. It is unlikely that the land would have been alienated through these arrangements were it not

for the pre-condition of economic underdevelopment brought about by the fur trade. Although many Indigenous people of that time wanted to become involved in the new economy, barriers were erected to their participation: the national government, mandated to administer the treaties for the British crown, refused to provide for the development of agriculture on reserves, and access to wage labour was denied in order to protect employment opportunities for immigrants. These barriers were coupled with increasing restrictions on the pursuit of the traditional hunting, gathering and fishing economy. Overall, the economic transition resulted in the marginalization of our people.

The growth of the welfare economy as a result of government failure to support economic development.

A form of welfare was first introduced during the fur trade period when relief rations were provided by the Hudson's Bay Company during particularly harsh winters. It is important to note that prior to the fur trade, our ancestors never faced such starvation conditions. Contrary to conventional wisdom which argues that our people were nomadic "stone age" peoples, constantly in motion roaming the land in search of food, and eking out a meagre hand-to-mouth existence, our ancestors spent relatively little time meeting their material needs. In particular, Indigenous people of that time would never have wintered on the northern coast, even though the area may have been part of their seasonal migration, because of the known shortages of adequate food supplies. The so-called "home-guard Indians" found themselves in this situation because they had been encouraged to remain at the fort to hunt to provision the fort with food while the others were away on their trap lines.

With the economic transition to agriculture and industry, and the lack of government support to engage with the new economy, dependency on government relief increased. Marginalized from the new economy, and denied access to their traditional economy because of the continued encroachment of the settler society, welfare became the only remaining option. Because such relief payments were provided to individuals rather than to the collective, this private dependency on relief eroded the traditional social organization which was based on the communal responsibility of extended families and clans. Over time, welfare dependency gained a life of its own - dependence on welfare is now often a common feature of Aboriginal life and tends to also be transmitted intergenerationally.

Destructive Development/Development Aggression

Current conditions in our communities cannot be considered
without addressing the impact of destructive economic development
projects. Generally, although there were exceptions to the rule,
the lands that were reserved for the use and benefit of Indians,
(the category of Indigenous peoples recognized by the federal
crown) tended to be lands that were less productive for
agriculture, or less desirable for settlement. With the growth of
markets in timber and minerals, and with the development of
technology allowing for the harnessing of wild rivers for energy
production, Indian lands were targeted for "development".

Western mythology provides a way of legitimating the continued
exploitation of Indigenous lands. With European settlement came
the notion that the Americas, especially in the areas now known
as the United States and Canada, were essentially empty lands, or
at the very least, were under-utilized by existing populations.
This ideology provided the rationale for the taking of Indigenous
lands.

Modern so-called development schemes continue in this tradition.
Mega-projects such as hydro-electric dams and transmission
corridors, uranium and other mines, clear cut logging, pulp and
paper mills, and various military installations including bombing
ranges, cruise missile paths and low level flight training areas,
and, increasingly, toxic waste disposal sites are almost always
located on Indigenous lands. These lands are often seen as
"national sacrifice areas" meaning that the destruction of these
lands, and the disruption of the lives of the Indigenous
inhabitants, are morally acceptable because these are under-
utilized, and because the project is in the national interest.

In this province, successive governments including both social
democratic and conservative, have used northern hydro-electric
development as a means of generating revenue and creating
employment. In spite of the massive social, economic and
spiritual dislocation caused by this flooding, most affected
Aboriginal communities have yet to be compensated adequately.
Where environmental assessments are carried out, the impact on
Indigenous people is either completely ignored, minimized, or
deflected by assertions that damages can be mitigated.

Although these projects have been labelled "development", they
are in fact underdevelopment, and are consistent with the
approach to Indigenous peoples and our lands begun some 500 years
ago. Not only do these projects not benefit local people through
the provision of rents, employment or higher standards of living,
they create further impoverishment. These projects destroy the
traditional economy and the spiritual relationship with the land:
fish are poisoned, the habitats of animals are diminished, water
ways become treacherous and unnavigable, hunting areas become

inaccessible, sacred sites and burial grounds are destroyed, medicines are lost, family systems break-down and social structures are eroded, entire communities are relocated and the graves of their ancestors flooded, and the incidence of illness and accidents increase, while violence, suicide, homicide and other deaths by misfortune become commonplace.

And, to add insult to injury, many northern Aboriginal communities are denied access to the power that is generated on their traditional lands, and where they are serviced, are required to pay rates substantially higher than southern households and industry. Such energy colonialism must stop: northern Aboriginal peoples must no longer be expected to carry the burden of southern consumer lifestyles and private profit-making. Everyone should support recent actions by some First Nations leaders to withhold energy payments until the outstanding issues are resolved.

Under these conditions, welfare is inevitable. Often, people are left with no option but to leave their traditional territory for an uncertain future in an urban area. Once relocated to cities, our people face another set of problems including racism, marginalization, unemployment and slum housing. Such migrants, as they are commonly referred to, are in fact environmental refugees and should be eligible for the same range of supports provided by the state to refugees from other countries. While Friendship Centres, established some four decades ago to meet the needs of Indigenous migrants, are still viable means of meeting these needs, the level of resourcing is inadequate to the task.

Resource companies, public agencies and governments gain the approval of local administrations by presenting these projects as viable economic development initiatives. Faced with unemployment rates in excess of 90% in many Aboriginal territories, unrelenting poverty, social chaos and dysfunction, ideological "brainwashing", subtle and not so subtle threats of further marginalization, and the absence of economic alternatives, some leaders feel that they have no other option but to take what is being offered.

Development is equated with the notion of progress - inevitable and desirable, it provides the means to escape from the subsistence economy which maintains people in poverty. These projects, it is argued, hasten modernization through access to wage employment, improved infrastructure such as roads, water and sewage systems, electrification, and increased access to western consumer goods and lifestyles.

The belief in the inherent goodness of progress is based upon the devaluation of traditional knowledge, values, economy and lifestyle, and the superiority of western consumer lifestyles. We must question the conventional theory which argues that, although

there are unique and pressing challenges, Aboriginal peoples are sharing in Canada's ever-increasing prosperity. Has the material well-being of our people increased substantially over time as a result of modernization? Pointing to the minority of people who have survived and even prospered under the current social and economic system will not adequately answer this question. Rather, we must inquire as to the health and well-being of the majority of our people, and the prospects for future generations. The continuing disparity between Indigenous peoples and the rest of the Canadian population, as reflected by all indicators of health and socio-economic conditions, provides evidence that modernization has not delivered on its promises.

Strategies to promote, achieve and maintain holistic community and culture based social, economic and political institutions must come to terms with the disruption wrought by destructive development. In our view, resolution of this issue must go further than simply providing for adequate compensation and guarantees of participation in future development projects. Rather, the entire development paradigm must be challenged: decommissioning and reclamation must be credible options; a moratorium on further development projects is an absolute minimum; energy conservation must be the means of meeting future anticipated demand; forests must be protected for their inherent as well as their alternative production values; the consumption of the wealthy must be reduced; and Aboriginal communities must be supported to identify and implement sustainable alternatives to the dominant development model.

The assertion of traditional harvesting rights, the emergence of Aboriginal resource development companies, and the racist backlash.

Increasingly, First Nations are asserting their treaty and Aboriginal rights to the traditional harvest, and are beginning to take control of natural resource development on their reserves and treaty lands. Resource companies owned by First Nations are entering into joint ventures and other commercial arrangements to exploit the natural resources found on their lands. While such gains some momentum, Indigenous harvesters have been subject to racist attacks from white sports hunters and commercial producers.

Whether it is Anishinabe people exercising their rights to hunt and fish on unceded crown lands and parks, or the commercial Indian salmon fishery which has recently been established on the west coast, or the treaty-protected spear fishing in northern Wisconsin, the outcome is always the same. Associations of sports/trophy hunters and fishermen, almost always white, or lodge owners or commercial harvesters, mount an aggressive, racist and sometimes violent campaign against the exercise of the

traditional rights to harvest. Slogans such as "Save a fish -
spear an Indian" popular in northern Wisconsin, or declarations
of "open hunting season on Indians" in Ontario, express some of
the more violent racist sentiments that have been brought to the
forefront by the recognition of treaty and Aboriginal rights. On
the west coast, commercial harvesters have threatened to boycott
any fish processing companies that purchase fish from the
Aboriginal harvesters, and after one season of the commercial
Indian salmon fishery, non-Indian commercial harvesters are
blaming the Indian fishery for the decline in salmon populations.

It is likely that these events simply signal the beginning of a
social phenomenon that is likely to grow as land claims are
settled and self-government established. By and large, these
conflicts will occur in "small-town Canada", a social group not
known for its progressive attitudes and treatment of Aboriginal
peoples. It is not yet clear whether these groups are linked to
some of the more virulent white supremist organizations, but at
least one Aboriginal trapper from northern Saskatchewan has
already been killed by a self-professed white supremist.

While support for Aboriginal people is growing, it tends to be
limited to the urban areas. Strategies to improve the material
well-being of Indigenous peoples will have to find ways of
diffusing the racist element, and of ensuring that our rights to
the traditional harvest are not undermined.

Changes to the national and global economy.

An understanding of the nature of the economic forces affecting
the health and well-being of Aboriginal communities must
necessarily include an assessment of the issues which negatively
affect the nation generally. The major fiscal and economic policy
areas which should be addressed include privatization,
deregulation, regressive taxation, monetarism, militarism, and
free trade.

In our view, the Free Trade Agreement (FTA) and the proposed
North American Free Trade Agreement (NAFTA) should be abandoned
because they are the antithesis of community control of the
economy: rather than local control of economic decisions, free
trade arrangements institutionalize economic control by the
faceless ones - the managers of transnational corporations which
are neither accessible nor accountable to local governments or
local citizens.

Global free trade is the latest reflection of the global economic
system that began hundreds of years ago. Corporations, not
Indigenous peoples, are in fact the best example of true nomads:
rooted in no one place, accountable to no-one or nothing else but
the bottom-line, they roam the world at will, moving capital to

locations where the combination of low wages, non-existent or unenforceable environmental laws, access to cheap sources of natural resources, and lowest rates of taxation provide the highest rate of return on capital investment.

Free trade compromises our sovereignty, threatens our natural resources including our fresh water, eliminates jobs through de-industrialization, and erodes the safety net of social benefits that citizens have worked so hard to establish.

Opposing free trade will necessarily include challenging conservative economic policies, including those advanced by supposedly social democratic governments, and joining forces with other resistance groups in broadly-based coalitions. Such efforts must also focus on the building of viable sustainable local economic alternatives.

Current Socio-Economic Conditions and Considerations For a Community Economic Development Strategy For the Aboriginal Community of Winnipeg

This section of the chapter will review the current socio-economic conditions of the urban Aboriginal community, which are the result of the historical processes of impoverishment that are describe above, as a way of understanding how these conditions have contributed to the level of strife and dysfunction that are characteristic of our communities, as reflected in statistics such as incarceration rates, violence, the over-involvement of Aboriginal child within the child protection system, and so forth.

Despite the size and the concentration of the Aboriginal community of Winnipeg, control over the social, educational and economic institutions essential to the well-being of the urban community has remained with the mainstream society. Governments have not recognized the treaty and aboriginal rights of Aboriginal people who live in urban areas and therefore, have not made available the resources necessary for institutional development. Where special programming is available for non-statutory services to Aboriginal people, it is because Aboriginal people are considered to be disadvantaged; much of the non-statutory service delivery system is controlled by non-aboriginal agencies who identify Aboriginal peoples as one of the disadvantaged groups they serve in order to secure and maintain their funding.

Although cognizant of the increasing rate of migration and the social and economic implications for cities, governments have not responded strategically. As migration became a discernible trend and it became increasingly obvious that strategies were necessary to successfully assimilate the growing numbers of migrants, a

number of government commissioned studies formulated possible
strategic responses. In 1976, the government of Manitoba was
advised by its own officials that by 1985 one-half of the
Aboriginal population was likely to be living in Winnipeg, and
that the demands for "protective, health and other social
services would be high". The Manitoba government was also advised
that social and economic development must "become an imperative
of the first magnitude for governments" if the social and fiscal
crisis was to be avoided. In arriving at this conclusion,
government planners pointed to a number of considerations:

-   The processes of impoverishment are strengthened through
    generations. The reinforcing pattern of interrelated
    conditions surrounding poverty progressively affect the
    family and especially the infant and child, decreasing their
    chances of obtaining a satisfactory place in society. Thus,
    the social consequences fall succeedingly more heavily in
    each generation unless successful intervention occurs, or as
    the impoverished group develops the power to effect change
    from within;

-   There is an economic interest in social and economic
    development that goes beyond concern for the welfare of
    Aboriginal peoples: cost-savings are possible through the
    trade-off between effective development expenditures and the
    increasing costs of poverty maintenance programs. Research
    has found that the exceptional social costs of maintaining
    poverty tend to double in constant dollars each generation
    due to increased population, the deepening pervasiveness of
    the problem as a result of reinforced interrelationships and
    the drawing in of more people on the fringes of the original
    group through social dynamics;

-   While effective development expenditures may show a positive
    trade-off during the initial operating period, the most
    substantial benefits occur in the second generation effect
    because the otherwise anticipated increase in costs does not
    occur;

-   Benefits are maximized where the development projects are
    labour intensive rather than capital intensive, where
    productivity is high, when non-aboriginal labour is
    minimized, and where the projects employ a cross-section of
    the population rather than simply the most employable;

-   The cost-benefit trade off must be made between urban and
    reserve/rural communities thus affecting migration patterns;
    and

- Aboriginal people must be fully involved in the preparation and implementation of development programs that have the objective of moving a group from a large measure of dependency to independence or interdependence with the rest of society.

In 1986, after a decade of inaction concerning the situation of urban Aboriginal people, the Manitoba Association of Friendship Centres cautioned governments that the major challenge of urban centres was "coming to terms with the issues between the Native people and the cities, that integrating Native people into the fabric of the urban centres is mandatory in order for the urban centres to survive". In their view this was due to an escalating migration rate, expansion of the second and third generation urban population, and the anticipated high rate of future family formation due to young age of the population.

Despite these and other assessments, however, governments at all levels appear to have chosen to adopt a "wait and see" attitude, no doubt hoping that the extent of the future problem was over-stated, or that it would eventually resolve itself. Experience has demonstrated, however, that the migrants have not successfully assimilated into the social and economic fabric of society: the majority of urban Aboriginal people have become trapped in a culture of poverty and are heavily dependent on governments for their survival. Not only is this impoverishment process not decreasing, it is accelerating as poverty is reproduced intergenerationally and as urbanization increases as conditions fail to improve in the rural areas. It has become increasingly obvious that this situation will not improve until steps are taken to address the root causes of poverty and disempowerment, the pervasiveness of the problems faced, and the interrelationships that exist among the various processes of impoverishment.

Rather than recognizing that Aboriginal people must be in control of their own destiny, governments have allowed Aboriginal people to become passive consumers of goods and services delivered by the mainstream society. Under existing arrangements, Aboriginal people are clients of mainstream systems: rather than supporting the development of Aboriginal controlled service delivery systems, the three levels of government - municipal, provincial and federal - have chosen to provide resources to non-aboriginal agencies for the delivery of services to Aboriginal people. Because Aboriginal people make up a disproportionate share of the service population of systems such as child and family services, justice, and income security, we support the extensive employment of non-aboriginal people.

As a result of these approaches, the mainstream economy has been strengthened while the Aboriginal economy continues to be impoverished and disempowered. Control over these services must

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be transferred to Aboriginal agencies so that our community can derive the economic benefits while meeting service needs in culturally appropriate ways.

Control over the education of our children is critical to the well-being our youth. With the exception of the Children of the Earth High School and the new Aboriginal elementary school, the education provided to Aboriginal children can be considered to be still colonial in nature: Aboriginal children are still required to attend schools that are designed and administered by agents of the dominant society. They are taught by teachers who are generally unaware of Aboriginal cultures, and are subject to curriculum which has no basis in their reality. Recently, the Winnipeg School Division's Task Force on Race Relations confirmed what our community has always known: our children are singularly "disadvantaged" with respect to the mainstream education system.

The Aboriginal community continues to be a source of wealth for the non-aboriginal business community through the provision of goods and services. Governments generally have been unwilling to undertake investment in wealth-producing initiatives: the few resources that are available to urban people tend to be primarily for social programming with very minimal amounts for economic development. While resources are critical for social development, the lack of programming supporting economic self-reliance simply maintains dependency on transfer payments, and condemns others to low-paying, insecure and dead-end jobs. Not only is economic development unavailable from government sources, it is impossible for the vast majority of Aboriginal people to secure financing from the private sector: loans are not available for business development, nor are they available for mortgages that would enable people to provide for their basic need for decent, affordable shelter.

The political leadership has failed to meet the challenges of urban economic development. The economic development efforts of the First Nation leadership has been limited to on-reserve initiatives. Although there are significant opportunities for economic cooperation between urban and reserve/rural communities in terms of the supply of goods and services, there has been little development in this area; where such off-reserve businesses exist, they tend to be extensions of the reserve-based administration, ie. development corporations and/or tribal councils.

Although a vision of integrated community economic development has been around for decades, as evidenced by the Neeginan proposal of the 1970's and the results of community planning processes in the 1980's, these initiatives have been hampered by a lack of access to resources, and the inability of existing service organizations to maintain a sustained effort because of the unrelenting demands of service delivery.

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Concrete measures to overcome economic underdevelopment.

Our early integration into the global capitalist economy, and subsequent economic changes, have resulted in profound changes to our traditional socio-economic, political and spiritual systems, the impact of which can still be felt today. Holistic strategies to overcome the economic and social crises in our communities must recognize this history of economic exploitation and social disruption, and must include effective measures to overcome economic underdevelopment through re-orienting local production to meet local demand and need. In urban communities as well as in the rural areas, these strategies must include an analysis of leakages from the local/Aboriginal economy, and the development of Aboriginal controlled economic institutions to ensure that our people are able to benefit from our labour and the sustainable use of our resources.

In order to create the level of change that is required, all levels of government must be committed to the development of the institutional vehicles necessary for self-determination. Governments must provide resources to initiate community planning processes directed towards the development of institutional arrangements that will meet the needs of women, seniors, children, youth and families, within an approach that facilitates self-determination rather than dependency. These arrangements must necessarily provide for appropriate levels of financing and authority to meet the needs in child and family services, education, training, justice, health, income support, housing, employment and business development.

Chapter Two

The Roots of the Current Social Crisis and Elements of a Socio-Cultural Strategy

In this chapter, we will reveiw the roots of the social crisis which is rampant within Aboriginal communities in urban as well as reserve and rural areas. It is our view that self-determination and/or self-government is not possible without substantial changes to the social circumstances within our communities and territories. It is our view that, should self-government be established without improvements to our social conditions, and without a commitment to address these circumstances in the transition process, we will have institutionalized self-administration rather than self-determination and/or self-government. At the same, we also believe that the return of control to our communities that is inherent to self-determination/self-government may be the only way that we can successfully overcome these conditions. For this reason, it is critical that the various levels of government, and the other agents of the mainstream society, support this agenda.

In this chapter, we will outline some of the considerations which must be central to the Aboriginal Council's strategies to overcome the social crisis within the urban Aboriginal community, within the context of the transition to self-determination and/or self-government.

This review of the social crisis starts from the premise that the social conditions in Aboriginal communities are the end result of colonization. The disruption of our traditional social organization, based upon the self-sufficient extended family system and the responsibilities of clan affiliation, has played a determining role in the health and well-being of our communities. Strategies must, therefore, be directed towards identifying the root causes of social dysfunction, and the articulation of concrete measures to remove the barriers and obstacles which prevent the application of knowledge and resources towards the elimination of these problems. Necessarily, such strategies must be geared to the restoration of the traditional extended family and clan structure of our societies.

A main barrier to the resolution of social conditions in Aboriginal communities can be found within the attitudes and responses of the dominant society. Generally, non-Aboriginal people believe that Aboriginal social problems are inherent to Aboriginal families and communities, rather than a product of the relationship between Aboriginal communities and non-Aboriginal society. They believe, therefore, that the responsibility to address those issues rests entirely with Aboriginal peoples. Social issues only because recognized as such when they begin to

impact on non-Aboriginal communities. While this is a feature
that is applicable to social issues generally, this approach is
particularly apparent within the response to solvent addictions
and youth gangs.

In addressing the root causes and precipitating factors of social
dysfunction, it will be necessary to understand the root causes
and precipitating factors behind the statistics concerning the
continuing over-involvement with the child protection system,
correctional institutions, the incidence of family violence and
generalized violence in our communities, suicide, chemical
addictions, and a range of health problems. The role of
inappropriate community norms, the ethic of non-interference,
denial and negative attitudes must also be addressed. In
undertaking this assessment, it will be necessary to consider the
impact of missionaries and the modern church, the residential
school system, the social impact of the child welfare system, and
the driving forces behind urbanization.

Missionaries

Various sects of christian missionaries arrived shortly after the
establishment of trade relations with the different nations of
Indigenous peoples. Their overt function in the northern
hemisphere was identical to the role of the church in the
southern colonies: they were sent to save souls, to bring the
heathen savages into the church and the civilized world, and so
on. Their covert role was to consolidate the new socio-economic
and political regime.

Missionaries were a de-stabilizing force in Indigenous societies
from the outset. Our spiritual relationship to Mother Earth
formed the foundation of our pre-contact societies. This
relationship, through the original instructions that were given
to our peoples, shaped our responses to the human world.
Missionaries learned very quickly that if they were to have any
success in converting the savages, it would be necessary to
dismantle the spiritual base of our societies. Convinced that our
spiritual worldview, traditions, medicines and ceremonies were
"the devil's work", and armed with the support of the colonial
governors, missionaries set out to destroy the stature and
influence of our spiritual leaders and traditional healers, as
well as our ceremonies and medical practices.

Ceremonies and practices which were fundamental to our culture
were systematically targeted: the sun dance, the potlatch, the
give-aways, spiritual healing and our many traditional medicines
were made illegal. The church and the state conspired to keep our
spiritual leaders and traditional healers under constant
surveillance. Often, our ceremonies were raided and our people

jailed. Sacred medicine bundles and medicines were stolen and never returned. Usually, these ceremonies and medical practices simply were driven underground, because our people refused to abandon the way of life that had sustained our people for thousands of years.

Despite the incredible level of oppression during these early years of contact, our spiritual traditions have remained relatively intact and are available to those who wish to reclaim a central part of our identity as Indigenous peoples. Unfortunately, however, many of our people were not able to withstand the massive assault. Some of our people have simply rejected any form of spiritual belief, while others have assimilated the views of the church to such an extent that they also equate traditional spiritual expressions with evil.

In addition to their impact on the spiritual foundation of Indigenous societies, missionaries played a significant role in the marginalization of women. Coming from the patriarchal and woman-fearing societies of 17th century Europe, missionaries were unaccustomed to dealing with women as the equals of men. Women not only exercised influence in economic and political matters, they were also recognized as spiritual leaders and traditional healers. Women healers had sole responsibility for the treatment of a range of conditions, and were well versed in the gathering and preparation of medicines. No doubt the ability of women to control the number and spacing of births was disconcerting to the christian values of the missionaries.

Distressed with the unprecedented power and autonomy of women, and with the difficulty in assimilating women to christianity, missionaries often counselled men to use violence if necessary to ensure the compliance of women to the dictates of the church. In this regard, the roots of violence against Indigenous women can be traced to some of the pronouncements of the church.

Any attempt to articulate a holistic community and culture based model to address the social and health conditions of Aboriginal peoples will have to address the historic and current role of the christian church in our societies. In many cases, the church still divides our people as the various denominations compete for Indian souls. For others, the church is a positive, stabilizing force in their lives. In the design of our programs and in the delivery of our services, we will have to acknowledge the divided loyalties, and will be required to respect the choices that individuals have made, even though we may personally have great difficulty with the continuing presence of the church.

Caution will be required to protect the essential truth of each spiritual tradition. We will have to develop a range of services that maintain the integrity of the different spiritual traditions rather than trying to integrate the two perspectives into one

model. If we insist on occupying a middle ground between the two
philosophies and ways of being, it is likely that we will satisfy
no-one.

Residential schools

Missionaries joined with the state in an unholy alliance that has
caused untold pain and suffering across four generations of our
people. The residential school system is very much a current
issue that only relatively recently has been recognized for its
devastating impact on the social organization of Indigenous
societies. The roots of much of the child neglect and abuse, and
general poor parenting, that is found in our communities can be
traced directly to the residential school system.

The education of Aboriginal children was not the principle reason
behind the this system, so it is not surprising that generations
of our people have failed to be educated within this institution.
These schools were first and foremost a government strategy,
implemented with the support of various denominations of
christian churches, to eradicate the remaining vestiges of the
traditional culture so as to assure the assimilation process.
This was to be accomplished by taking the children at a young age
and separating them, for long periods of time, from the
corrupting influences of their families, communities and culture.

As an agent of assimilation, residential schools achieved a
measure of success: children emerged from the schools alienated
from family and culture, and ashamed of the "primitive" ways of
their people. The residential school system had other impacts as
well: the procees of institutionalization was begun here, and
often continued in jails and other correctional institutions.
Children failed to receive an education, and were not capable of
either continuing their education or gaining employment.
Subsequent generations often rejected attending any school
because of the negative impact of the residential school system
on their family.

Growing up under institutional care also meant that, as adults,
they were ill-equipped to parent their own children since they
had never had an opportunity to observe and learn parenting
skills. This feature has had far-reaching implications as poor
parenting skills were transmitted intergenerationally. Much of
the current neglect of children that is so problematic in our
communities can be traced back to this aspect of the residential
school system.

As troublesome as these and other experiences were to the
children who were students at these schools, and succeeding
generations, by far the most devastating aspect of the
residential school system was the physical and sexual abuse that

was visited upon these children. While not all children were victimized in this way, and while not all school personnel were abusers, vast numbers of children were the victims of such abuse of power. In many cases, the impact of this abuse was also felt by children who never attended the schools, as well as by the children and grandchildren of the victims, as the cycle of abuse was completed and the abused became the abuser.

The widespread physical and sexual abuse within our Aboriginal communities can be traced directly back to the residential school system. That such conditions were not part of our pre-contact societies is evidenced by the strong prohibitions and social sanctions against incest and other unacceptable sexual behaviours, as well as the absence of coercive or physically abusive treatment of children in our pre-contact societies. It is also reflected in the testimony of elders who can recall a time where such problems did not exist.

This rampant physical and sexual abuse, put in motion by the residential school system, has also given rise to another set of social problems that plagues our communities: youth suicide, addictions to alcohol, solvents and drugs, family violence, violent assaults and homicide, as well as the continuing high rates of child apprehensions, wardships and adoptions outside of the extended family, community and culture.

In our efforts to articulate and implement a holistic, culture and community based approach to health and well-being, it will be impossible to overlook the central role played by the residential school system in the genesis of social dysfunction. Victims and their families need opportunities to acknowledge their pain, to confront and challenge victimizers to admit his/her guilt, to witness genuine remorse on the part of the victimizers, to have the church and government acknowledge and take responsibility for their role in the victimization, and to otherwise secure justice on their own terms.

Responding to the social and psychological impact of this system can include the establishment of healing centres, support groups for survivors and their families, programs to deal with abusers, conflict resolution, mediation and family reconstruction, and empowerment programs designed to overcome the entrenched sense of negative self-worth. Such programs and services must be available, not only to individuals, but also to families and communities. Such initiatives must also be culturally appropriate if they are to be useful. A comprehensive strategy must, however, go beyond simply recovery programs.

Considerations for the Development of Strategies to Overcome the Social Crisis in Our Communities

The social crisis in Aboriginal communities, including both rural, reserve, and urban communities, find reflection in high rates of suicide, especially among young people, addictions to alcohol, drugs, and solvents, violence towards women, the physical, emotional and sexual abuse of children, and high rates of incarceration within correctional institutions. In this section, we will address the issues relative to suicide and addictions, since the issues concerning violence and child abuse are addressed in other sections of this paper. We will not address issues concerning incarceration since this issue is addressed comprehensively through the Aboriginal Justice Inquiry. The following comments are not intended to provide a comprehensive over view of the issues, but rather are to link these issues within the larger framework for self-determination which we believe will be the only effective way of overcoming the social crises that we confront in our communities.

The Roots of Suicide and the Barriers to Prevention and Intervention

Suicide must be seen as the end result of the process of colonization amongst Aboriginal peoples within the industrialized countries of the North. It is a feature of our societies that differentiates our conditions from those of Indigenous peoples within the non-industrialized countries of the South. In other words, while Indigenous peoples in the southern areas are victims of state violence, in our territories our people destroy themselves.

The roots of suicide can be found in the same historical experience of colonization that has precipitated other self-destructive behaviours. Many young people and adults, and increasingly children as well, have chosen the ultimate act of self-destruction as the only remaining response to the socio-economic, political and other factors that often find reflection in poverty, family violence, and the physical, emotional and sexual abuse of children. Alcohol is usually involved in suicides among young people and older adults. Suicides are grounded in the pain of their existence, and in the sense of hopelessness about the potential for future improvements in the quality of their lives. Suicides are also often precipitated by other suicides; this is especially true for young people.

The barriers and obstacles to suicide prevention are the same as those that exist in the other areas of social dysfunction: the continuing neo-colonial relationship between Aboriginal peoples, government and the larger society, and the related failure of

governments to support the transition to self-government and self-determination; inappropriate services and programs which address only the symptoms rather than the root causes and precipitating factors; the lack of access to culturally appropriate services; the lack of effective and easily accessible crisis intervention and prevention programs, due to the unavailability of financing for programs; and isolated approaches to issues that should be addressed holistically.

The high numbers of our people who are lost through suicide must be recognized as a symptom of a much deeper problem. To be effective in our efforts to prevent the further loss of our people, our strategies must necessarily address the root causes and precipitating factors in addition to the usual crisis intervention and counselling programs.

The New Directions/Healing Our Youth program, which connects youth to the strengths of our traditional cultures within the context of community sharing and caring, has demonstrated its effectiveness in providing a meaning to the lives of young people, and promoting the healing that is critical to survival. Other initiatives, such as the youth leadership development program, which is being developed by the Mamawi Youth Program will also be effective in this regard.

The roots of addictions to alcohol, solvents and drugs, and the barriers to prevention and intervention

The roots of alcoholism can be traced back to the fur trade era where alcohol was introduced by the fur trade companies to alter the terms of trade in favour of the company. It is noteworthy that this practice paralled the experience of other colonies: West Indies rum played a significant role in North American trade as did opium in trade with India and China.

Trading companies found it necessary to resort to these practices because Indigenous peoples tended to not respond to the normal supply and demand conditions. That is, the absence of motivation to increase their level of consumption of consumer goods, and lack of responsiveness to higher prices, meant that our people would not increase their level of production beyond that which was necessary to satisfy their material needs. Creating a dependency on alcohol was a method used by the companies to increase the supply of furs, and therefore, their profit margins.

Additionally, the consumption of alcohol as a normal aspect of trading protocols was a way of blunting the sharpness of Indigenous negotiating skills. Such exploitation in exchange provided another means of increasing profits. Similarly, by creating a market in alcohol, companies were provided another opportunity to increase their profits.

While it is likely that the consumption of alcohol by the male members of Indigenous societies caused family and social problems from the outset, the impact of alcohol worsened over time. As time progressed and as our people became increasingly irrelevant to the emerging national economy. addiction to alcohol became more and more of a problem. Increasingly, Indigenous women had to contend the disruptive impact of male alcoholism and the violence which often accompanied its use. The end result was often family break-down.

In the modern era, access to illegal drugs, as well as narcotics through readily available prescription medications, and the easy availability of a range of intoxicating solvents, compounded the historical problem of alcohol addiction. Women as well as men, young people as well as adults and elders, soon became addicted to one or more of these substances with disastrous implications for the well-being of our communities. Today, chemical addictions and the problems that accompany addictions, are identified as major problems impacting the quality of life in our communities.

The barriers and obstacles to the elimination of alcoholism and addictions to solvents and drugs are the same as those for other areas of social dysfunction: the continuing neo-colonial relationship between Aboriginal peoples, government and the larger society and the related failure of governments to support the transition to self-government and self-determination; inappropriate services and programs which address only the symptoms rather than the root causes and precipitating factors; the lack of access to culturally appropriate services; the lack of effective and easily accessible intervention, treatment and prevention programs due to the unavailability of financing for programs; and isolated approaches to issues which should be addressed holistically.

The inability of Aboriginal organizations to secure, from both the public and the private sectors, the financial resources necessary for the development of effective solvent abuse intervention, treatment, and prevention programs, we believe, is a reflection of the fact that addictions to solvents tends to be limited to Aboriginal communities. While government officials indicate that solvent abuse is a world wide problem, they fail to acknowledge that where ever this appears, it is always among communities that are poor, dispossessed, oppressed, and marginal to the mainstream society. Our people who try to work with solvent abusers, without any support whatsoever, are of the view that the failure of government to respond to this issue is an indication of the value placed upon the lives of Aboriginal people; they believe that solvent abuse will only become a matter of public concern and response if and when it begins to affect the non-Aboriginal society.

Concrete measures to overcome the barriers and obstacles to the elimination of alcoholism and addictions to solvents and drugs.

Alcoholism and chemical addictions must be recognized as symptoms of a much deeper and broader problem. While strategies to address and eliminate these addictions are absolutely critical, in themselves they will not be sufficient because they do not address the root causes and precipitating factors responsible for the high rates of addictions among our people.

The articulation of holistic strategies to address the debilitating effects of alcoholism and other addictions must necessarily include initiatives to overcome economic underdevelopment, as well as methods of eliminating the sense of negative self-worth that often underlies dependency on mood-altering substances. Strategies must also address the normalization of drug and alcohol use in our families and communities.

To be effective, our efforts must include creating an awareness among our people as to the historical economic roots of this dependency, and the debilitating social consequences, and must also provide meaningful alternatives to alcohol and chemically dependent lifestyles. Although absolutely necessary and critical, strategies must go beyond simple recovery: opportunities must be made available to translate the newly available energies into social, economic and political change for our people.

Healing centres with holistic programming, while not the full solution to this problem, can be an effective means of helping our people heal from the ravaging effects of colonization. At least two agencies - the Mamawi Youth Program and Dakota Ojibway Child and Family Services - have plans to establish healing lodges in rural areas, based upon traditional values and practices, as a way of responding to the various reflections of the social crisis. Both of these agencies intend to use the intervention/treatment model developed by the Alkali Lake community as the entry point for their services.

Chapter Three

The Status of Women and Elements of a Strategy to Strengthen the Role of Women

The status of women is an important aspect of any consideration as to the role that women can play within urban self-determination and/or self-government. The following section will review the historical development of the status of Aboriginal women for the purpose of facilitating an understanding of how this history has impacted on the current status of women in our societies. The analysis will trace the changes that occurred as a result of the disruption of the traditional economy, and will focus on the issues of violence and sexism within the male-dominated political structures and processes.

The status of women in pre-Columbian societies was undermined by the general assaults on the culture, as well as by specific attacks on the role and status of women. Historically, women in communal band societies enjoyed a social status that was equal to men. Although there was a sexual division of labour, the work of women was seen as essential to the survival of the people and, therefore was not devalued. Because of the spiritual foundation of pre-Columbian societies, women's role as life-savers was held in high regard.

The status of Aboriginal women was undermined by the fur trade, missionaries, government and residential schools. Under the fur trade, women's work was re-organized to meet the demands of production for commodity exchange. Additionally, women's role in decision-making was undermined by the fur traders who, in the usual European custom, conducted their relations exclusively with men. Missionaries sought to dismantle the power and authority of women, consistent with their own European and church driven views on the status of women. In some respects, the roots of violence towards women can be traced to the missionaries' early admonishments to Aboriginal men to use physical force to ensure that women conformed to the new social order. Residential schools were created to remove the influence of mothers and grandmothers who were primary agents for the intergenerational transmission of culture. Governments diminished the position of women in many ways, including through the notorious provisions of the Indian Act which stripped a number of women of their legal status.

For their part, men embraced the new customs relative to their relations with women. They were quick to recognize and accept the benefits of patriarchy. This new arrangement was more conducive to increased productivity, and thereby increased the status of men within the fur trade culture. Once established, these new relations were transmitted intergenerationally.

The status of women was further disrupted by the increasing
dependency and marginalization of Aboriginal economies. As
communities ceased to be economically viable, and as social
tensions increased as a result, women were forced to leave their
homes in search of security and employment in urban areas. The
majority of the migrants to urban areas are in fact women and
their children, and should properly be considered to be refugees
because they have left their homes, not by choice, but because
they are fleeing violence and instability in their territories.
Because of family breakdowns, many Indigenous families are now
headed by single parent mothers. In urban areas, this family
structure accounts for the majority of households.

The violence that is "epidemic" in Indigenous communities today
can be traced directly to our historical experience of
colonialism, and can also be attributed to the continuing
oppression. Indigenous peoples are subject to both internal and
external violence. External violence takes many forms - from
personal to state and societal; personal forms are also
inextricably linked to the larger social system. External
violence finds expression in individual acts and in the sexual
exploitation of women and children, as well as in
institutionalized forms such as racism, police brutality, and the
effects of poverty which can be understood as state and societal
violence since they are the result of deliberate government
socio-economic and aboriginal policy.

The violence which is internal to our communities has arisen
within this larger framework, but has also developed its own
logic. Violence has become normalized through intergenerational
transmission - children growing up in violent families and
societies accept violence as a normal feature of life.

Because male violence is ultimately the result of the larger
environment of poverty and oppression, fundamental changes are
required to the relationship between Aboriginal peoples and the
mainstream society. In making this argument, we wish to make it
very clear that we reject the theoretical position of mainstream
social work which asserts that male violence is a long-standing
social condition that crosses all race and class boundaries
rather than a problem specific to Aboriginal societies.

We reject this because we believe that this theory functions in
the interest of the dominant society in that it obscures the
historical and current status of Aboriginal peoples relative to
the dominant society. We believe that Indigenous societies around
the world were transformed through their colonial relationship
with the countries of western Europe. The assertion that
patriarchy and the attending abuse of women and children is a
feature of all societies obscures the reality that these were
features of western European society that were imposed on our
peoples through the process of colonization.

It is testimony to the strength of colonialism that some of our own Aboriginal professionals adhere to the fundamentals of mainstream social work in this regard. However, through dialogue with the elders in our communities, we have been convinced that the abuse of women and children was not a feature of our pre-contact societies. Violence-free societies is within the living memory of our people; Most of our elders can recall a time when violence was not an everyday fact. Although processes were developed to deal with violence when it did occur within families and communities, such instances were the exception rather than the norm. Many of our people whose parents were not subject to the residential school system did not experience violence in their homes. In more recent times, people can remember that before the destruction of their lands and social structures by massive hydro-electric dams and other industrial projects, their families were not torn apart by violence. In fact, the experience of most people is that violence came with their contact with the mainstream society.

Violence against women and children in particular is a function, not only of the historical and current oppression of Aboriginal peoples by the colonial and neo-colonial society, but also of the adoption of patriarchal values by Aboriginal men. In this case, violence is understood to be the normal result of a society that devalues women, and a society where violence is an accepted method of exercising power and control. The tolerance level in Aboriginal communities is especially high and extends to the leadership. The Aboriginal Justice Inquiry, which investigated the administration of justice relative to Indigenous peoples resident in the province of Manitoba, has argued that

> "Most chiefs and council members are male and often exhibit bias in favour of the male partner in a domestic abuse situation...The unwillingness of chiefs and councils to address the plight of women and children suffering abuse at the hands of husbands and fathers is quite alarming...We believe that the failure of Aboriginal government leaders to deal at all with the problem of domestic abuse is unconscionable."

To begin to deal effectively with violence in our communities, we must begin by being honest about the problem. Because we live in a racist society, a society that has oppressed our people for hundreds of years, a society that still refuses to dismantle the barriers to our self-determination, we have been reluctant to discuss publicly issues such as violence. For similar reasons, Aboriginal women have often hesitated to call the police when abused by their partners.

The disclosures of cover-ups and failure to report instances of abuse within First Nations child and family service agencies are also partly the result of this dynamic. Where mainstream systems

such as child protection, the police and the courts have discriminated and threatened our people for so long, it is understandable that we would not want to expose ourselves, our families and our systems to further abuse. However, this tendency to deny the very real problems which exist in our own systems has not worked in the interests of Aboriginal women and children who have been subject to unrelenting and widespread physical, emotional and sexual abuse.

Taking a public position against the violence is not without its perils, however, as the experience the Aboriginal Women's Unity Coalition demonstrates. When a group of Winnipeg based Aboriginal women's groups decided to end the silence on the abuse suffered by women and children, they were denounced by the male leadership and their supporters for breaking that unspoken rule.

Individually and collectively, Coalition members were accused of trying to undermine the political leadership and the drive for self-government, and of making exaggerated and inflammatory statements designed to advance personal political agendas at the expense of the elected chiefs and their organizations. One Coalition member was sued by Chief Louis Stevenson of the Peguis Band for supposedly slanderous statements made concerning the investigation into suspicious child deaths, but the suit was eventually dropped.

Even the Indigenous Women's Collective, a provincial women's political organization, chose to support the male leadership rather than the Coalition, despite the fact that members of the Coalition were also members of their organization. The rally facilitated by the Collective on behalf of some of its treaty/status members was largely financed by Chief Louis Stevenson who closed the school and band offices and bused people into the rally. In spite of these and other concerted attempts by the leadership to silence the Coalition, the Coalition continued to raise the issues and received significant support from reserve-based women and groups.

It is necessary to assess the effectiveness of the methods we have adopted to protect women and their children. Although efforts to protect women from abusive partners has focused upon shelters and safe houses for women and their children, ultimately, methods must be found to change male behaviour. Shelters and other services for abused women have been able to protect women in crisis situations by removing them to a place of safety, however they have not been effective in stopping men from being violent; in fact, there is evidence that the numbers of women dying from violence is increasing rather than decreasing. Even where women are able to permanently escape from abusive men, these men almost always go on to abuse other women; often the women themselves will find themselves in another abusive relationship.

While shelters and related support services must continue to be available to women, and must also be expanded to meet the vast unmet needs for such supports, it is critical that we identify and implement strategies to stop male violence. It must be stressed, however, that such resources for men must not take precedence over services for women - both must be developed simultaneously.

The primary responsibility for ending male violence should be with the men of our communities because male violence can not be confronted successfully unless men are prepared to abandon the system of male power and privilege which is kept in place by force. Aboriginal men must take the leadership in confronting violent men in our communities. This is a task for all Aboriginal men who would be leaders in our communities because real development cannot occur for our people as long a large proportion of our community is subject to such conditions.

Not only does violence impact negatively on our current generations, it has implications for the well-being of future generations. We cannot legitimately claim to be concerned for the future of our children and our children's children if we refuse now to take a stand on the eradication of violence from our lives. Aboriginal men must also assume responsibility for modelling appropriate relations with women to male children.

The Aboriginal political leadership has a responsibility to adopt a "zero tolerance" stance with regard to violence, and must priorize strategies to address this problem as an issue of equal importance to those issues which normally occupy the central political agenda. Aboriginal men must assume an equal responsibility for placing this issue on the political agenda of our Aboriginal political organizations; this task should not continue to be a "women's issue" because it is ultimately a problem caused by men.

Aboriginal women also have to deal with sexism within the male-dominated political systems. In addition to struggling with men for social justice and self-determination, women have to struggle against male violence and sexism within the movement. Usually, it is the women who are called upon to do all of the detailed behind-the-scenes work to ensure the success of particular strategies, while it is the male leadership who takes the credit. Many times, the leadership will define this as the traditional role of women. While it has come to be expected that women's groups will respond positively to requests from the male leadership, this same leadership is unwilling to take action on a political agenda defined by women. Not only are the male leaders unwilling to act on a narrow range of so-called "women's issues", they are not prepared to provide a full and equal role for women in the determination of broader issues of concern to our people.

The status of women is also reflected in the social status of occupations and organizations dominated by women. In most of our organizations, with the exception of organizations created by and for women, the leadership and senior management positions tend to be occupied by men. Where organizations are dominated by women, they tend to be marginalized politically; issues raised by women tend to not receive the level of attention accorded to issues raised by men. Although Aboriginal women have played a primary role in the development of services and resources for the urban community and have provided leadership on a number of issues, they have not been recognized for their contributions by male political leaders.

The status of women also finds reflection in the priority given to the development of services for women. Where services have been developed for women, it has been the result of the efforts of women, and usually at great personal cost. Women's services tend to be under-resourced and lack secure sources of long-term funding. Male dominated political organizations with access to relatively large amounts of discretionary funding rarely allocate such resources in ways that facilitate the development of women.

While Aboriginal women have called for reforms to the political system that will provide equitable participation for women, the male leaders have taken the position that women have equal opportunity to be elected to political office through the usual procedures. The leadership fails to recognize that because of sexism and violence, women do not have equal opportunity within the political sphere.

Not only is the leadership not prepared to provide a full and equal role for women in existing political structures and processes, they are unwilling to involve women in the transition to self-government. The process has been controlled by the four national political organizations which have been recognized by the federal government as the only legitimate representatives of Aboriginal people in the constitutional and self-government processes. These organizations are dominated by men, and not even the Native Women's Association of Canada has been accorded a meaningful role in the process. Although the national political leadership regularly calls upon the government of Canada to honour the provisions of international human rights instruments, the leadership fails to incorporate these provisions relative to the rights of women: the right of women to be accorded full and equal participation in self-government negotiations and arrangements is a basic democratic right and the failure of the leadership to do so is a human rights issue.

Urban Aboriginal women's groups, especially where they are status blind, are even more marginalized from self-government processes controlled by the federally recognized, male-dominated political organizations. It is the perspective of most Aboriginal women's

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groups that if the process fails to provide for the participation of women, self-government will simply result in a change of political masters because the values of women will not be reflected in the new arrangements.

It is our view that the status of women must be considered a priority issue by Aboriginal service agencies and political organizations, not simply to improve the quality of life for women which is a goal that we should all be committed to, but to ensure the health and well-being of the current and future generations of children. This is the case because the quality of life, health and well-being of children is heavily dependent upon the health, opportunity and equity experienced by their mothers. While this applies to all children, it is especially true for female children. Not only is the current generation of children affected, these factors ultimately impact on succeeding generations. For these reasons, it is necessary to actively strive for the removal of the barriers to equality faced by Aboriginal women.

In addition to the unique circumstances confronting Aboriginal women, as we have attempted to outline in the previous section, Aboriginal women face the same circumstances of non-aboriginal women: women often are unable to access quality affordable health care, flexible work arrangements and equitable participation and equal pay; the increased employment of women outside of the home has usually meant that women are now burdened with additional responsibilities since roles within the family, and supports to meet the changing needs of families, have not kept pace with the changing economy.

Efforts to improve the situation of children must address their parent's economic circumstances. This calls for a focus on enhancing the employment opportunities and earning power of men and women, especially of women who are often the sole income earners in families. To guarantee an adequate standard of living for Aboriginal children, therefore, Aboriginal service agencies and political organizations must make every effort to address the education, training and employment needs of Aboriginal parents.

For agencies such as the Mamawi Centre, and other urban service agencies, this means that a major part of our work must focus on developing cooperative working relationships with the urban Aboriginal organizations delivering these services. Through such arrangements, social service agencies can ensure that education, training and employment projects are developed to meet the needs of parents who receive services from their agency. An important element of the service response can then include referrals for training and employment projects.

The Mamawi Centre has made such practices an important aspect of the agency's programs and services. Their central role in the implementation of the Pathways to Success program in Winnipeg has been one way that they have attempted to meet the employment and training needs of urban families. Other examples include on-going networking and joint planning, and the development of the Aboriginal Centre of Winnipeg which will bring together most of the urban Aboriginal service groups, and which will make a substantial contribution to economic development in our community.

Another method that service agencies can adopt to meet the economic needs of urban families involves lobbying governments to ensure that there is a merging of objectives and coordination between government initiatives, such as the Brighter Futures Initiative and the Pathways to Success program, thereby ensuring that the available resources are used strategically to support families and reduce child poverty. To this end, the Mamawi Centre has taken a leadership role in advocating that the Pathways program be implemented in Winnipeg under the direction and control of urban Aboriginal service groups and women's organizations. In this way, it will be possible to use the resources available through the federal Aboriginal labour market development strategy to develop training and employment projects that are responsive to the needs of youth and single parent women, especially young mothers who are most vulnerable to poverty. The involvement of agencies who are familiar with the needs of families will ensure that services that are critical to success in training and employment, such as parent support services and child care, will be available to project participants. Through such coordinated efforts, the incidence of child poverty and the conditions of risk for urban Aboriginal children will be reduced.

In addition to a major focus on improving the economic circumstances of urban Aboriginal families. efforts must be directed towards the development of the full range of parental support services and programs. Because of the predominance of the single parent, mother-led, and often very young, family structure within the urban Aboriginal community, a central focus of service agencies such as the Mamawi Centre must be on the development of comprehensive short and long term strategies designed to support such parents. Such services are especially critical for young, first-time parents who do not have access to parenting resources normally available through supportive extended family systems.
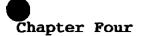
Such support for parents are especially critical during the important first 12 to 18 months of life, and should include infant day care, including child care for parents working shifts other than day, homemaker services, information on child care and child nurturing, support groups, resource centres. Other parenting supports can include the development of community-based

health care clinics, focusing especially on materna an c
health, community health and wellness centres focusing on health
education and promotion, physical fitness, sports and recreation,
especially for women, children and youth. Initiatives to address
health risks can also include culturally appropriate nutrition
awareness programs, especially for pregnant women, and women of
child-bearing ages, as well as nursing mothers, infants and
children. Public information campaigns can also be developed by
Aboriginal service agencies and political organizations geared to
the prevention of low birth weight and fetal alcohol syndrome,
accidental injuries and death, and to promote healthy lifestyles.
A central component of any strategy geared to children at risk
must include suicide prevention and intervention programs.

The Mamawi Centre delivers many of these services and programs,
and is in the process of developing the rest in conjunction with
other urban Aboriginal agencies as part of the development of the
Aboriginal Centre of Winnipeg. Currently, the agency is in the
process of establishing a working group representative of
Aboriginal medical professionals, the Aboriginal Council's health
action committee and community-based non-aboriginal health
clinics to develop an Aboriginal health care clinic and community
health and wellness centre within the Aboriginal Centre. The
Mamawi Centre is also involved in a community-driven process
intended to improve the conditions of urban families through
strategies geared to effect the transfer of control over services
to urban Aboriginal agencies.

The Mamawi Centre has been active for some time in the
articulation of an agenda for women and children. We continue to
advocate with our Aboriginal political organizations for
structural changes to our political institutions and processes
based upon the full and equal participation of women. We have
also participated in the "stop the violence" campaign advanced by
Aboriginal women, and continue to challenge the political
leadership to participate fully in the campaign. We have engaged
in these actions because it is our view that the status of
children and youth, and the well-being of our future generations,
will not be improved until the role and status of Aboriginal
women equals that of Aboriginal men in our society.

To conclude this section, we will emphasize that, because of the
critical role played by Aboriginal women in positive social
change, it will not be possible to achieve self-determination
and/or self-government without the participation of women. In
order to ensure that women are able to have a full and equal role
in this process, it will be necessary to address the issues which
we have outlined in this chapter.

Chapter Four

The Transition to Self-Government

In this chapter, we will review how the self-government agenda, as defined and advanced by First Nations and Metis political organizations, and the responses to this agenda by the various levels of government, has impacted upon urban Aboriginal people and our organizations. We will also discuss the positions taken by the Aboriginal Council with respect to this transition to self-government.

This discussion starts from the premise that the decision taken by the federal government in the early 1980's to repatriate the Canadian constitution from Britain signalled the beginning of a mew period in our collective history as Aboriginal peoples, which we have defined as "the transition to self-government". In asserting this view, we are not suggesting that our people, and our political organizations, were not interested in the recognition of our rights to govern before this time. We recognize that this issue has defined the relations between our peoples and the national government, beginning with the signing of the treaties, and the negotiations concerning the terms under which the new province of Manitoba would enter into the Canadian confederation. Rather, it is our view that the roots of the political agenda that is described as "self-government" can be found in this more recent process of constitutional repatriation and amendment.

This self-government agenda has been driven by the process of constitutional reform. Beginning with the decision to repatriate, this process has included: lobbying for the recognition of Aboriginal rights in the constitution, and for the involvement of Aboriginal political organizations in the repatriation process; First Ministers conferences with the national Aboriginal organizations relative to the entrenchment treaty and aboriginal rights within the constitution; the Meech Lake Accord; the Charlottetown Accord; and the referendum with respect to the constitutional amendments proposed within the Charlottetown Accord.

In the negotiations concerning repatriation, the Aboriginal leadership had been successful in securing a recognition of existing treaty and aboriginal rights, as well as a constitutionally protected commitment for a series of First Ministers conferences on aboriginal constitutional issues. These negotiations failed to achieve support for the recognition of the inherent rights of Aboriginal peoples, as proposed by the national Aboriginal leadership.

The 1987 failure of the Aboriginal constitutional process was followed immediately by First Ministers approval for the Meech

Lake Accord, which provided for the constitutional entrenchment of Quebec's identity and rights as a distinct society. The time frames concerning the ratification of the Accord provided a window for opportunity for the Aboriginal organizations to express their outrage over the differential treatment of the province of Quebec. As a result of the efforts of Elijah Harper and the Assembly of Manitoba Chiefs, the widely unpopular Accord was defeated in 1990.

The successful defeat of the flawed Meech Lake Accord by the First Nations of Manitoba mobilized Aboriginal people to a degree not seen since the last wave of resistance in the 1970s. While this effect was felt nationally, it was especially true in Manitoba. For the first time, Aboriginal people rallied collectively to support the elected leadership. This struggle was able to overcome the divisions that existed between the male leadership and women's groups, between the Indian Act leadership and the traditional community, between on-reserve and off-reserve First Nations, and to a considerable extent, notwithstanding the position of the MMF which was in support of the Accord, between First Nations and Metis people.

The Mohawk crisis erupted less than three weeks after the victory over Meech Lake. The actions of the Mohawks in defence of their sacred lands ignited the fires of resistance nationally. Solidarity actions and direct actions relating to local land issues took place across the country throughout this period.

These two events had two fundamental impacts, the results of which can still be felt today. First, they created a high level of mobilization and strengthened resolve among Aboriginal peoples to achieve resolution of the many long standing issues that had defined our relationship with the Canadian state, and the larger society. Secondly, they precipitated a profound change in the attitudes and response of non-aboriginal Canadians, resulting in a high degree of support for the political agenda defined by Aboriginal peoples.

In other words, these events dramatically enhanced the support of the general population for the resolution of long outstanding issues including self-government/self-determination, the settlement of land claims, and strategies to eliminate the deplorable socio-economic conditions. These two changes created the necessary political conditions for major changes to the relationship between Aboriginal peoples and Canadian governments.

One of the unexpected outcomes of the Mohawk crisis has been a change in constitutional agenda which was reflected in the outcome of the 1992 referendum. Prior to 1990, only relatively small numbers of First Nations people took the position that, because relations between First Nations and the Canadian nation-state are governed through treaties, the constitutional

entrenchment o these rights s both unnecessary an un es ra e because they domesticate the treaties. Essentially, this view was held by traditional Mohawks and other Confederacy members who have maintained the longhouse as their political institution, and by certain treaty chiefs in the west, who were previously organized as the Prairie Treaty Nations Alliance.

According to this view, the treaties are international instruments that recognize the rights of First Nations to their own traditional forms of government. According to international law, Indigenous peoples can freely choose to participate in the larger national political and social systems, but if they do, they relinquish their aboriginal and treaty rights to self-determination. The current position of the First Nations leaders, who are advancing the treaty position, is that the inclusion of aboriginal and treaty rights in the Canadian constitution domesticates the treaties, and gives consent to the application of Canadian law. For this reason, they have reconsidered the agenda that would have constitutionally entrenched treaty and aboriginal rights, and are now advocating non-participation in the process.

It is our view that the Mohawk crisis gave greater exposure and legitimacy to the sovereign treaty position, and has resulted in the current situation where even greater numbers of the elected Indian Act leadership, including the Assembly of Manitoba Chiefs, is taking the position that the treaty and inherent aboriginal rights of First Nations should not be entrenched in the Canadian constitution.

The Charlottetown Accord proved to be extremely divisive for both the Aboriginal and the non-Aboriginal society. In terms of the Aboriginal community, although the multilateral process produced an agreement to recognize the inherent aboriginal right to self-government, thereby overcoming the block which prevented agreement in 1987, these proposals were defeated by many Aboriginal voters, and by a substantial part of the First Nations leadership.

Non-Aboriginal society were divided along a number of lines as well, but it is generally believed that the defeat of Charlottetown Accord does not reflect the actual sentiment of the majority of the Canadian public, since many voters have indicated that they were reacting to the overall process, as well as to the other provisions of the Accord, especially those concerning decentralization. The position was expressed by many non-Aboriginal Canadians that, had the public been given an opportunity to vote on each proposal within the Accord, the provisions concerning Aboriginal rights would likely have succeeded.

The Charlottetown Accord also produced some unintended results. In attempting to sell the Accord to the AFN chiefs, some treaty chiefs, most notably from Treaties Six and Seven, called for the removal of the National Chief for his role in negotiating these amendments. The weakening of the power and authority of the National Chief of the Assembly of First Nations was one of the unexpected outcomes of the Charlottetown Accord. Because of the change in political consciousness and agenda, it is likely that the process of seeking the entrenchment of the inherent rights of Aboriginal peoples in the Canadian constitution has come to an end.

Prior to 1990, there was relatively little support for self-government among the non-aboriginal public. Generally, Canadians were unaware of and unsympathetic towards the situation of Aboriginal people. To the degree that they thought about it at all, many held to the negative stereotypes, and believed assimilation to be the solution to the "Indian problem". The events of 1990 opened their eyes to the real conditions of poverty, oppression and government neglect; many were appalled and outraged with the conditions forced upon Aboriginal people, and with the government's heavy-handed response to the Mohawks.

For a number of reasons, the new-found awareness of the general public translated into support for the agenda advanced by the First Nations political organizations. Because these organizations had priorized self-government as the central agenda item, justice for Aboriginal people became equated with self-government in the public consciousness. The leadership role played by the Assembly of Manitoba Chiefs in the fight against the Meech Lake Accord, and their visible support for the Mohawks raised the profile of the Chiefs with the general public. On a national level, the Assembly of First Nations was able to channel public support towards the agenda articulated by the Chiefs. Because Canadians are generally unaware of the dynamics within the Aboriginal movement, they believe that by supporting organizations like the Assembly of Manitoba Chiefs and the Assembly of First Nations, they are supporting all Aboriginal people.

The events of 1990 also served to increase the federal government's support of the Chiefs and their organizations. In moves similar to their response to the last wave of militancy, the federal government increased its level of funding to organizations controlled by Chiefs, and aligned the federal political and administrative apparatus towards interfacing with the Chiefs as the sole legitimate representatives of treaty/status people. As an indication of this phenomenon, the annual budget that the Assembly of Manitoba Chiefs receives from the federal government doubled in the six months following the Mohawk crisis, from $1 million to $2 million, and has increased significantly in subsequent years.

● It is sad and ironic to note that the actions of the traditional people, which were driven by the failure of the Indian Act leadership, to defend their sacred lands, strengthened the status of the Indian Act leadership, and their control over financial resources. Not only did the established leadership benefit from the price paid by the traditional people, these financial resources were then not available to the agencies and groups who would otherwise have had access to such resources; an example of this is the federal government's decision to fund the chiefs for family violence programs and services rather than First Nations women's groups.

The rationale for this strategy is to support the more moderate leadership through increased funding, power and status, thus marginalizing those people who are outside of the legitimized First Nation and Metis political structures. This is happening across the country and is impacting especially heavily on certain sectors: traditional people who are trying to protect traditional land use against destructive development schemes; women who are attempting to confront male violence and gain an equal role in the political process; and Aboriginal people who are trying to achieve self-determination in urban areas.

The events of 1990 were also, however, a double-edged sword: not only did these actions inadvertently strengthen the political position of the Indian Act leadership that these groups are so critical of, they empowered those First Nations and other Aboriginal peoples who are opposed to Indian Act leadership, and to the constitutional entrenchment of the rights of Aboriginal peoples. As a result of this aspect, the eventual defeat of the 1992 proposals to amend the constitution were greeted with relief among certain sectors of the Aboriginal population.

The situation of the Metis political organizations is somewhat different from that of the status Indian organizations. Provincially and federally, Metis organizations were outside of the struggle against Meech Lake, they in fact supported the accord. They were also marginal to the efforts to support the Mohawks. Notwithstanding this, they have made significant gains at the federal level. Much of their success has been achieved at the federal level. Although the Government of Manitoba has agreed to recognize the inherent right to self-government in the constitutional process, this has not translated into changes in the relationship between the provincial government and organizations representing the Chiefs and the Metis. This has been especially demonstrated by the province's position on the implementation of the recommendations of the Aboriginal Justice Inquiry.

The essential point to be understood in relation to the constitutional self-government process, is that we are now well into the transition to self-government. For a number of reasons,

as we have attempted to articulate, the process has unfolded in such a way that the established First Nations and Metis political organizations have been strengthened relative to urban Aboriginal groups, Aboriginal women's groups and the traditional community. In other words, Canadian governments will now only deal with those organizations representing the chiefs and councils, and the elected Metis leadership. This "government to government" relationship has effectively marginalized organizations representing the specific interests of urban Aboriginal people, women, youth, elders and traditional people.

It is important to recognize that the call of First Nations for a "government to government" relationship does not provide a mechanism for the articulation of the needs and rights of specific constituencies that are outside of the relationship between the existing First Nation band governments and the other levels of Canadian government. Under these marginalized conditions, we often have no other option but to engage in disruptive actions intended to move the power structure to consider our agenda. In this regard, it is ironic that such a strategy was once reserved by Aboriginal people for unresponsive and inaccessible neo-colonial governments.

Currently, few if any Aboriginal issues are considered outside of this emerging self-government framework. As a result, issues relative to the design and delivery of programs and services, as well as representative structures and processes, for the urban Aboriginal community must be considered within the context of the transition to self-government, as described in the preceding section. Because of this situation, urban Aboriginal people who are committed to the development of inclusive, culture-based socio-economic and political institutions and processes within the context of self-determination and/or self-government are required to continue to raise our concerns with the process, regardless of how politically unpopular such activities may be.

Urban Aboriginal people have identified a number of concerns relative to the implementation of the self-government agenda within the city, including: the failure to provide for a full and equal role for women, youth, elders, and traditional spiritual leaders and helpers; the failure of the First Nations leadership to involve urban people and our organizations in the development process; and, the lack of information coming from the First Nations and Metis political organizations as to the self-government model that is being proposed. In the following section, we will address these concerns in more detail.

The current status of certain groups within our society who are of crucial importance to the well-being of our communities and our nations, and the failure of the established political leadership to provide a full and equal role for the members of

these groups in the transition to self-government, is one of the major concerns of our urban organizations.

The political leadership at all levels do not, except in a very superficial manner, take direction from elders and traditional people in the formulation of their self-government structures and processes. Similarly, although much political rhetoric to the effect that "our children are our future", there is little if any provisions to ensure that Aboriginal youth will be able to participate in shaping the future that they will inherit. The same is true for the role and status of women: although the political line is "women are the strength and backbone of our nations", the leadership has failed to translate this rhetoric into reality.

Although elders and traditional people carry the knowledge about our original forms of government, social systems and livelihood, they tend to be outside of systems based upon structures and processes determined by the Indian Act. They not only face opposition from mainstream systems who do not value the traditional healing practices, they have been marginalized from the systems established by the Aboriginal leadership. If there is to be any possibility of building our institutions of self-government upon our enduring values as Aboriginal peoples, elders and traditional people must play a central role in the development process. They must be accessible to our youth who are searching for the roots of their identity as an alternative to the alienating forces of the mainstream consumer society. The teachings carried by the elders and traditional people must be transmitted to the new generation of youth to overcome the damages created by our colonial history.

If the leadership recognizes the value of traditional knowledge and practices by according elders and traditional people a central role in the development and implementation of self-government, the youth will also turn to them to gain a sense of who they are and an understanding of their roles and responsibilities to each other and to all of creation. In this way, Aboriginal youth can play a critical role in building societies that are ecologically and socially sustainable. In Winnipeg, we are committed to a process that will provide full and equal participation of these constituencies in the design of self-government arrangements for urban Aboriginal people.

In addition to excluding youth, elders and traditional spiritual leaders, the establishment refuses also to deal with our existing urban Aboriginal political structures and processes. The Assembly of Manitoba Chiefs has chosen to recognize the recently established Winnipeg First Nations Tribal Council as the representative organization in the city, rather than the longer standing Aboriginal Council. It is our view that the creation of organizations such as the Winnipeg First Nations Tribal Council

simply perpetuates the inappropriate, unrespons ve an
unaccountable political structures and processes that began with
the imposition of the federal Indian Act.

In order to understand this situation, it is necessary to
consider the roots of our current Aboriginal political system. In
addition to creating a generic "Indian" identity to forestall any
reconstitution of Aboriginal nationalism, colonial policy created
new political institutions and processes as a means of
controlling Aboriginal peoples.

Traditional governments, which are characterized by collective
ownership of all lands, waterways, forests and wildlife, full
participation and consensus in decision-making and non-coercive
leadership, were perceived by the colonizers as standing in the
way of the full exploitation of the land and resources. In order
to guarantee uncontested access to Aboriginal lands and
resources, colonial governments set out to destroy traditional
governments and to install a compliant leadership in every
territory.

These new political institutions and processes were based upon
western forms of government which are based upon private
ownership of land and productive wealth, representative politics,
majority-rule decision-making, and centralized, hierarchal
leadership. These new governments, however, were colonial in
nature and thus unable to exercise any authority independent of
the federal Minister of Indian Affairs. Because the leadership
was privileged in terms of differential access to information,
resources and social status, corruption was often the outcome.
This is the legacy that we have been left with.

The Indian Act system of government was structured to ensure
accountability to the federal government and not to the members
of First Nation communities. Although governed by a chief and
council, the effective control rests with the chief, thus
marginalizing council members, especially those who may hold
minority views. Many of the recent problems with lack of
accountability on the part of some chiefs can be traced to the
Indian Act system of government which vests absolute local
authority in the position of chief.

The federal government, having created an Indigenous political
system compatible with its own structures and interests, now
refuses to recognize Indigenous peoples and organizations that
are outside of the framework of the Indian Act. Since 1990, the
federal government has adopted a policy of strengthening the
Indian Act governments by channelling available resources from
all federal departments through band councils and their
organizations. For organizations outside of the band council
system, effectively this has meant that when we challenge the
chiefs to make changes to their systems and procedures, we are

challenging a system that has the resources of the federal
government to support its positions: evidence of this dynamic can
be seen in our experience in addressing issues relative to the
implementation of programs related to violence against women,
child protection, and the Pathways to Success initiative.

The development of the First Nations Tribal Council and its
subsequent designation by the Assembly of Manitoba Chiefs as the
representative body for First Nations people in Winnipeg has the
potential to subvert the development of more appropriate and
responsive political structures and processes. Past experience in
Winnipeg with various representative organizations has
demonstrated that no major positive changes have resulted from
having an active membership within provincial political
associations. This initiative can only be seen as an attempt to
limit and diminish rather than to expand the role and
effectiveness of the urban Aboriginal community.

The establishment of the Tribal Council simply replicates the
Indian Act system of government that currently applies on-
reserve. There is no leadership coming from either the Tribal
Council or the Assembly of Manitoba Chiefs regarding the
development of more appropriate political institutions and
processes. This model is inappropriate not only because of the
diversity of Aboriginal cultures with the city, but also because
many people do not want to duplicate a political system that
contributed to their reasons for leaving their communities.

The political situation in Winnipeg lacks stability and strength
as a result of the above noted factors. The Assembly of Manitoba
Chiefs claims to represent all First Nation people regardless of
residence, and without providing full and equal representation
for First Nations people resident in Winnipeg. The Manitoba Metis
Federation, which occupies a different political space from the
AMC, claims to represent all Metis people, including those
resident in Winnipeg, notwithstanding the fact that the nature of
their organization precludes authority over Metis people who are
not members of their locals. Since the formation of the Tribal
Council, the Aboriginal Council has been even more marginalized
from the political sphere.

Despite the fact that we recognize the need for a greater level
of unity and cooperation towards a common political agenda if we
are to have any success in our relations with the social and
political systems of the mainstream society, the political
situation in Winnipeg and fragmented and contentious.

Because of the high level of public and government support
enjoyed by the elected First Nations and Metis leadership, for
the reasons we have attempted to outline, they are now poised to
implement self-government according to their visions of what that
should be. Groups outside of the power structure have no recourse

other than to lobby the elected leadership. Because our
experience to date in this regard has been less than successful,
we have no choice but to continue to raise our concerns relative
to the way the self-government agenda is proceeding, on the basis
that, as urban people, and/or as women, youth, and traditional
people, we have the right to be self-determining.

The issue of self-government in urban areas is yet to be
determined, however, the First Nations and Metis political
organizations have expressed a preference for organizing along
legal distinctions. Under such arrangements, First Nation and
Metis people in urban areas would fall under the jurisdiction of
distinct and separate government authorities. Parallel service
delivery systems and political institutions and processes would
be established. It is unclear at this point how self-government
will be structured for non-status people, and for Treaty/Status
people from other provinces. In Manitoba, the model that seems to
be emerging, if the Pathways experience can be taken as an
indication of how the urban self-government process will proceed
in this province, does not provide for the non-status at all,
unless they are prepared to define themselves as Metis.

Urban Aboriginal people have been outside of the self-government
process, not because a lack of interest on our part, but because
we have been shut out by the power structure: the Chiefs and
their organizations at the provincial and national level, the
Manitoba Metis Federation and the Metis National Council, and the
provincial and federal government. We have been outside of the
flow of information regarding the development and sharing of
self-government proposals, and have not been provided with
financial and other resources that would permit our organizations
to advance proposals that could be considered. Our urban
political organizations have been under-resourced and denied
participation, and our service organizations have been
preoccupied with struggling to meet the needs of the community
with inadequate resources.

Although urban Aboriginal service organizations have developed a
wealth of experience, knowledge and skills relative to designing
and implementing effective programs and services to meet the
needs of the urban Aboriginal community, this experience is not
being drawn upon in the development of self-government
institutions. Ultimately, it is urban Aboriginal children, youth
and families that will suffer as a result of the short-sighted,
self-interested position of the elected leadership.

If our efforts to overcome the massive level of social
dysfunction that has been created as a result of economic
underdevelopment and colonization are to be effective, these
initiatives must necessarily occur within the context of self-
determination and/or self-government. In advocating for this
strategy, we want to be very clear that we do not want simply

● self-administration, nor do we want the legitimization of the current Indian Act system of band government.

We want self-determining and/or self-governing structures and processes that are inclusive, reflective of our traditional values and practices, and both effective and efficient. Despite the absolute necessity of moving in this direction, however, significant barriers will have to be overcome. In addressing these barriers we will be required to confront, not only the sources of oppression emanating from neo-colonial governments, but those within our own political structures and processes as well.

Part Two

Elements of Self-Determination/Self-Government

In this section, we will discuss the outcome of the community consultations relative to the nature of self-determination and/or self-government. We will draw upon the findings of the stakeholders consultations, and upon the survey of Aboriginal residents, Aboriginal and non-Aboriginal service agency stakeholders, and the political leaders stakeholders.

Before discussing in some detail the various models for self-determination and/or self-government for Aboriginal peoples living in urban areas, we will provide a general overview of the elements of governance. These elements have been identified by Wherrett and Brown, in a discussion paper prepared for the Native Council of Canada, as: citizenship/membership, governing structures, jurisdiction and power, access to land and resources, financing and intergovernmental relations. As an aspect of governing structures, we will discuss issues relative to the role of the various constituent groups, accountability, and legislative processes. We will then apply these six elements of governance to the various models of government that will be discussed in this report.

Chapter One

Citizenship/Membership

When we first began our consultations with stakeholders, we approached this issue from the perspective of "membership". Fairly soon into the process, it was pointed out that we should in fact be speaking in terms of "citizenship" rather than "membership", and that we should be speaking of a dual citizenship within Canada and our Indigenous nations.

This recommendation was based on the recognition that the language that we use is important because people respond differently to the different words. In other words, language is a powerful determinant in shaping consciousness, therefore, the terminology that we use should reflect our position on such issues.

It was pointed out that we have lost a lot of our identity, and our land and other rights, through the terminology that has been imposed on us. For example, within United Nations institutions at the international level, the Government of Canada is opposed to using the concept of Indigenous "peoples" because this reflects a national status, and the right to self-determination; the federal government advocates the use of the term "populations" - a term that defines Aboriginal peoples as ethnic minorities within the nation state of Canada.

A similar concern was identified in one session as to the concept of "First Nation" as it is used by the Treaty/Status leadership to define the political identity of Treaty/Status peoples and territories. This term replaced the more limited concept of "Band Council" which defines reserve-based governments in the Indian Act. While this concept is seen as an improvement, when it is applied to individual Band Councils rather than to the national structures, ie. the Cree First Nation, the impression is created that we are speaking of more than 600 nations within the country, and further weakens the national status.

It was recognized that, in the transition to self-determination and/or self-government, there is a need for a public education process to overcome the vacuum in consciousness among the larger non-Aboriginal society. The language that we use to describe ourselves and our goals within this process will be critical.

For this reason, we will use the concept of citizenship when we are speaking of political and/or institutional autonomy, and the concept of membership in situations that lack this dimension. When necessary for introductory comments on the issue, we will combine the two concepts.

The issue of citizenship membership was an area where t e non-Aboriginal stakeholders expressed their reluctance to comment, on the basis that this was an area that must be decided solely by Aboriginal peoples, and that it would be paternalistic for them to presume that they should have any input into this matter. We appreciated their thinking on this matter, and saw it as an improvement over situations of the past where non-Aboriginal people have not had a problem with being prescriptive. We did, however encourage them to share their comments as a reflection of the positions that exist among the non-Aboriginal sectors of society.

Understanding the options and issues relative to citizenship is central to any discussion of self-government, on or off a land base. The citizenship code will define who will be eligible for citizenship, any rights and benefits accruing to citizens, as well as the responsibilities of citizenship. This is a complex issue and is heavily interrelated with jurisdictional issues; where this is the case, we will introduce the jurisdictional issue in this section, and identify the section of the paper where the matter will be discussed in more detail.

In this section, we will discuss the various elements that must be considered with respect to citizenship/membership within models for urban Aboriginal self-determination and/or self-government. Rather than having a separate section that would deal with the issue of traditional versus modern structures and processes, this dimension will be incorporated into the discussion of each of the elements. In the literature, and as identified in our consultations with stakeholders, it has been suggested that the following aspects must be addressed:

1) Dual or multiple citizenship;
2) Inclusive/status blind or exclusive/status driven;
3) The nature of citizenship under the territorial, extra-territorial, and non-territorial models of government;
4) Optional versus automatic citizenship/membership;
5) Methods for establishing citizenship/membership;
6) Citizenship/membership appeals; and
7) Issues that may affect implementation of a process towards the establishment citizenship/membership for urban Aboriginal self-determination and/or self-government.

1)   Dual and/or Multiple Citizenship

The nature of citizenship in an urban Aboriginal government will also have implications for the individual's citizenship relative to the nation, province and the municipality, as well as to their original rural/reserve territory.

● Participants expressed the view that citizenship in an urban Aboriginal government should add to the rights, benefits and responsibilities of Aboriginal peoples, and should not take anything away from their citizenship within Canada, the province and the municipality. In other words, citizenship within an Aboriginal government should not preclude Aboriginal peoples from the services, programs and other benefits that are available to them through as citizens within these other governments. This objective can be accomplished through dual or multiple citizenship.

2)   Inclusive/Status Blind or Exclusive/Status-Driven

The issue of whether urban Aboriginal self-determination and/or self-government should proceed on a inclusive/status-blind basis or according to an exclusive/status-driven model was a major area of concern to most stakeholders. Almost all stakeholders indicated a preference for the inclusive model. As we have devoted an entire chapter to a discussion of this dimension, our comments in this section will be brief. We will, however, outline the implications of this issue for the models of citizenship/membership.

It was stated that status labels - Treaty Indian, Status Indian, Non-Status Indians, Bill C-31 Indians, and Metis - should not be a defining feature of our models because they are artificial and have been imposed on us by government. In many cases, they are the result of government arbitrariness as in the case where people who, while they were eligible for treaty status, were unilaterally left out of treaty for one reason or another. It was pointed that maintaining these divisions is in the interests of the federal government, and that it should be expected that government policy and practice plays a role in ensuring that these divisions continue to dominate Aboriginal politics.

These labels are responsible for the creation and maintenance of extensive divisions and problems within our communities - the infighting that goes on today amongst the different groups are a result of these labels. If we could identify ourselves as Aboriginal peoples without regard for status considerations, we would be united and, therefore, much stronger. We should all people with Aboriginal ancestry as members of one family. The view was expressed very strongly by one of the participants, who described how she was denied access to a table at an arts and crafts sale, simply because her status was different from that of the sponsoring organization, that it is impossible to divide our cultures - that there simply is no such thing as Treaty/Status arts and crafts, for example.

Stakeholders expressed the view that while there is an i ea
situation with respect to urban Aboriginal self-determination
and/or self-government, the real situation is often very
different. That is, the reality is that there is a lot of
political infighting that always comes down to a struggle over
personal power and funding. While an urban government should be
inclusive of all urban Aboriginal peoples, in reality, there is a
high level of vested interest, and narrow self-interest, which
has created a lot of competition among potential governing
groups.

The exclusive/status-driven model for urban Aboriginal self-
determination and/or self-government is the preferred model of
the Assembly of Manitoba Chiefs and its local affiliate
organization - the Winnipeg First Nations Tribal Council, and
well as the Manitoba Metis Federation and its Winnipeg Region.
The inclusive/status-blind model is preferred by the Aboriginal
Council of Winnipeg, and the existing Aboriginal service agencies
who are currently organized on this basis.

3)   The Nature of Citizenship Under Territorial, Extra-
      Territorial, and Non-Territorial Models of Government

The model that will be implemented for urban self-determination
and/or self-government will determine the structure of
citizenship/membership.

Under the non-territorial model, only Aboriginal people would be
eligible for citizenship since the model would provide for
jurisdiction over people rather than over a distinct territory.
Within this model, there could be further differentiations
depending on whether that model was status driven, status blind
or a combination of the two possibilities.

If an urban lands/territorial model is implemented, either
through the status-driven urban reserve/Metis homeland, or
through the status-blind neighbourhood model, citizenship would
apply to all residents within that land base including non-
Aboriginal residents. These would be a public government similar
to the existing municipal governments where jurisdiction applies
to everyone within the geographic area.

4)   Optional or Mandatory Jurisdiction

One of the major considerations with respect to urban Aboriginal self-determination and/or self-government concerns the degree to which individual Aboriginal people will have the right to choose whether or not they will be subject to the jurisdiction of that government. This issue will apply to services as well as to political representative structures. The answer to this question will be a function of the resolution of a number of key considerations, including:

1)   the outcome of a consultation process with the members of the urban Aboriginal community. Such a community consultation, with or without a registration campaign, could be required only where the leadership decides to pursue an optional jurisdiction rather than an automatic jurisdiction. It is recognized, however, that this approach is likely to be criticized as being highly autocratic and consistent with the approach of the First Nations leadership, where they simply assert jurisdiction and annex the urban areas without consent. A community consultation process does not necessarily have to be total, with or without the registration dimension. Rather, it could be conducted on a representative basis, using instruments such as random sampling and/or focus groups, as in the recent ACW/NCC consultation. Under this approach, the leadership would get its mandate from the outcome of a representative sample, which would be taken as reflective of the majority opinion of the urban Aboriginal population;

2)   the outcome of a campaign to register all urban Aboriginal residents for the purpose of securing consent to the new governing arrangements. This approach would be an alternative to the consultation model, and is consistent to an approach that would be based upon an optional rather than automatic jurisdiction. It would be based upon the principle that urban Aboriginal people must consent to new governing arrangements, and on the principle that Aboriginal people must have the right to a level of choice;

3)   the approach taken by the Aboriginal leadership in terms of whether or not they will pursue either an optional or an automatic jurisdiction over all Aboriginal residents, as per the above discussion;

4)   the constraints, if any, that may be imposed by the Canadian Charter of Rights and Freedoms, as well as provincial, national, and international human rights legislation;

5)   the level of financial resources that will be available to the Aboriginal government once established; and

6)   the extent of jurisdiction that the urban Aboriginal
leadership will be able to negotiate with the three levels of
non-Aboriginal government. There will be a number of inputs into
this aspect of the decision-making process, including that from
the First Nation and Metis political leadership, as well as that
from the non-Aboriginal society. In other words, the positions
that the three levels of non-Aboriginal government will bring
into the negotiations with the political representatives of urban
Aboriginal people will be a function of: (1) the agreements that
First Nations and Metis authorities will conclude with these
governments with respect to an extra-territorial model for urban
Aboriginal self-determination and/or self-government; and (2) the
positions that non-Aboriginal citizens will take with their
governments.

The issue of choice as to political representation will be
addressed in the section dealing with dual or multiple
citizenship. Briefly, this is not an either/or issue - Aboriginal
people will have the option of dual or multiple citizenship. The
level of participation in these representative structures will be
driven by the individual commitment to political participation.
Within the current system, whether that is Aboriginal politics
on-reserve or in the urban and other rural areas, as well as
within the municipal, provincial and federal political processes,
participation in the political life of the community/nation tends
to be relatively minimal. It is hoped that under urban Aboriginal
self-determination and/or self-government, there will be a much
higher, if not complete, level of participation in the political
process. Mobilizing such participation will be key to the success
of any movement towards urban Aboriginal self-determination
and/or self-government.

In terms of the implications for the delivery of services and
programs, if urban Aboriginal self-determination and/or self-
government provides for jurisdiction over all Aboriginal people
resident within the urban area, and if the right to choice is
established for individual Aboriginal citizens, leaving aside for
the time being the issue of the source of that right, such choice
could be exercised in a number of ways.

The issue of individual choice may not be applicable to an urban
land-based model, especially the status driven models, since
these would be similar to rural/reserve territorial, or other
land-based jurisdictions such as municipalities, provinces, and
nation-states, where citizens do not have a choice as to whether
they will be subject to the authority of the territorial
government and its mandated agencies and institutions. We will,
however, discuss some scenarios where individual choice may be
exercised within even land-based urban governments.

The issue of choice as to where citizens can access personal services could apply to many statutory as well as non-statutory services, although careful consideration of the implications of this model would have to be evaluated. In some cases, such as protective services - policing, fire protection, ambulance services, emergency measures, etc. - no choice should be available. In the case of other statutory services, citizens could have the right to exercise a choice. To illustrate the issue relative to choice for statutory services, we will discuss the implications for the delivery of child protection services.

Under the current system, Winnipeg Child and Family Services is mandated by the Government of Manitoba to deliver child protection, and a range of non-mandated support services and programs, to all children resident in the city deemed to be in need of protection. Within this territorial jurisdiction, the agency recognizes the jurisdiction of the Jewish Child and Family Service agency, which has been mandated by the province to deliver protective and supportive services to Jewish families resident within the city. Protocol agreements govern the relationship between the two agencies. Jewish families have the option of receiving their services from either agency.

Although the mandate of the reserve-based First Nations agencies, relative to children from any of the Bands served by their agencies, is not currently recognized by the provincial government, eligible families can and do receive their services from these agencies. They can, however, challenge the jurisdiction of the First Nations agency, although the degree to which the agency with the government recognized mandate, or the government's own child protection authorities for that matter, will enforce its mandate in such situations is not certain, as demonstrated in some high profile cases over recent years.

The essential point, however, is that the presence of an agency with a territorial, or a citizen based, jurisdiction, does not preclude individual families from choosing where they will receive their services. Therefore, the individual right to choose can exist under urban Aboriginal self-determination and/or self-government.

The 1991 report of the Aboriginal Justice Inquiry recommends one status-blind Aboriginal agency with a mandate for all urban Aboriginal children and families as the most appropriate model for the city. An essential part of this mandate would be the obligation to transfer cases to the appropriate reserve-based, or other similar Aboriginal agencies, at the request of the agency and with the consent of the parent(s)/guardian(s). It is likely that such a model would be the most appropriate and efficient model for Aboriginal jurisdiction over child and family services within the city of Winnipeg.

In terms of non-statutory programs and services, or private versus public schools, citizens could have the choice to use services other than those provided by the territorial government. These services could be provided with or without the existence of financial arrangements between the urban Aboriginal government and other levels of government. Where there are such arrangements, the territorial government could decide to pay all or a portion of such services, or could implement policies whereby the costs of such services would have to be covered totally by the individual.

Although this discussion may more appropriately be located within the section dealing with the financing of urban Aboriginal government, we will discuss an aspect of this dimension here, in terms of the issue of citizen choice. In theory, an urban Aboriginal government could provide for individual choice, as to where citizens can access programs and services, through paying other jurisdictions, and private agencies and institutions for services provided to its citizens. There are a number of potential ways that this could be implemented.

The first option is one where there is no financial obligation on the part of the territorial government. Under this model, the financial resources of the territorial would be available only for the development and delivery of public services for its citizens. This model would not preclude the option of paying for a portion of the costs of private services; we will discuss this aspect at a later point in this discussion.

With this option, citizens wishing to access services other than those available from the territorial government, would simply access these services on the same basis as for other citizens. This would apply to services provided by other governments and public agencies, and by private agencies. Where there were fees involved, territorial citizens would be eligible for whatever subsidies where available, subject to any eligibility requirements, or would be responsible for paying the full costs themselves. Billings would not be accepted by the territorial government for any of these services.

This model would likely be the least complicated to implement, but there may be implications for the overall financing arrangements for urban self-government. These will be addressed in the section of the paper dealing with financial issues.

A second option would be one where an urban Aboriginal government (or governments if the model provides for than one government) could be billed directly by another level of government (including the three levels of non-Aboriginal government, and First Nations or other Aboriginal governments in the urban or reserve/rural areas), or by private or public (ie. of any of the governments identified above) agencies and/or institutions, for

any services provided to an Aboriginal person who a s un er t e jurisdiction of that urban Aboriginal government.

The basis for such billings could be either a flat rate, without regard for actual costs, or as per actual costs, on a case-by-case basis. The flat rate system would amount to a limit on the exercise of the right to choice. These costs would be paid out of the territorial government's general revenues.

A third option would be one where the costs paid by the territorial government would be linked directly to the taxes paid by individual citizens. For example, in cases where citizens choose to use private schools, either within or outside of the territory, and where those citizens are paying taxes to the territorial government, in part to contribute towards the costs of public services, the government may decide to direct that portion of the individual's taxes towards their private school fees. This practice would be similar to that of the provincial government which currently pays a portion of private school fees on this basis.

Implementation of these models would be dependent on the government having control over the financial resources designated for its citizens, leaving aside for the moment the source of those funds, and would be constrained by the financial capacity of the government.

In theory, this model could apply to a range of statutory and non-statutory services, including health care. It will, however, be necessary to ensure that such support is provided within the constraints imposed by the government's financial resources, so that support for private services for a minority does not impoverish public services for the majority.

If it is the case that an Aboriginal government could not effectively support such citizen choice, and where an individual citizen was not satisfied with the quality and/or level of available public services, their individual right to choice would be limited to choosing whether or not they wished to continue to reside within that jurisdiction.

In terms of the implications of the Canadian Charter of Rights and Freedoms, the literature suggests that there may be issues with respect to the individual rights that are protected under the Charter. That is, should Aboriginal people be required to access their services from an Aboriginal agency, this could be a violation of their individual right to equality relative to non-Aboriginal people. For this reason, provisions may be required to provide a level of choice to individual people.

While there may be some urban Aboriginal people who woul o ject
to the automatic jurisdiction of an Aboriginal government,
especially those who do not acknowledge and/or value their
Aboriginal identity, or those who might have issues regarding
confidentiality and/or personal or family issues with respect to
certain agency personnel, it is likely much of whatever
resistance may exist will revolve around issues relative to the
level and/or quality of the Aboriginal services. Where Aboriginal
services are at a comparable or higher level of accessibility and
quality, it can be expected that the majority of urban Aboriginal
people will prefer to receive their services through an
Aboriginal delivery system.

In terms of Charter issues generally, it is not yet clear whether
or not urban Aboriginal governments will be considered outside of
the application of the Charter, in full or in part. Also, the
development of an Aboriginal Charter of Rights and Freedoms may
provide a distinct set of rights that would supersede any
provisions of the current Charter. Hopefully, if such an
Aboriginal Charter is developed, it will emphasis collective
rights, rather than the individual rights enshrined within the
mainstream Charter, and will also focus on the responsibilities
of citizenship rather than merely the rights and benefits of
citizenship. Accordingly, we will advocate for the implementation
of an Aboriginal Charter of Responsibilities and Rights, which
will outline our fundamental collective and individual rights and
freedoms, as well as our individual and collective
responsibilities.

5)   Methods of Establishing Citizenship

Stakeholders suggested that the following questions should be
answered with regard to the establishment of rights to
citizenship/membership within an urban Aboriginal government:
What constitutes Aboriginal ancestry? Should we be required to
prove our Aboriginal ancestry? If yes, what types of proof should
be required? Who has the authority to validate Aboriginal
ancestry? Would there be access to an appeal process in disputed
cases? What would be the status of a child where only one parent
was an Aboriginal person, and what would be that parent's status?
How would citizenship/membership apply in situations where the
person was not aware of or interested in their Aboriginal
identity? Generally, participants were of the opinion that some
form of proof should be required, and that the onus of proof
should rest with the individuals claiming eligibility.

Methods of establishing citizenship eligibility could include a
combination of self-identification, acceptance by the Aboriginal
community, legal documentation, such as a treaty/status card.
proof of enfranchisement/loss of registered Indian status, or

proven links to original Red River Metis families wit   and
rights through script.

Some Treaty/Status people have indicated support for the "blood
quantum" model similar to the system operating in the United
States, however, there was no support for this position among the
Aboriginal people who participated in this consultation process,
some of whom are Treaty/Status Indians. This method was seen as
inherently racist, and in the interests of the federal government
because it would serve to limit the numbers of people determined
to be of Indian/First Nation ancestry.

It was recognized that the "free rider" problem would have to be
addressed. That is, if self-determination and/or self-government
results in the availability of substantial rights and benefits -
such as post-secondary education, non-insured health benefits,
housing and so forth - that would not be available to the general
population, there is the danger that some non-Aboriginal people
would self-declare to access those benefits. Therefore, it will
be necessary to control for this factor in establishing the
methods of determining eligibility for citizenship. It was noted
by participants, however, that such control structures should not
be the primary driving force relative to designing accessible
services and programs.

A related but more difficult problem concerns those individuals
who, while they may be eligible for citizenship, may only be
interested in accessing the rights and benefits of citizenship,
and who do not value the Aboriginal identity or be committed to
general well-being of the Aboriginal community. A well-developed
code of concerning the responsibilities of citizenship, and
mechanisms to ensure accountability in this regard would be a way
of overcoming this potential problem.

Within the urban lands/territorial model, the local government
would have to establish regulations as to who would have the
right to live in that territory. These models would not
necessarily preclude the granting of full or limited citizenship
rights to non-Aboriginal people who wished to live in these
territories.

This process would be easiest in the case of an urban reserve
where eligibility would be established through the production of
a Treaty/Status card, and through policies relative to non-
Aboriginal people including family members. Establishing similar
rights for a Metis homeland could be more difficult but still
relatively straight-forward. In both of these situations, people
interested in living in these territories could apply for
citizenship and provide whatever documentation were required to
establish their eligibility.

Most difficult would be in situations where city neighbourhoods
with a pre-dominant Aboriginal population are established as
self-governing territories. Because this would be a public
government, everyone who lived in the territory at the time that
it became self-governing would automatically become citizens of
that government, whether they were Aboriginal or not.

Securing control over such a territory would likely occur only
after extensive negotiations with the municipal and other levels
of government. It is probable that the consent of the local
community would have to be secured prior to the establishment of
an Aboriginal government. If the consent was secured from most if
not all residents, no special provisions would be required for
those who did not want to become citizens. If necessary, the
Aboriginal government could negotiate a shared jurisdiction with
the municipal government relative to the residents who did not
wish to become full citizens. This issue will be discussed in
more detail in the section addressing intergovernmental
arrangements.

6)   Appeal Structures and Processes

An accessible and efficient structure and process to handle
citizenship/membership appeals would also have to be established,
regardless of the self-determination and/or self-government
model that is implemented, an appeal structure/process will be
required. In addition to dealing with situations where
citizenship is denied to individuals, this "adjudicative body"
(Wherrat and Brown) would also address situations where the
community found it necessary to impose limits on citizenship.
Policies would have to be designed to outline the conditions
under which such action would be taken, such as the failure to
honour the responsibilities of citizenship, including violations
of social norms and legal/criminal codes.

7)   Implementation Issues With Respect to Moving Forward On the
Matter of Citizenship/Membership Under Urban Aboriginal
Self-Determination and/or Self-Government

Stakeholders suggested that an existing organization such as the
Aboriginal Council of Winnipeg could assume the responsibility
for registering urban Aboriginal people. They pointed out that
the Board of Directors of the Council currently has the authority
to set the rules concerning membership, and to grant membership
in the Council. This is also the case for other urban Aboriginal
organizations which have general memberships. Some of these
organizations, such as the Ma Mawi Wi Chi Itata Centre, also
provide for different types of membership.

The essential point in this regard is that we currently have the tradition of, and the capacity to, establish membership rights, and that this could form the basis for a registration process for the purpose of establishing citizenship under self-determination and/or self-government.

A difficulty that was recognized with regard to a registration campaign concerns the tendency among some urban groups to protect their short-term interests, even though this may not be in the interests of the people they serve, or the community generally.. That is, status-driven organizations are often in competition with status-blind organizations, and vice versa, for the same members. For this reason, there may be problems in securing cooperation among the various urban groups with respect to a registration campaign for the purpose of establishing citizenship/membership under self-determination and/or self-government.

Another issue identified by stakeholders relative to establishing citizenship/membership, whether that government is organized on a status-blind or status-driven basis, concerns the fears of Treaty/Status people regarding the implications for their continued citizenship rights in their home reserve. This issue relates to the current practice of First Nation Band Councils and the federal Department of Indian Affairs relative to Band financing. That is, Band Councils receive funding on a per capita basis according to their band lists. This list does not differentiate as to residency on reserve. Although many First Nations are off-reserve residents, some on a long term basis, federal funding does not follow them. Many urban First Nations people are reluctant to register with an urban organization because they fear that this would jeopardize their right to citizenship in their home reserve.

For this reason, it is difficult for urban organizations to secure funding for off-reserve people, since the federal government can take the position that this constitutes double funding for the same individuals, since they are already funding First Nation Band Councils for these people. Because of the implications for their funding, on-reserve councils are reluctant to release information as to their on-reserve population. This makes a registration campaign very difficult with respect to off-reserve Treaty/Status people.

"Where is the Aboriginal leadership?" is a question raised by many participants in the consultation. Many stakeholders identified the need for leaders who would lead from the grass roots level, because in their view, the existing political leadership is failing the people, because it does not seem that the leaders are motivated by what is in the best interests of urban Aboriginal people. In the opinion of these stakeholders, this is a sad reality, but even sadder is the realization that,

by not challenging the leadership in this regard, we allow this
to happen. We should, therefore, assume a responsibility towards
our community by insisting that the leadership work through the
inter-group/inter-organizational problems that currently exist,
and ensure that the interests of the community are always
foremost in our decision-making.

Governance Structures

The Place and Role of Constituent Groups Within Governance: Integrating Traditional and Modern Governing Structures and Processes

In terms of the establishment of new governing structures within the context of urban Aboriginal self-determination and/or self-government, it will be necessary to go beyond the model that dominates the current political structures and processes within the urban Aboriginal community. Currently, the majority of urban Aboriginal political representative organizations and service delivery agencies follow the same model that prevails within the mainstream society. In other words, similar to the process within municipal, provincial and federal political systems, representatives on political councils, and on the boards of directors of service agencies, tend to be elected from the general membership of that organization.

All of these organizations open up their general membership to all members of the urban Aboriginal community, but most require that Aboriginal people become members before they are allowed to vote in general elections. Some organizations make provisions for different classes of membership to permit a limited membership for non-Aboriginal people. Urban organizations vary according to a minimal length of time that people must hold valid memberships before they are allowed to vote in elections, although some permit people to take out memberships on the day of the election.

Few urban Aboriginal organizations follow election procedures that permit the general membership to vote directly for executive positions on the governing body, that is, for the Chairperson or President, Vice Chair or Vice President, Secretary, Treasurer, and so forth. The Aboriginal Council organizes its elections on this basis.

Few organizations provide for board positions for people not elected through the general election process. Where organizations have affiliate organizations, or projects that they have developed and maintain a relationship with, they often permit these "outside" organizations to appoint a member to their board of directors; such appointees usually can exercise the full authority as board members. Some agencies have made provisions for staff representation on the boards of their agencies, and these members can participate fully in board decision-making. The Ma Mawi Wi Chi Itata Centre and the Native Women's Transition Centre are two service agencies that make such provisions on their governing boards.

The weakness of this model, in both Aboriginal and non-Aboriginal systems, is that this model does not guarantee that the best leaders will be the ones who will lead the organization; in fact, the opposite is often true. This system tends to elect people who may be popular for reasons other than their capacity to lead that organization or government, who may have more access to the financial resources necessary to support a high profile campaign and large numbers of political staff who can "get the vote out", and, in the case of elections in the Aboriginal community, those who have large networks of family, friends and co-workers.

Because the general public tends to have a low opinion of politics and politicians, and because the "wheeling and dealing" artificialness of the predominant forms of political campaigning, which are distasteful to many, most of the highly competent people simply avoid running for political office. In the Aboriginal community, this aspect is compounded by the "blood sport" nature of Aboriginal politics. As a result, this structure tends to elect people who, while they may be able to not only survive, but often to thrive, in such a climate, may not be the most appropriate people to occupy the leadership positions. This system does not, therefore, ensure the instalment of the people who are best equipped in terms of knowledge and skills, and the most committed to the well-being of that government's constituents, or the people served by that agency. For this reason, it is necessary to examine more appropriate structures and processes under models for urban Aboriginal self-determination and self-government.

To overcome the failures of the dominant model, political structures and processes should provide for models that will bring forward the best leaders the community has to offer, within a fundamentally democratic structure. By advocating for democracy, we are recommending something much more significant that the so-called democracy that is currently available to us within the mainstream political structure. In other words, democracy must constitute more than simply the right to participate in elections every four years. A truly democratic system, in our view, is one where citizens/members can not only select the leadership, but can have meaningful input into decision-making relative to policies, programs and budgets.

The model that we are recommending integrates some of the features of traditional political systems with some of the more progressive aspects of modern systems. It provides for a full and equal role for distinct constituencies within our urban Aboriginal society, within a context that emphasizes both their traditional role, and the need for special provisions to compensate for a relative lack of power and influence, that may exist as a result of the internalization of some of the worst features of the mainstream society.

In other words, because of our history of colonization, specific groups within our Aboriginal society may have less power and influence than others within our social and political systems. This situation is the result of the internalization of such negative mainstream values as sexism, racism, age discrimination, and homophobia. Thus, because we do not have a "level playing field" as a result of discrimination based on class, gender, sexual orientation, and so forth, it will be necessary to structure our political system to ensure the full and equal participation of all constituent groups.

To the greatest degree possible, every effort must be made to recover our traditional structures and processes, since these ways were in place because of, and to ensure the continuation of, equality between all members of our society. Where the material circumstances do not facilitate a complete reclamation of our traditional systems, and where it is necessary to respond to conditions in the modern world that are a function of our history of colonization, it will be necessary to implement political structures and processes that reflect a blend of traditional and modern dimensions.

It should be noted that, while there is a high level of support for the traditional model among certain sectors of the urban Aboriginal community, this support is not complete. There are a number of reasons which we will discuss briefly at this point, since they are discussed in much greater detail in other sections of this paper.

At the outset, it must be recognized that the alienation of many Aboriginal people from our traditional values and structures is the result of the historic role played by the church and state. From the time of early contact, the church was always the vanguard in the colonization of Indigenous nations. Attacks on our spiritual leaders and upon our ceremonies and other spiritual practices was a key feature in the relations between Indigenous peoples and the christian church from the time of earliest contact, although missionaries also used more subtle and devious ways of undermining our spiritual beliefs and practices, in order to assimilate our people, not only to that particular denomination of the christian church, but to the values and social structures of western societies as well.

The colonial government, and the federal government when it took power, used the legislative, military and financial power at its disposal to undermine the influence of our spiritual leaders, and to outlaw spiritual ceremonies, such as the sun dance, give aways, and potlatch, that gave strength to our people. These and other actions such as the unholy alliance of church and state that was reflected in the residential school system played a key role in undermining the spiritual foundation of our cultures.

While the state has since abandoned any attempt to impede access to our traditional cultures, the church continues to play a key role in this regard. This is especially the case for the evangelical denominations who, having gained a footing in our communities, are now expanding its influence at an alarming rate. Recognizing that their main competitor is our traditional spirituality rather than the mainstream churches, this movement has launched a particularly aggressive assault against the beliefs and practioners of these ways. This is true for Indigenous peoples in other parts of the world as well as in our rural, isolated and urban communities. In attempting to understand why this resistance exists in our community today, it is necessary to not underestimate the significance of this aspect of our history and contemporary reality.

Essentially, the erosion of our traditional forms of spiritual expression and organization finds reflection in various ways. Because few of the old people who had personal knowledge of and experience with these systems are still with us today, and because our traditional knowledge is largely oral, and therefore susceptible to human failings, there are often gaps and less than perfect understandings of our traditional systems. Often, there is a lot of misinterpretation and revisionism with respect to traditional values and social organization.

This aspect is further compounded in urban areas where Indigenous peoples from many and varied traditions are brought together. This often results in disagreements and confusion as to the way that things should be done, and on the respective roles of different groups. Sometimes this creates animosities and alienation. In some cases, there are reactions against personalities and styles, or to the lack of congruence between public activities and private lives.

In particular, the role of Aboriginal women in traditional society is often a contentious issue. Many Aboriginal women reject traditional models because they feel that the role of women is secondary to that of men. In our view, because we believe that the status of women in traditional societies was equal to that of men, even though it role may have been different, we believe that the misconceptions and misgivings that exist in this regard are the result of the factors which we have noted above.

Because of the central importance of our history, traditions and values, especially with regard to the formation of a positive identity among our children and young people, it is critical, we believe, that people try to overcome our religious indoctrination, and the powerful messages we receive from the media, advertising, and other aspects of mainstream society that

never back off in convincing us as to what's really important in

this world, as well as our personality and other conflicts with each other, to come together as a community to try to do the right thing for our young people.

While some of the urban Aboriginal leadership may personally not value the traditional spiritual ways, most at least have had opportunities to make choices as to how we will live. We need to understand that circumstances have changed considerably since the current generation of adults were teenagers. Our young people don't always have the same choices that were available to us. Many of us who have grown up in the rural areas take these experiences for granted. Many of our youth have grown up in the urban area, and have no understanding of what it means to live closer to the earth. The earth based values and lifestyles that our traditional leaders and helpers can share with young people can provide a grounding and sustaining force in their lives.

We have a responsibility to this and future generations of youth to ensure that they have access to the traditional culture which is their heritage. Even if some young people eventually reject these ways, at least some will have been able to benefit. For these reasons, we believe very strongly that efforts to reclaim those enduring aspects of our culture that have continuing reality today must be a central part of our move towards self-determination and/or self-government within the urban Aboriginal community.

In advocating this approach, we are also conscious of the need to protect the essential truth of our spiritual expressions, and are, therefore, aware of the dangers presented by attempts to blend the modern western and the traditional Indigenous ways. For this reason, the most appropriate structure is likely to be one that provides for a range of services and programs that are reflective of, and responsive to, the varying forms of spiritual and cultural expression that exists within the urban Aboriginal community. This aspect may require a separate delivery system for programs and services based upon traditional values and practices.

Therefore, in the design of our governing structures, we must consider the structural implications of our philosophical approach. That is, our governing bodies must provide for the kind of political representation that will facilitate the delivery of the programs and services that we believe to be appropriate. For example, if we are committed to the status blind delivery system, because of our rejection of imposed political identities, then we must ensure that the governing structures, and the election/selection of the leadership, supports this delivery system.

Similarly, if we are committed to the delivery of culturally

appropriate and/or culture-based services and programs, in recognition of the degree to which individual Aboriginal people adhere to the values and ways of our traditional cultures, we must ensure that the people with the expertise and commitment to this approach are represented on the board of directors. If we find that the delivery of culture-based services requires that such programs and services be differentiated along cultural lines, reflecting the varying expressions of aboriginality, our governance system must ensure that this is possible. Support for those groups, agencies and institutions that are differentiated along these lines may be the most appropriate model to follow, however, much more discussion, and the testing of models, will be necessary before such decisions are made.

To summarize this aspect of the discussion, it is our view that the transition to self-determination and/or self-government within the urban Aboriginal community must ensure a full and equal role for all constituent groups, including women, youth, elders/seniors, and traditional spiritual leaders, healers and helpers. It must also provide such a role for other distinct constituencies, such as people with disabilities, the gay and lesbian community, the staff, board and other volunteers involved in the development and delivery of services, and the people who receive their services from these agencies/institutions. Structural provisions will be necessary to achieve this objective.

In other words, the structures and processes under self-determination and/or self-government must reflect the social role of all of the groups within our urban Aboriginal society. In the design process, it will be necessary to consider the place that each group occupied traditionally, and the modern circumstances which are the result of our history of colonization. The involvement of these constituencies in the design process will ensure that the new political, social and economic systems will adequately and appropriately meet their needs.

In terms of structuring the governing bodies of social, economic and political institutions, and designing the legislative processes, we are advocating a model that moves away from the dominant general election model. This model, we believe, shares a lot of similarities with models that existed amongst our pre-contact societies, and is also consistent with some of the modern practices of existing institutions. Essentially, it provides for the selection of leaders who are the most knowledgeable of the issues, and who are the most skilled in terms of functioning in that environment.

Under this proposed model, each constituent group, as identified

above, will be responsible for selecting the people who will represent them in these larger structures. Each group will identify a person, or persons as in a committee structure, who will be responsible for identifying which of their members would be the most qualified to represent their interests. Once this individual (or individuals where more than one representative is required) is identified, his/her name would be put before the membership for ratification. All members of the group would have an equal vote including staff, volunteers, board and/or committee members, as well as people receiving services from that agency/institution. The members would have the authority to endorse or reject the selected representative. The conditions under which people could be rejected would be identified and agreed upon in advance, and it would be the responsibility of the selection committee to ensure that their candidate is not in violation of any of these conditions.

Ratification would likely require the support of at least 75% of the citizens/members in recognition of the reality that, although consensus decision-making is the ideal, in reality this is something that we would have to strive for over time, since consensus is difficult if not outright impossible to achieve because of the fragmentation that exists within our community. Decision-making would not be unnecessarily rushed, however, and there would be requirements that every effort be made to try to achieve consensus through dialogue and/or negotiations.

Before continuing with the description of a process for leadership selection, we would like to offer some additional comments on consensus-decision making. In our view, the issue of consensus decision-making is also related to the philosophical foundation for political representation and the delivery of programs and services, as discussed above. That is, in order to achieve the most effective, efficient and democratic structures, decision-making processes, and service/program design and delivery, it may be necessary to have smaller units that can bring together people of one mind, rather than larger units that would require a significant level of compromise.

It is likely that this consideration will be most applicable to the design and management of structures and processes that are built upon our traditional spiritual values and practices. Our basis for this observation is rooted within dynamics that currently exist within the community. That is, it is an unfortunate reality that many of our people do not recognize the value of traditional approaches, and on the other side of the issue, most people who follow traditional ways are opposed to the blending of mainstream practices into traditional models. As an example, models which integrate Christian beliefs and approaches into the traditional spiritual ways tend not to be universally supported within the traditional community. People from the traditional "camp" do not want to have to continually be required

to defend their approach with those people who have more
confidence in mainstream structures and program/service
modalities, or those whose foundation is within the christian
church.

As a result, it may be necessary to develop separate structures
for representation in the political process, and for the design
and delivery of services and programs. We believe that this
smaller-scale model for social organization would not suffer from
the usual problems of isolation and economies of scale that often
are a current feature of smaller groups and agencies. We base
this position upon the recognition that isolation rather than
size is the primary consideration. Therefore, because these
groups/agencies would be linked into a comprehensive structure,
the problems that usually arise are not likely to occur.

To continue with our review of the leadership selection process,
and keeping in mind the foregoing discussion, we are proposing
that the process followed at the group/agency level be replicated
at the "higher" levels as well. We qualify the notion of "higher"
because the intention is not to rank the importance of each of
the levels, but rather to attempt to outline a process for
decision-making. To a certain degree, the English language fails
to provide a way of succinctly describing lateral structures and
processes. We are trying to describe a process where that will
both maximize participation in the decision-making process, and
facilitate decision-making. The structure is, however, not be
hierarchal since it is based upon a recognition that the
perspectives of each citizen/member is equal.

In other words, it is an attempt to assign responsibilities
within the structure to ensure that the political program is
carried out, in a way that does not attach a differential value
to the people who occupy those positions. For example, the views
of the young person who is working in the community to try to
improve conditions for other youth are of equal value to those of
the people who have been selected as the "leaders", and must,
therefore, receive the same consideration in the decision-making
process.

According to this design, designates from each group and/or
agency/institution would be organized into a slate that would
provide for the full complement of board members for a larger
agency and/or institution. The general membership of this body,
whether it is based upon the political autonomy or institutional
autonomy models, and which would include all of the constituent
identified earlier, would have an opportunity to either endorse
or reject any or all of the proposed slate. Where designates are
rejected, it would be the responsibility of the affected agency
to repeat the process to identify a representative(s) who could
receive the support of the larger membership. No designate could
be rejected without good reason; the conditions under which

representatives could be rejected would be identified and agreed upon in advance, and it would be the responsibility of each agency/institution to select representatives within these parameters.

If necessary, this model could provide for the designation of a certain number of board positions to be filled through election by the general assembly, to accommodate those individuals who may not be affiliated with any of the member groups and/or agencies. The preference, however, would be to promote a model where everyone was connected at some level within the community.

This structure could be used as with both the political autonomy model and the institutional autonomy model, which will be described in detail in the following chapter dealing with models for self-determination and/or self-government. For the purpose of this discussion, under the political autonomy model, the structure would provide for political representation as a general urban Aboriginal government, and control over the social and economic institutions which would deliver services and programs to the citizens of that government, while the institutional autonomy model would provide for control over the socioeconomic institutions, either as autonomous institutions or with a common governing body, but would lack the political functions of a general government.

It is our view that this model shares a lot of similarities with the traditional system of selecting the leadership. Before the disruption of our traditional societies and economies through contact with western cultures, leadership within Indigenous societies was determined by competency - because the very survival of the group depended upon a well developed knowledge of the local environment, resource base, waterways, etc., as well as the political terrain with respect to nations in neighbouring territories, it was critical that the most knowledgeable and skilful people occupied leadership positions.

Leadership was also not vested in one individual as it is today. Rather, recognizing that different skills and knowledge were required for the various spiritual, social, economic and political functions, traditional societies provided for the recognition of different leaders for different functions, for example, one individual may have been responsible for the hunt, and another for the physical and/or spiritual well-being of people. In addition to ensuring that the community always had access to the best leaders within the group, this system ensured that leadership did not become centralized and hierarchal.

Women often played a key role as leaders and in the selection of the male leadership. Because the need for survival was a constant in our traditional societies, the barriers to the recognition of women as leaders did not exist. Because of the sexual division of

labour that existed in pre-contact hunting and gathering societies, women and men were specialists within their spheres of responsibility; the leadership of women relative to these areas was accepted by men, in the same way that the women accepted the leadership of men in their areas of responsibility. General councils were not required on a day to day basis, but occurred as necessary. Accountability was a central aspect of these leadership systems, again because of the need for survival.

With contact with western cultures, these traditional leadership structures and processes were broken down. In a recent inquiry into the suicide death of an child under the care of a First Nation child and family service agency in the province, the comment was made that the fundamental root of the problems within this delivery system is that men have assumed a responsibility that traditionally would be exercised by women. It was argued that men are not equipped with the knowledge and the skills necessary for decision-making in this area. Reforming the First Nation child and family service system would therefore require that men return this area of responsibility to women. The fact that in the urban areas, services for children and families have largely been developed by Aboriginal women is perhaps a reflection of this original structure.

In our view, this model of social organization has continued utility. The Bear Clan Patrol, an organization built upon these traditional structures of responsibility, has installed women into leadership positions. The Patrol was developed as a way of providing for the safety needs of the community in the Lord Selkirk Park neighbourhood. They are especially concerned for the well-being of children, youth, women and seniors, and attend to situations concerning child sexual exploitation and the abuse of women. Both women and men are involved equally. They base their approach on caring for the community, and on the need to act responsibly. They do not tolerate sexism, "macho-ness", or violence towards women from any of the male members. The Bear Clan supports the view that it is the women in the community who are most aware of the values and the behaviours of the men, especially concerning violence against women. For this reason, the governance of the Bear Clan is vested in the women.

As discussed in two examples above, women's leadership can be exercised directly through the control of governing structures. A political role for women can also be provided for in other types of structures. As an example, in some Indigenous cultures women raise the male leadership, that is, they are responsible for selecting, installing, and removing the male leaders. We recognize that this model is not indigenous to our area, however, we are aware that the urban Aboriginal population is not a homogenous group. While we may prefer that the self-governing model be built upon respect for territories, this may not be possible because our urban population includes many people from

other Indigenous nations. For this reason, we may have to
institute models that provide for representation of the various
nations. In this context, we may find that models from other
nations could be applicable to this urban area.

Our proposed model for a selection committee (sometimes called a
nominating committee within institutions that follow this
process) reflects a notion that is similar to structures within
traditional cultures. In other words, we have suggested that a
committee could be mandated with the responsibility of
identifying the most appropriate individuals for nomination to
the governing board. They would also be responsible for
approaching this individual, or individuals as the case may be,
to determine whether he/she/they would be willing to represent
the group on those structures. This committee would also be
responsible for speaking for those selected persons at all levels
within the ratification process. This committee would exercise
the power of recall on behalf of the group, although the larger
group would ultimately decide whether or not that representative
is to be disciplined or not.

If the design of such committees called for women to occupy these
positions, this system would be similar to the clan mother model.
This committee could, however, be representative of the
constituent groups identified earlier, and could take many forms:
for example, the committee could be representative of all groups,
or it could be composed entirely of elders, youth, traditional
spiritual leaders/helpers, or representatives (staff, board,
volunteers, "clients") of service agencies/institutions. The
essential point, however, is that such a structure would overcome
the limitations of the conventional general election models, and
could make a significant contribution to the restoration of
traditional governing structures and processes.

In our consultations with stakeholders, it was suggested that
structures and processes should be organized along lines that
would enable each constituent group to have its own legislative
structures and processes, rather than accommodating each group
under one structure. According to this model, each group would
establish their own councils/committees for legislative
processes. Stakeholders recommended this model on the basis that
the inclusive committee model may not function in the interests
of the various groups because of the power relations that
currently exist. They believe that separate structures would
provide more opportunities to ensure that the distinct
perspectives of each group were incorporated and reflected at all
levels within the governing structure.

To conclude this aspect of the discussion, it is our view that
because survival needs are still foremost for our communities, in
terms of both cultural and physical survival, we must, therefore,
ensure that we have systems in place that will ensure that the

most qualified people occupy the leadership positions. We believe that self-determination and/or self-government for the urban Aboriginal community must find reflection in structures and processes that more closely resemble our traditional structures and values, and must at the same time, be effective in overcoming the current disempowerment of some groups within our society, which is a result of our legacy of colonization.

Chapter Three

Legislative Processes and Accountability

In this section, we will try to outline decision-making and accountability processes for urban Aboriginal governance. While we have tried to maintain a separation, for analytical purposes, between structural and process issues, in practice this is difficult to achieve because of the interconnections between each of these two aspects of self-determination and/or self-government. In other words, structure and process are the two sides of one coin. Because of this dynamic, the following discussion may cover some of the same ground, but we have tried to limit this as much as possible. Additionally, much of this discussion relates to the various urban governance models, and we will not be discussing these until the next chapter. We hope, however, to be able to provide a more or less coherent discussion of process and accountability issues in this section.

Legislative and accountability processes will arise out of the decisions that are taken with respect to the structures that will form the foundation of urban Aboriginal self-determination and/or self-government. These processes must be effective and efficient, and must ensure the accountability of the leadership and the administrators to the Aboriginal citizens served by that government, and must also provide for the full and equal participation of all of the members of each constituent group, as outlined in the previous section.

Issues relative to exclusion from the political process, and accountability on the part of political leaders and administrators, has emerged as key considerations for models of self-determination and/or self-government. This aspect of governance will necessarily require the consideration of both traditional and modern political processes and accountability structures. In our view, legislative processes must be fully democratic, and must ensure that the perspectives of each constituent group are given full and equal consideration.

One of the major problems with the current political system relates to the tendency of politicians, once elected, to become separated from the constituency that they represent. As their personal power increases within that system, and as they are subject to pressures to accommodate the larger interest, ie. the "public good", their connection to the local community and the local issues becomes diminished. Only when it is again near election time does the elected leadership become more responsive to the community who elected them.

This aspect of the political process is usually addressed through accountability mechanisms, however, it is also possible to take a more proactive position towards this issue by also considering the implications for governing structures and legislative processes. In other words, it is possible to design structures and processes that can prevent the development of problems relating to exclusion and accountability. By following this approach, we can avoid or minimize the necessity of continuously reacting to incidences or perceptions of political exclusiveness, autocratic behaviours and accountability.

In order to both prevent this dynamic from becoming established within an urban Aboriginal government, and to promote a more viable political culture, structures and processes are necessary to maximize the level of citizen participation, and to ensure that the leadership consults with and takes direction from the people they represent.

In calling for such a model, we want to be very clear that we are not attaching a differential value on the role of the elected leaders relative to the electorate. As discussed in the previous section, this approach does not mean that the selected/elected leaders are only "servants" to the people, and that they do not have a role in the decision-making process. Currently, this dynamic tends to find reflection in the relationship between the elected leadership of political organizations, as well as between the boards of directors and staff of our service agencies. In other words, these relationships do not provide for equality between the roles. Within political organizations, the members tend to view the role of the elected leadership as being primarily responsive to their directives.

To illustrate this discussion, we will discuss how the dynamic finds reflection within our Aboriginal community-based social service agencies. We will necessarily have to address some related issues, such as the issue of professionalism, which may more appropriately be discussed in other sections, because these matters are also interconnected with issues relative to legislative structures. Understanding this dynamic is fundamental to understanding the issues which have to be considered relative to leadership selection, equality and democracy within an urban Aboriginal government.

Within service agencies, board members tend to view agency staff in the same way. In other words, power is vested with the members, in the first case, and with the board members, in the second instance. Board members view the source of their authority as arising out of the community who elected them to represent their interests relative to that agency/institution. When concerns are expressed with regard to this dynamic, they tend to be framed as a polarization between a "board/community driven" governance model and a "staff driven" model. It is our view that

this debate reflects an unnecessary division between the two groups that does not function in the best interests of the community served.

This debate reflects a belief that the interests of two groups within the structure are in conflict, and as a result, tends to find reflection in ongoing tensions between the boards and staff of agencies. Staff tend to be seen by board members as simply the people that they have hired to carry out the directions that they have determined for the agency, directions that they perceive to be coming out of the priorities of the community. Staff are seen to be most interested in issues relating to working conditions, salaries, benefits, and so forth. As a result, board members often see themselves as defending the best interests of the community served against the self-interest of the staff.

For their part, staff tend to view such board behaviour as autocratic, and driven by a desire for power and control. The devaluation of their place within the agency that is perceived by staff, and the frustrations which arise out of these situations, are major reasons why many Aboriginal people refuse to work within Aboriginal agencies, and why many leave these agencies for employment elsewhere. Many of these people often find that they are treated with more respect, and are more valued as employees, in non-Aboriginal agencies.

In short, the relationship between boards and staff in many Aboriginal agencies tends to be characterized by inequality and conflict.

While there may be situations where staff are more concerned with their own issues as staff, in most cases, the conflict that occurs between staff and boards is the result of a structure and decision-making process that does not view the two groups as having an equal, but different, role within the organization. In other words, board members tend to not recognize that staff also have a commitment to the best interests of the community served, and that they have chosen to serve the community by working in these agencies, rather than by serving on the board of directors. To a large degree, this problem is the result of Aboriginal organizations having inappropriately accepted the governance models that are predominant in the mainstream society.

In our view, this model has failed our community for a number of reasons. First, it does not account for the differences in the way that Aboriginal people approach service to the community, relative to the mainstream society. Essentially, there is no separation between Aboriginal staff working in an Aboriginal agency, and the Aboriginal community that they serve. In the mainstream society, while most people decide to work in a particular field, such as social work, community development work, and so forth, because they have a genuine interest in

wanting to "help" people, they usually do not have any other relationship with the community that they serve. Most people who work in such agencies are "professionals" who are separated from the community served by race, class, culture, values, lifestyle, language, and geography.

Most of the Aboriginal people who work in Aboriginal agencies are also "professionals", even though they often are not recognized as such. That is, professional status is more easily accorded those Aboriginal people who are accredited through mainstream educational institutions, such as universities and community colleges, or through skills oriented/competency based job training, such as training programs offered through New Careers, although such training is not as highly esteemed relative to that provided through universities. Aboriginal people who are accredited through our traditional systems rarely are recognized as professionals by either non-Aboriginal systems or by our own community leaders.

The essential point with regard to this aspect of the discussion is that the Aboriginal staff who work in urban Aboriginal agencies are drawn from the same community they serve, and this is simply not the case in the mainstream non-Aboriginal service delivery system.

We will qualify this statement because we realize that nothing is even as simple as a simple dichotomy. Essentially, there is layer within the urban Aboriginal labour force that is separate, to varying degrees, from the community served in terms of class, culture, lifestyle, language, and geography. This feature of our society has its own impact on the issues under consideration in this section, but because the Aboriginal middle class is not very extensive, to illustrate this point we will deal only with the majority situation. It will have to be sufficient to say, with regard to the influence of this group, that to the degree to which they accept the values and practices of the mainstream society, is the degree to which they are a part of the problem under discussion.

To try to bring greater clarity to this point, we will stress that, in the majority of instances, Aboriginal staff have direct connections with the community served as family, friends, neighbours, and members of the urban Aboriginal community generally. They live in the same neighbourhoods, they attend many of the same community events, their children attend the same schools, they are members of some of the same organizations, they belong to the same lodges, they share many of the same interests, and so forth. In short, because Aboriginal staff working in Aboriginal agencies are community themselves, are impacted by the same forces that impact the Aboriginal community generally, are concerned with the same

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to the future of the Aboriginal community, and are working in

these agencies because of their commitment to the community, their status within the agency, and their input into decision-making, must be recognized as of the same value and equal to that of the Aboriginal people who serve on the governing boards.

The development of more appropriate structures and processes for urban Aboriginal political and socio-economic institutions must, therefore, take into consideration the fact that Aboriginal staff have an equal interest in, and commitment to, the best interests of the community served. The artificial, conflict-based, servant/master, division between boards and staff, that has been imposed on our community as a result of colonialism and neo-colonialism, must be eliminated from our social organizations. In its place, we must establish relationships based on mutual trust, respect and equality. Staff and board members must recognize that they each have different functions to fulfil, and must approach their work on behalf of the community as equal partners.

The presence of this dynamic within our agencies must be seen as another example of how our history of colonization is reflected in our current reality in terms of our relationships with each other. The creation of more appropriate organizational structures and processes should be seen, therefore, as a central aspect of our struggle to decolonize and to become self-determining and self-governing.

As discussed above, in the creation of new political and socio-economic institutions, there is a need for balance between the leader's representative functions, that is, taking direction from the "grass roots" and representing their interests and views in the political process, on the one hand, and providing leadership for the group, on the other.

The understanding of the nature of leadership, and the structures and processes, that we are proposing in this paper, should facilitate the creation of a more appropriate political culture. In other words, because leaders would be selected on the basis of their leadership capabilities, in terms of their knowledge of the issues and their skills in addressing those issues, they will make a significant contribution to the decisions that will be taken with respect to strategy and the substance of policies, programs, services, and so forth.

This relationship between the leaders and the community would be significantly different from the current political environment. That is, current relations between the elected leaders and the electorate is driven by the fact that people often do not have confidence in the leadership because of the way these leaders come to power. As discussed above, leadership is often imposed on many sectors of the community. That is, the competitive nature of the election process means that the elected leadership is connected only to particular sectors of society.

In the mainstream society, this is the privileged sector - the socio-economic elite whose differential possession of, and access to, wealth and social status is reflected in the degree to which they are able to select the political leadership, and shape the political agenda to suit their interests. The influence that is secured with politicians as a result of their role in bringing those individuals to power through the provision of financial and other support to their campaigns translates into the power to determine the policies and priorities of the elected government, thereby more solidly entrenching the differential access of the privileged to power and material benefit.

Privilege can also found in our Aboriginal societies, and is often reflected in the "families in power and families out of power" dynamic. That is, power relations in Aboriginal communities tend to take the form of differential access to resources, by the elected leaders and their families, however limited these resources may be in relation to the resources within the mainstream society.

In both the mainstream and Aboriginal societies, because they are marginalized in terms of political influence and access to socio-economic resources, large sectors of society are estranged from the elected leadership. This translates into a lack of confidence in the politicians who are supposed to represent their interests, and the entrenchment of the politics of dissent.

It is this political culture that must be avoided within Aboriginal self-determination and/or self-government. It must be recognized that this dynamic will not be eliminated simply by attaining the right and the capacity to be self-determining and/or self-governing. In other words, there is a danger that self-government will simply replicate the oppressive aspects of the mainstream political system.

It is this consideration that drives much of the opposition to the idea of self-government within our Aboriginal communities. Many Aboriginal stakeholders have expressed concerns that self-government may simply involve a change in political masters, and that such a system may even be more oppressive than the mainstream system. This concern is fuelled by the evidence of corruption and unresponsiveness that exists with some of the Aboriginal leadership, and by the lack of information coming from the established Aboriginal political organizations as to the nature of self-government. Quite bluntly, there is a great deal of fear that self-government will simply mean the legitimization of the current Indian Act political system. One urban leader has suggested that the label of "bannock republic" may be an appropriate way of describing self-government should this be the case.

Although concerns have also been expressed with respect to the current Metis political leadership, these are not as significant as those relative to some elements within the First Nations leadership. Largely this is the case because the Metis political apparatus does not have the same degree of access to and administrative control over financial resources. Notwithstanding this consideration, there is also the view that the Metis political system, as imperfect as it is, is more democratic and provides more power of recall to its members than the system in place among First Nations.

Because of these and other concerns, much consideration must be given the nature of legislative processes under self-determination and/or self-government. It is our view that the perpetuation of this political culture can be avoided by structuring our political and socio-economic institutions along lines that we have described in this section. Briefly, this will involve governing structures based upon constituent groups and fully democratic legislative structures. By implementing this approach, which is based upon mobilizing the participation of all sectors within the community and the promotion of consensus decision-making, it will be possible to eliminate much of the competition and conflict between the privileged and the unprivileged that is characteristic of the current political system.

The implications of the issue of confidence in the leadership arose in our discussions with stakeholders. The view was expressed that well designed and functioning accountability mechanisms may be more efficient than processes that provide for inclusiveness in decision-making. This suggestion was based upon a concern that excessive demands for participation in decision-making could unnecessarily constrain the leadership, and could potentially result in lost opportunities in situations that required relatively short time frames. In other words, having elected our leaders, we should let them lead.

As an alternative to the inclusive model, it was proposed that participation be maximized in processes to determine the overall framework of policies and priorities. This framework would constitute the parameters within which the leadership would exercise its decision-making authority. Well-defined reporting and accountability procedures, and the capacity to implement such procedures, would form an important part of such a system. These provisions would, therefore, guarantee that citizens would have an effective power of recall in the event that the leadership was operating outside of the agreed upon parameters.

As discussed previously, this can be considered to be as much an issue of confidence in the leaders and the political process generally, as an issue of legislative process and accountability. That is, while the most efficient structure would be one where

there was a perfect correlation between the wishes of the people and the actions of the leadership, because of our history and our current realities, this may not be the case. Not only are there confidence issues on the part of the people, there are issues relating to the need to protect against the corrupting influence of power. That is, it is believed that power has an inherent capacity to corrupt even the most democratic leaders, as the maxim goes - power corrupts and absolute power corrupts absolutely.

The absence of provisions for constituent input into decision-making may result in the taking of decisions that do not enjoy widespread support, even where the leadership is of the opinion that such a decision is in the best interests of the community. Too much latitude can also result in executive decision-making that contributes to the entrenchment of the status of the leadership; patronage, for example, is not necessarily negative to the interests of the community, but the potential for damage is there if the leadership becomes dependent upon such mechanisms to increase their status within the community, or relative to the mainstream socio-economic and political systems.

While special circumstances may arise from time to time where relatively quick decisions will be required, it is difficult to imagine the nature of situations that would be so immediate as to require a unilateral action on the part of the leadership. Additionally, in the event that relatively short turn around times were demanded by the situation, the use of modern technology provides fairly efficient means for polling the constituency to secure the necessary input.

In other words, securing the consent of constituents does not require face-to-face contact, nor does it require bringing everyone together at the same time. That is, when consultation is required, it is not necessary to speak personally to each one, either individually or through a meeting. These mechanisms are in fact very inefficient in their use of time, often a valuable commodity for managers and activists in the urban Aboriginal community.

Inclusiveness in decision-making can be as simple as using the telephone. The use of services provided by MTS and computer communications programs can provide an effective, efficient and relatively inexpensive means of communications with the citizens of an urban Aboriginal government. These mechanisms include: teleconference calls; the use of the interactive features of touch tone telephones that make possible referendums/polling on issues as they arise; the use of an automated voice message system; group fax; and computer networking for those who are on-line.

Recognizing that such mechanisms are dependent upon access to telephones, other mechanisms for accessing those constituents who do not have telephones will also be required, although it is not likely that this would constitute a significant constraint on the general utility of a technology-driven polling system. Where time is not an issue, more conventional means of securing citizen input can be used including public meetings, Aboriginal newspapers and other media, hand-delivered information sheets/flyers, and mail-outs.
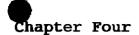
In relation to this issue, much consideration and resources should be directed towards the communications capacity that will be required to support democratic institutions and processes under self-government. This issue is also linked to the need for a public education process for both the urban Aboriginal community and the non-Aboriginal community. This will be especially important during the transition period as a means of building and strengthening public support. Accessible information products, and a comprehensive communications strategy, will make a significant contribution to achieving our goals.

An interesting but unintended side effect of our drive for self-determination and/or self-government may well be the illumination of the shallowness of the democratic traditions held dear to the non-Aboriginal society. In other words, the development of tools, strategies, processes, and institutions for democratic development within the urban Aboriginal community may send out a powerful message as to the substance of western democracy as it currently exists.

As pointed out by one non-Aboriginal stakeholder, we are advancing our right to be self-determining at a time where Canadians are losing their self-determination rights. That is, while Canadians retain the right to participate in the election of governments, they have lost a lot of their social and economic rights.

This can be seen in the deindustrialization that is occurring under the Free Trade Agreement, and that is expected to increase under the North American Free Trade Agreement (NAFTA). This job loss is indeed already occurring as businesses relocate to Mexico in increasing numbers in anticipation of the ratification of the agreement in January 1994. This reality can also be seen in the massive cuts to social programs and benefits at all levels of government, and the attacks on medicare which has been the cornerstone of Canadian social policy for a number of decades. It is this lack of fundamental social and economic democracy that we wish to avoid in the development of our democratic institutions.

To conclude this discussion, to promote the development of democratic structures and processes under self-determination and/or self-government, we are recommending the implementation of a constituency based structure. To avoid the replication of executive privilege that is characteristic of mainstream systems, it will be necessary to promote the concept of equality between citizens and the leadership, and to build in as many checks and balances as necessary to ensure that citizens are able to participate, to the greatest degree possible, in the decision-making process. This level of participation, though it may not be the most efficient model, is likely to result in the closest adherence to the agreed upon political and socio-economic program, and will also guarantee confidence in the leadership and the political process.

Chapter Four

Jurisdiction and Powers

In this section, we will review the various issues with respect to the nature and extent of jurisdiction that may be available to an urban Aboriginal government. According to Wherrat and Brown, these considerations include: the degree to which the Canadian constitution will circumscribe the powers of Aboriginal governments; the priorities of an urban Aboriginal government; powers that are unnecessary as a result of the governance model that is implemented; the evolution of powers over time; the level of jurisdiction to be exercised, that is, whether jurisdiction will be exclusive or shared; the extent of jurisdiction that an urban Aboriginal government may exercise in areas that extend outside of Aboriginal communities, such as national communications policy and programming; and the delegation of authority from other levels of government, inclusive of both Aboriginal and non-Aboriginal governments.

We will address these considerations within the context of four potential areas of jurisdiction: regulating citizens on and off an urban land base; regulating an urban land base; authority over non-citizens on and off an urban land base; and jurisdiction relative to key social, cultural and economic policy and programming. Because all of the various elements of governance are interrelated, most of the issues with respect to jurisdiction will be addressed within other sections of the paper as well; to avoid unnecessary repetition where this is the case, we will provide a brief summary of the issues and note the sections where the issues are dealt with in greater detail.

1. Regulating Citizens

a)   Regulating Citizens Off an Urban Land Base

Issues relative to the regulation of citizens off an urban land base has been addressed in the preceding section concerning governance structures, and will also be discussed in the section dealing with models of government, which follows this section. Essentially, this relates to the various models of non-territorial urban self-determination and/or self-government.

As discussed in these sections, an urban Aboriginal government does not necessarily require a land base in order to have a level of jurisdiction with respect to Aboriginal people who live in within the city. Non-territorial models provide for the regulation of citizens rather than the regulation of a land base, and the regulation of citizens on that land base. Also as

discussed, jurisdiction over citizens off an urban land base can be exercised within the political autonomy model, which includes both a political representative body and control over socio-economic and cultural institutions, or jurisdiction can be limited to socio-economic and cultural policy and programming, as provided for in the institutional autonomy model. Please refer to the identified sections of the paper for a review of the issues with respect to the nature of citizenship within these models.

Aboriginal citizens off an urban land base can also be regulated through the extra-territorial model which is preferred by the on-reserve First Nations councils, and their representative political organizations. These models can be considered to be a variant of the political autonomy model in that they provide for political representation and socio-economic and institutional control. These models do, however, differ from the general government form urban Aboriginal political autonomy, in that they are likely to be organized according to tribal councils and/or individual First Nations councils.

For the purpose of this discussion, we will note that mechanisms will be required to establish the jurisdiction of an urban Aboriginal government, or governments as the case may be. Because it is unlikely that the constitution will be amended along these lines, at least in the near future, such provisions would have to be consistent with the existing constitutional division of powers.

One potential method for legitimization is the delegation of authority from the federal government to an Aboriginal government. This option may apply only to First Nations since this is the only group of Aboriginal peoples for which the Government of Canada has accepted responsibility. Whether this model would be acceptable to the First Nations leadership is not clear at this time, however, their position that First Nations have an inherent right to govern their citizens is likely to preclude the delegation of authority as an urban self-government model with respect to urban First Nations.

It is not obvious as to the degree to which the opposition to a delegated authority, on the part of the First Nations political leadership, will serve as a constraint to the acceptance of this method of legitimization of an urban Aboriginal government. While on the one hand they refuse to accept a delegated authority on the basis of their inherent right to govern, on the other hand, they have accepted provincial legislation as the legal foundation for those services which come under the jurisdiction of the provincial government, as is the case with child and family services.

The essential point with regard to this discussion is that the provincial and federal governments may be prepared to support the extension of the reserve-based jurisdiction, in practical terms, in the absence of a constitutional amendment, and in situations where First Nations governments refused to accept a delegated authority.

Another option for the delegation of jurisdiction with respect to urban First Nations, as discussed by Wherret and Brown, would involve the delegation of authority from reserve-based First Nations governments to urban First Nation governments. This model may be more acceptable to the First Nations leadership, however, it is likely that they will continue to prefer the extra-territorial model.

b)   Regulating Citizens on an Urban Land Base

i)   Urban Lands Model: Neighbourhood-Based

Once a status driven land base is established and the government in place, it would be relatively easy to control the settlement of people in the territory, and the expulsion of people, as well. It should be noted that this feature would differentiate these territories from municipalities where consent of the local government is not required to settle in the territory, and where the authority to expel people does not exist.

The difficulties will arise with respect to a status-blind neighbourhood-based model for urban Aboriginal self-government. In this regard, there is a potential for problems to arise with the current Aboriginal residents, as well as non-Aboriginal residents, where such people may not wish to become citizens of an Aboriginal government. Because of potential for the challenges to individual rights under the Canadian Charter of Rights and Freedoms, it may not be possible to give neighbourhood based Aboriginal governments the power to determine citizenship with respect to residence within the territory.

There is no reason, however, why such governments would not be able to exercise the same level of jurisdiction accorded to municipal governments. As an example, residents in the area would not have the choice of refusing to recognize the authority of the Aboriginal government's police force and other protective and mandated services.

Within the parameters of the legislation concerning municipal jurisdiction, the Charter of Rights and Freedoms, and human rights legislation, neighbourhood based Aboriginal governments could legislate and enforce laws, regulations and standards that

would apply to all residents within the territory. Within these limits, residents in the territories may find that they will be subject to certain policies, procedures, regulations, standards, and so forth that do not exist in other areas of the city. They may find that they have access to services and programs that would not be available to them in other parts of the city. They may also find that the quality of critical urban services - such as policing for example - may be higher in the territory than it is elsewhere. Businesses that are privately owned may find that their taxes are substantially higher than those paid by collectively owned businesses.

In other words, an neighbourhood based/territorial urban Aboriginal government, may be able to exercise a high level degree of indirect control over the determining who will live in the territory. The individual right to choice available to residents under this model would be limited to deciding whether or not they wished to continue to live in the area. A similar choice would be available to people who wished to move into the area. This would apply to corporate entities as well as to individual citizens.

Much of the literature to date has suggested that citizenship/membership can be controlled by an Aboriginal government, and that this jurisdiction applies to withdrawing the right, as well as to establishing the right. While it is easy to see how this could operate with non-territorial institutional autonomy since access to services and other benefits could simply be denied, the exercise of this right with respect to territorial models is less clear.

The recognition of an aboriginal and/or treaty right to control citizenship on a status-blind urban territory would constitute a significant departure from the powers of government that exists currently. No governments other than on-reserve First Nation administrations have the authority to terminate an individual citizen's right to live within the territory. (The practice of limiting residency rights through the use of Band Council Resolutions (BCRs) is a contentious issue for many Treaty/Status people, and will be discussed under the section dealing with the urban reserve model.) Under the current legal system, only the federal government has the authority to grant or withdraw citizenship rights, and this authority is limited to immigrants only; neither provincial governments nor municipalities have the right to determine who will live within their jurisdiction.

Assuming that self-governing land-based urban Aboriginal governments would have the desire to limit the residency rights of citizens, there two potential areas of difficulty. First, in situations where citizens refuse to leave the territory voluntarily, it will be necessary to identify the appropriate authority and procedures for evictions. Within the mainstream

society, when people are evicted from their houses, apartments, farms, businesses, etc., the sheriff/bailiffs office is mandated with the responsibility of ensuring that the premises are vacated. The exercise of this right in a self-governing territory will require a similar capacity.

A more difficult issue concerns the implications that the exercise of this right may hold for the rights of citizens of neighbouring communities. Essentially, this is an issue that has arisen within the context of discussions concerning the option of banishment within an Aboriginal justice system. That is, within our pre-contact traditional Indigenous societies, banishment from the community was one of the more effective options for dealing with offenders responsible for serious offenses against another member of the group. This discussion has occurred within the context of members responsible for violent assaults against other citizens, especially women and children. The exercise of the right to withdraw the right to citizenship, in terms of the right to continue to live in the territory, for crimes or other violations of social norms can be considered to be a form of banishment.

2. Regulating an Urban Land Base

Should the urban Aboriginal community be successful in establishing an urban land base as a model for self-determination and/or self-government, it will be necessary to develop regulations and administrative systems to address issues relating to zoning, land use, the administration and management of property, street lighting and street paving, and other aspects of the physical infrastructure.

3. Authority Over Non-Citizens On and Off an Urban Land Base

Authority over non-citizens on an urban land base is addressed extensively in other sections, therefore, we will not provide further comments on this aspect in this section. In terms of the how this dimension may find reflection in non-territorial forms of jurisdiction, we expect that the model would provide for a shared jurisdiction between the urban Aboriginal government and which ever level of government currently holds jurisdiction over this area. Areas where this is likely to be a major consideration include child and family services, justice and policing.

4. Jurisdiction Over Social, Cultural and Economic Policy and Programming

With respect to urban Aboriginal jurisdiction over socio-economic policy and programming, the primary areas that the community has identified as priorities include: education, justice, services to children and families inclusive of child and family services and day care, health, housing, addictions programs, services to the disabled, services to seniors, services to youth, services to women, economic development, employment training and employment services, sports and recreation, media, communications, and the arts.

To a degree, the urban Aboriginal community has achieved a level of self-determination within the institutional autonomy model. In each of the areas listed above, urban Aboriginal agencies and organizations have developed a capacity to respond to community needs, but in no area is this capacity adequate relative to the needs which exist. The primary reason for this situation is not the lack of interest on the part of the community, but is instead a function of the level of financial resources that is available for the development and delivery of these programs and services.

Urban Aboriginal agencies and organizations are committed to working with the various levels of government, and with the existing non-Aboriginal service delivery system in the design and implementation of services and programs that will more appropriately and effectively meet the needs of the urban Aboriginal community. Unfortunately, there is not a great deal of public support for such a process. Since these issues were discussed extensively in Part One of this paper, and in the following chapter addressing models of self-determination and/or self-government, we will not provide any further general comments in this section.

As a final note, we wish to stress that the potential is there for urban Aboriginal self-determination within the institutional autonomy model - the main barriers standing in the way of achieving this can be found in the vested interest amongst the non-Aboriginal service delivery sector, and the lack of political will on the part of all levels of government. While we recognize that we are often our worst enemy, in terms of the divisions and the lack of cooperation amongst our organizations, these internal barriers are not the most significant obstacles that we must overcome. It must also be recognized that governments play a significant role, both in the creation of these divisions in the first place, and in ensuring that they continue to exist. These divide and conquer tactics tend to be found within funding systems that put our agencies into competition with each other.

While we can and will take action to overcome those internal
barriers that impede the development of a capacity to meet the
needs of the community, we have little control over how
governments will relate to our community. It will be critical,
therefore, to develop relationships with those non-Aboriginal
groups, organizations and agencies within the city who share some
of our values, and who may be will to work cooperatively towards
achieving our agenda. In this regard, we hope that our investment
into the stakeholders process will be helpful as we work towards
the mobilization of this approach.

In the following section, we will provide some specific comments
on matters concerning justice and policing which, predictably,
have emerged as central areas of concern, largely for non-
Aboriginal stakeholders.

a)   Justice

In the discussions on how an Aboriginal justice system may be
different from the mainstream system, and how some of our
traditional systems may be incorporated into this new system, the
concept of banishment was a topic for discussion among
stakeholders. In this regard, it was noted that, while banishment
may have been a viable option within the circumstances that
prevailed in pre-contact times, the exercise of this right today
may be considered an infringement of the security rights of other
communities. In other words, neighbouring non-Aboriginal
communities, as well as land-based Aboriginal governments in the
rural/reserve areas, may take the position that such a practice
simply transfers the problem to another community. It is likely
that this position would be strengthen by the racist element
within the non-Aboriginal society outside of the territory.

In other words, there is likely to be a high level of opposition
to a legal regime that would enable Aboriginal governments to
"dump its undesirables" onto other communities. Given these
sentiments, it is to be expected that urban land-based Aboriginal
governments will be required to find internal means of dealing
with such individuals. Therefore, the aboriginal and treaty right
to determine citizenship, including the right to limit the
residency rights of citizens, may be constrained by the rights of
citizens of other jurisdictions.

This will require the development of structures for social
control, according to the traditions and values of the Aboriginal
government, and subject to the constraints imposed by available
resources. While the ideal model may strive for "peace and
harmony", our current social reality, as a result of our history
of colonization, is likely to require more intrusive measures, at
least over the short to medium term. If the option of banishment

is not available to urban land-based Aboriginal governments, it will be necessary to develop internal mechanisms to address the violations of social norms and the legal/criminal code.

To deal effectively with the conflict that is likely to occur in the territory, it will be necessary for that government to have jurisdiction over the behaviour of citizens, in order to regulate interpersonal, family and other social relations. This is usually considered jurisdiction for justice. In the exercise of this jurisdiction within the context of an urban Aboriginal justice system that will be something more than the administration of justice as it currently exists, it will be necessary for an urban Aboriginal government to identify and implement efficient, effective, culturally appropriate and culture-based conflict resolution structures and processes.

b)   Policing

In terms of the implications that self-determination may have for policing, the following discussion took place among stakeholders. At the outset, it must be recognized that within all political regimes, choices are made as to services that will be offered to citizens. In the case of mandated services such as policing and other protective services, decisions are made politically as to the level of service that will be provided. The budget is the main mechanism for expressing the ideology and the priorities of the government. In other words, most if not all political regimes are subject to resource constraints - that is, they do not have access to a level of finances to allow them to provide all services at the highest level of quality and accessibility. As a result, all governments make choices as to which services will be the priority. These choices are reflected in the budget.

We will use policing to illustrate this point because this is a major area of concern in the relations between urban Aboriginal people and the municipal police force, and also because it is an area that can easily describe how urban Aboriginal self-government can be different from what exists. Policing is a service that all governments provide to their citizens, but the organization, approach and quality of policing services varies from one jurisdiction to another, depending on the operating budgets provided to police forces, the training provided to police personnel, the level of control the political structure can exercise over the activities of the police, the political priorities, and so forth. Although there is a variety of policing structures in Canada, including municipal, provincial, federal and military, policing in Canada is usually provided in a uniform manner.

The priority of Canadian police forces (as is the case with all western governments) tends to be on crimes against property rather than crimes against people. This is certainly reflected within the inner city in the relations between the police force and the Aboriginal community. The experience of most Aboriginal people living in inner city neighbourhoods, where they have had dealings with the police force, is that the police response varies depending on whether the property or people are involved - where a crime is reported against property, the response time is relatively quick, but where the call is about an assault against a person, they can usually expect to wait for hours for the police to respond.

An urban Aboriginal government may direct its police force to give priority to reports of violence against people, and a lesser priority to crime reports involving property, ie. break and enters, theft, etc. Such a government may increase the budget of the police force to ensure that a quick response time is possible. This may necessitate taking money away from another municipal service that may be considered of lesser priority.

The essential point with regard to this discussion is that policing within an urban self-governing territory has the potential to be very different from the policing that is currently provided. However, this potential can only be realized by the consciousness and the values of the people who form this government. In the absence of an alternative vision, and the commitment and capacity to make this vision real, policing in a self-governing territory could not only be the same as what currently exists, it could be significantly worse. For this reason, leadership selection and the participation of citizens will be critical to the success of an urban lands model for self-determination and/or self-government.

Chapter Five

Access to Land and Resources

This aspect of urban Aboriginal self-determination and/or self-government is related to the issue of dual and/or multiple citizenship, and concerns the nature of urban Aboriginal's ongoing interest their traditional lands. The citizenship model that enjoys the highest level of support among urban Aboriginal people appears to one where citizenship in an Aboriginal government would not eliminate their citizenship as Canadians, and as residents of a province and city.

First Nations link the citizenship of urban First Nations people to their original territory/reserve, through the extra-territorial model. The position of the Assembly of Manitoba Chiefs is that treaty and aboriginal rights are portable, in that they apply in full force regardless of where they. However, this position tends to be applied only with respect to the federal and governments, since they currently do not recognize the continuing interest urban First Nations hold in their home reserves and/or treaty lands. This position finds reflection in a number of ways including: the lack of a recognized right to vote for the election of chiefs and councils, with the exception of two reserves; the failure to consult with their band members resident off-reserve in major policy decisions either affecting them in the urban area or impacting on their traditional lands; and the failure to provide off-reserve people with their share of any compensation as a result of land claims, environmental impact, and so forth.

The Manitoba Metis Federation has not, to our knowledge, discussed linking urban citizens with their original lands. To a large degree, this is because urban Metis can claim to be within their traditional lands. The Metis have, however, indicated that all Metis, regardless of whether or not they can trace their ancestry to the Red River, and regardless of where they grew up or live now, and a full and equal interest in, and right to benefit from any compensation, land claim settlement, natural resource development and/or management project, or other benefits that may flow from their traditional lands. Therefore, the Federation currently recognizes the interest of Metis people living in Winnipeg to participate in decision-making relative to all lands where the Metis have an interest.

In this aspect, Metis Federation differs from the First Nations systems, where interest and benefit tends to be retained within the local area and/or region, and often is limited to those people who are resident on the reserve at the time of the settlement.

As discussed in the section addressing the source of our rights
as Aboriginal peoples, there is a danger in stressing the right
of urban Aboriginal people to benefit from development activities
on their home territories. While not always the case, First
Nations people who live off reserve may have severed their
spiritual connection with the land, and may now only have an
economic interest. (recognizing, of course, that on-reserve
people may also fit this description) In other words, framing
this issue within the context of the right to benefit from access
to the land and resources, and from development projects, can
both individualize treaty and aboriginal rights, and contribute
to environmental degradation on traditional lands.

Traditional Aboriginal people tend to be the group of urban
people who are most concerned with their responsibilities to
their traditional lands. They frame their right to have their
interests recognized in terms of their responsibility to protect
the land from destructive development. They also believe that
within the parameters determined by this responsibility, their
right to continue to access their traditional lands and resources
are undiminished by their current residency off reserve. In other
words, by living in an urban area, they have not relinquished
their right to continue to hunt, fish, trap, and gather medicines
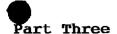on their traditional lands.

Chapter Six

Financing

The source of financing is addressed in other sections of this paper, therefore, we will only provide a few additional comments here. The financing of urban Aboriginal self-determination and/or self-government is an area that was identified as a concern to almost all stakeholders, including both Aboriginal and non-Aboriginal people, but for different reasons. Essentially, the majority of non-Aboriginal stakeholders had difficulty understanding why an urban Aboriginal government would still require government funding, while Aboriginal people were of the view that self-determination and/or self-government would not diminish the financial obligation to Aboriginal peoples.

Aboriginal people tend to frame their understanding of the foundation for government funding as the annual rent payment for the use of the land and resources. Non-Aboriginal people tend to view these payments as government hand-outs, dependency, and so forth. Even where the basis was established in eligibility for equalization payments, which a cornerstone of Canada's federal system of government, there was difficulty understanding its applicability to Aboriginal peoples. In other words, while people may recognize that citizens of other provinces subsidize the right of Manitobans to live in the province of their birth and of their choice, they failed to recognize that this principle can and should be applied to Aboriginal territories, regardless of whether these communities are located in urban areas, or rural/reserve territories. In many cases, the gulf between these two solitudes was unbridgeable.

The absolute necessity of access to secure and adequate financing tended to be universally identified as a critical component of any plan for self-determination and/or self-government. This was especially important to Aboriginal people who are currently providing services to the community, because they have personal experience with the difficulties that arise out of the lack of adequate funding, and the conditionality of these funds. They note in the transfer of responsibility to the Aboriginal community, the normal practice of governments is to reduce the level of funding below what their delivery cost had been.

In terms of specific financing arrangements, stakeholders identified government to government transfer payments based on fiduciary responsibility, equalization payments, established programs financing. the Canada Assistance Plan (CAP), taxation, community economic development, and other forms of revenue raising.

Part Three

Models for Self-Determination/Self-Government

Three distinct models for urban Aboriginal government have been
identified, with a number of variations possible within each of
the models: territorial/urban lands; extra-territorial; and non-
territorial. We will discuss the issues with respect to each of
these models, and will conclude this section with a discussion of
a model that enjoys a high degree of support within the
Aboriginal community, and among a significant number of non-
Aboriginal stakeholders.

Chapter One

Non-Territorial Models

Within the non-territorial model for urban Aboriginal self-determination and/or self-government, there are a number of possible variations, including:

1)   one city-wide inclusive/status-blind institution;
2)   two or more city-wide exclusive/status-driven institutions;
3)   autonomous city-wide inclusive/status-blind institutions or service agencies without a common governing body;
4)   enhanced status quo; and
5)   status quo.

We will begin our analysis from where we are today with some brief comments on the status quo option.

1.   **The Status Quo As a Model For Urban Aboriginal Self-Determination and/or Self-Government**

The status quo option as a model for urban Aboriginal self-determination and/or self-government is included in this paper because it is an option for some people. Although our community consultation did not include stakeholders who expressed a preference for this position, participants believed that a significant part of the non-Aboriginal population within Winnipeg preferred this option.

Noting that the majority of non-Aboriginal stakeholders who participated in the consultation process is made up of people involved in the delivery of services to the community, they pointed out that this group tends to be positively biased towards Aboriginal people because they have had a lot of exposure to the issues and the people working on behalf of their community. The unsupportive group is more representative of "ordinary citizens', people whose lives do not include any kind of sustained interaction with the Aboriginal community. Stakeholders believe that this could be a fairly large group, but that it is

impossible to establish the size of it with any certainty because most people are reluctant to talk about what they really think about these issues.

Stakeholders believe that this sector is made up of two distinct groups of people, both of which reflect a more conservative approach. One part of this group holds these views simply because they are not aware of the issues, and have little or no contact with Aboriginal people. It is believed that at least some of the people within this group may respond positively to information

concerning Aboriginal peoples, and to personal contact with Aboriginal people involved in leadership positions within the Aboriginal service agencies and/or political organizations. As a result of such a public education campaign, support for the Aboriginal agenda could be increased among a significant part of the community that currently is unsupportive.

The other part of this group, a smaller group than the one referred to above, is made up of people who likely will never be supportive of the goals and objectives of the Aboriginal community. Most of the people within this group could justifiably be termed racist. It is generally believed, among both Aboriginal and non-Aboriginal participants, that this group does not support even the existing level of self-determination within the urban Aboriginal community, and would prefer to see the dismantling of existing programs, services, facilities, and so forth. This group, it is felt, is not likely to be supportive of the Aboriginal agenda, and would not benefit from a public education program.

The status quo as a model for urban Aboriginal self-determination and/or self-government was rejected was rejected by all participants, including both Aboriginal and non-Aboriginal people.

2.   The Enhanced Status Quo Model

The enhanced status quo option refers to a model which, although it would provide for some improvements to the existing level of social service, business development, and political representation capacity within the urban Aboriginal community, falls well short of recognizing the Aboriginal right to self-government, and of ensuring that the urban Aboriginal community has access to an adequate level of power and resources to overcome existing socio-economic conditions through self-determination.

This model reflects the more liberal politics of inclusion approach that is advocated by people with good intentions, but who are nevertheless still lacking in an understanding and appreciation of the value that Aboriginal people place on their traditional identities. Some people within this category tend to not recognize why the traditional Aboriginal identity is so important to our people, especially where there is no possibility of, and little commitment to, going back to that traditional lifestyle. The point is often made that Aboriginal people should assimilate to the melting pot of Canadian culture, and should abandon their claims to a distinct identity, rights, land holding patterns, and so forth, since the treaties and reserves are anachronism of the past. Such people believe that the nationalism

of Aboriginal peoples is misplaced, since their primary identity should be their Canadian citizenship.

In addition to questions as to the ongoing value of a distinctive Aboriginal identity even where there is a legal basis for this special status, some of the stakeholders who adhere to this philosophical tradition, held views of varying strengths as to the degree to which Aboriginal peoples have any rights to a claim for special status and, therefore, separate and distinct self-governing lands with their own forms of land ownership, and parallel service delivery vehicles.

Some stakeholders who support this model also tend to reject models that suggest that Aboriginal people should be receiving their services only from Aboriginal staff, regardless of whether or not that service agency is under Aboriginal control. In their view, the primary consideration for the staffing of service delivery vehicles should be competence rather that Aboriginal ancestry. They believe that merit and qualifications should be the basis for staffing, and that if a non-Aboriginal person has the necessary skills and knowledge, that individual should have the same right and opportunity, as that made available to an Aboriginal person, to compete for that job.

Adherents to this philosophy tend to be generally unaware of treaty and aboriginal rights as a source of legitimation for the Aboriginal agenda, and tend to frame the reasons for increased services and special arrangements with regard to Aboriginal peoples, in terms of need, disadvantage, and the value of consumer driven services and programs. Where such people support Aboriginal institutional control, their support is not based upon an awareness of, or commitment to, the legal or constitutional basis for self-determination and/or self-government. Instead, they are of the view that it is Aboriginal people who are most knowledgeable of conditions within the urban Aboriginal community, and most capable of responding effectively to those conditions.

This approach finds reflection in support for strategies that call for the provision of increased levels of funding for the expansion of existing cultural activities, social services, and business development programs that have demonstrated their effectiveness in serving the Aboriginal community. It also calls on governments to make additional sources of funding available to Aboriginal community groups for the development of new services and programs where warranted.

In terms of children's education, advocates of this approach are uncomfortable with the notion of separate schools for Aboriginal children, and would prefer to see the education system reformed to provide for more culturally appropriate curriculum materials, and other supports that would make education more relevant and

accessible to Aboriginal children and their families. They support the call for increases to the teaching, management and administrative staff of schools. They believe that such reforms would benefit not only the Aboriginal students, but would benefit all students through the teaching of an anti-racism curriculum, and the promotion of understanding between different nationalities and cultural groups.

Advocates of this approach call for strategies that will increase the representation and participation of Aboriginal people within existing governing structures and processes. In this regard, they recommend that boards of governors within education institutions, boards of directors of major social institutions and agencies, as well as public business development agencies make the necessary changes to their legislative structures and agencies to ensure an adequate representation of Aboriginal people. Because members of this group firmly believe that accessibility issues are at the heart of the reason why Aboriginal people have failed to benefit from programs of general application, they believe that these measures would make a significant contribution towards the goals and objectives of the Aboriginal community with respect to social and economic development.

Similarly, advocates of this approach call for the increased participation of Aboriginal people in the mainstream political structures and processes. They argue that because Aboriginal people are so dependent upon government financial support, it would seem to make sense to try to elect adequate numbers of people to municipal, provincial and federal legislatures so that they might advance the collective interests of the Aboriginal community. This strategy is promoted on the basis that influence can only come from within, and the Aboriginal community has not yet attempted to use this vehicle to maximum benefit.

The enhanced status quo model is firmly rooted in an incremental reform oriented approach to the goals and objectives of the urban Aboriginal community, and tends to not support the development of parallel service and political representative structures. While genuinely sympathetic to the perspectives advanced by Aboriginal peoples as to the source of current conditions, and to the preferred strategies to overcome these conditions, members of this group tend to put a lot of faith in the capacity and willingness of members of the dominant society to "do the right thing", once they are educated as to the failings of the mainstream society with respect to its historic and current treatment of Aboriginal peoples. In this regard, they identify the need for an extensive and effective public education campaign to raise awareness of the conditions, needs, goals, and objectives of the urban Aboriginal community.

Critics of this approach point out that, while the provisions
seem minimal to people who advocate the development of parallel
structures and processes rather than reform of the existing
system, the major weakness of this model is likely that it calls
for that which is most unavailable - significant sources of new
funding to support the develop of new programs, services .
infrastructure, and so forth. If this is the case, it is likely
that proposals which call for control and re-direction of
existing financial resources would be more easily supported
within the current conservative economic climate. However, it
must be recognized that this approach brings its own set of
political problems in the form of opposition from those with
vested interests - a social sector that is well connected within
the social, economic and political establishment.

Stakeholders who support enhanced status quo as a model for
Aboriginal self-determination and/or self-government, point out
that there is nothing, other than personal and/or political will,
to prevent Aboriginal and non-Aboriginal service providers and
government authorities from beginning immediate work, on a
cooperative basis, towards the articulation and implementation of
an action plan towards the reformation of mainstream systems to
more appropriately and adequately meet the needs of Aboriginal
people who receive their services from those systems. They also
note that this model could be a transitional vehicle towards more
institutional and/or political autonomy.

3.   **Autonomous non-territorial city-wide institutions or service
     agencies without a common governing body**

We will begin this section with a summary of some of the
literature with respect to the general applicability of this
model, and will conclude with some comments as to the application
of this model within the Aboriginal community of Winnipeg.

In the literature, Wherrat and Brown discuss the autonomous
institutional/service agency option as a "community of interest"
model, in the context of there being at least three models for
urban self-government, the other two being the neighbourhood
model and the extra-territorial model. They suggest that the
"community of interest" model may be the most appropriate model
where the urban Aboriginal population is either small or
dispersed throughout the city. One way of understanding this
model, as discussed by these writers, is to think of such a model
as occupying a "cultural" territory or space, rather than a
"geographic" territory (M.Dunn, quoted in Wherrat and Brown
p.29).

These authors note that the precedents for the creation of
specialized institutions/agencies for different groups within the
urban area are already well established within Canadian society,
and organized along language, cultural, and religious lines. They
point to the Ontario example where separate institutional
arrangements provide for public schools for the English, the
French, the English Roman Catholic, and the French Roman
Catholic.

Within this system, although these separate school boards are
required to follow a provincial curriculum, and have to meet
similar standards with respect to teacher training, they are
still able to exercise a significant level of autonomy,
permitting them to respond to the priorities of the communities
that they serve. These authors note that these special provisions
do not compromise the public model for the delivery of services.

Wherrat and Brown identify a number of models for Aboriginal
institutions based upon structures that currently exist within
the mainstream society. These models are defined as expressions
of institutional and/or political autonomy, and can take many
forms, including the society model, the self-administration
model, and the joint representative and/or institutional model.
These models are recommended to respond to the different
circumstances of Aboriginal communities relative to overall size,
concentration, and homogeneity. These models vary according to
the degree of coverage offered, from a more complete to a more
limited jurisdiction.

The society model conforms to the model that is currently in
place to govern certain professions, such as medicine and law.
The Manitoba Medical Association, for example, is a self-
governing society that regulates the activities of doctors and
other medical professionals; the Manitoba Bar Association is a
similar organization that is responsible for the professional
contact of lawyers. Wherrat and Brown suggest that this might be
an appropriate model for governance for the urban Aboriginal
community within limited spheres such as "religion, language and
culture" (Wheratt and Brown, p. 36). This model can be considered
to be one that would be reflective of the approach that is being
discussed in this section of the paper.

Recognizing that this model may be of limited application, these
writers suggest that the "self-administration" model might be a
more appropriate mechanism. They point out that self-
administration under this model can take the form of
"institutional autonomy", which involves the creation of
"specialized single purpose services, institutions, and
agencies", or "political autonomy", which would provide for the
establishment of representative structures, for the purpose of
creating "central policy-making bodies to administer service
delivery as a part of their larger function of political

representation". (Wherrat and Brown, p.37) These representative structures could be organized at the local/urban level, as well as at regional and provincial levels.

The self-administration model, as outlined by these writers, in terms of institutional autonomy alone is a model that would be consistent with the approach under discussion here. The political autonomy model, however, does not fit within this category, and will be discussed in the section immediately following this discussion.

According to these writers, all urban Aboriginal people could participate in the institutions developed within the context of institutional and political autonomy. For purposes of this discussion, we will deal only with forms of institutional autonomy. Within this framework, urban Aboriginal people could participate, either as board members who would be elected, or otherwise chosen, from the community-at-large, or as staff of the agencies. The governing body (the board of directors) would be responsible for policy development, service design and delivery, the administration of programs and services, and the hiring, supervision, evaluation and termination of staff. The programs and services offered by these institutions/agencies would be available to all members of the urban Aboriginal community. It is the view of these writers that the institutional and political autonomy models may be the most appropriate vehicle for achieving the goals and objectives of the urban Aboriginal community.

Wherrat and Brown point to URBAN, a Vancouver based organization that brings together, and distributes funding amongst, a number of Aboriginal service agencies in that city, as an existing model that is located somewhere along the continuum of institutional and political autonomy. This evaluation is based upon the fact that although it has a level of institutional autonomy with regard to the development and delivery of services, and a degree of political autonomy with respect to the political function it performs relative to the different member agencies, it "does not perform the political representation role of a general government". (Wherrat and Brown, p.38)

To respond to needs of urban Aboriginal communities who are too small to support the creation of parallel political and social institutions, Wherrat and Brown recommend the consideration of joint arrangements with the mainstream political structures and service delivery systems as the model for urban Aboriginal self-determination and/or self-government. In their view, negotiations could provide for guaranteed representation on the governing structures of political and service institutions, to ensure that these institutions are adequately and appropriately meeting the needs, and achieving the aspirations of urban Aboriginal people.

In terms of the application of this general theory to the
Aboriginal community of Winnipeg, it can be noted that the
tradition of accommodating special arrangements for distinct
sectors of the urban population is well established within the
province of Manitoba and within the city of Winnipeg. Existing
institutions and/or agencies are organized along lines that are
similar to other provinces and cities. In Winnipeg, there is a
French school board, Jewish Child and Family Services, and so
forth.

There are also a number of private schools which receive a
significant level of public funds. These private schools can be
considered to be separate arrangements organized along class
lines. There is no public outcry in the city as to segregation,
ghettoization, etc. relative to these existing separate
institutions, however, non-Aboriginal people often express such
concerns with respect to separate schools and service agencies
for Aboriginal people. This can be considered to be another form
of racism.

The New Democrat government that was in power in the early 1980s
when the First Nations child and family service agencies were
established refused to consider providing a legal child
protection mandate for the Ma Mawi Wi Chi Itata Centre, which is
a status-blind agency developed to respond to the child welfare
needs of the urban Aboriginal community. They justified their
position by saying that they were not prepared to support the
development of service delivery systems based upon "race".
However, they had no difficulty providing a legal mandate, and a
level of funding, to the Jewish child and family service agency,
and to the reserve-based agencies.

Since the provincial government was not the primary source of
funding for these agencies, and since they would be the primary
funder for an urban agency such as the Mamawi Centre, it can be
seen that financial concerns, rather than a sensitivity to race,
is more likely to be the main driving force behind the provincial
government's response to the urban Aboriginal community. If this
is not the case, the only other plausible explanation for their
position is a belief that the urban Aboriginal community does not
have a level of competence and professionalism that would ensure
that separate delivery systems would not lead to ghettoization.
In either case, neither one of these motivators are defensible.

Unfortunately, this response tends to be characteristic of a
great many stakeholders, even those who see themselves as
generally sympathetic to the goals and objectives of urban
Aboriginal people. Therefore, although we can point to a number
of precedents that support the development of special
arrangements for the delivery of services to the urban Aboriginal

people, it appears that this reality does not yet provide
adequate justification, for at least some stakeholders anyway,
for the development of separate Aboriginal institutions.

For the Winnipeg Aboriginal community, under this model,
Aboriginal self-determination and/or self-government would be
expressed in the form of institutional autonomy. This model could
be organized on either a status-blind or status-driven basis, or
can accommodate both of these options. In other words, separate
institutions and/or agencies could be established to serve only
members of a particular status group - Metis and First Nation,
for example - but such structures would be community-based, and
would not have a common governing body, nor would they be linked
to the political organizations representing these groups.

In terms of institutional autonomy, this model would provide for
the creation of a series of institutions or service agencies to
deliver services to members of the urban Aboriginal community. It
can accommodate the development and delivery of any or all of the
services required by the urban Aboriginal community, including
child and family services, health care, education, housing,
sports and recreation, addiction programs, justice, as well as
any other services to women, children, youth, seniors and
families. The range and extent of services that could be provided
under this model would be limited by the level of financial
resources that will be made available, and the areas where a
legal mandate can be negotiated.

a)   The Status-Driven Option

In terms of the status-driven model within this framework, these
institutions and/or agencies would be established under the
direction and control of a board of directors that is elected
from the two status urban communities, that is, from the
Treaty/Status/First Nations community, on the one hand, and from
the Metis community, on the other. These programs and services
would be available only to members of the particular status
group, ie. Metis or First Nation.

Significantly, this model does not provide for a similar capacity
for Non-Status Indians, unless they are able to define themselves
as Treaty/Status/First Nation, or prepared to define themselves
as Metis should the Treaty/Status/First Nation identification be
unavailable to them for legal or other reasons.

There would be no formal structure linking any of these bodies,
nor would there be any formal linkages with either of the
established political organizations representing First Nations or
Metis. Service delivery institutions and/or agencies organized
along these lines do not currently exist within Winnipeg, nor are

there any plans, to the best of our knowledge, to design and
deliver services on this basis.

In theory, within the status-driven option, it would be possible
for further differentiation along lines that could be determined
by gender, age, language, nation, tribal council area, individual
band, and culture, ie. traditional, neo-traditional, non-
traditional, or christian.

If this were the case, there could be separate delivery vehicles
that would make services available, for example, only to members
of the Cree Nation, or only to members from First Nations bands
within the Dakota Ojibway tribal area, or only to members from
the Sagkeeng First Nation, or only to Treaty/Status/First Nations
who adhere to traditional beliefs and lifestyles, on the one
hand, or only to those who are christians. With respect to the
Metis, it is possible that separate institutions and/or agencies
could be established for those people who can trace their Metis
ancestry back to the original Red River Settlement, and the one
hand, and another service delivery system for all other Metis.
Each of the above distinctions could be further divided along
gender, age and language lines; and the christian option under
the distinction concerning culture could be divided again to
correspond to the various denominations that have Aboriginal
members.

To qualify for inclusion under the framework under consideration
in this section, all such structures would have to meet certain
conditions: (1) they would be under the control of a board of
directors that is elected from and by that specific community;
(2) the services offered could only be made available to members
of that community; (3) there would be no formal links with any of
the other service delivery vehicles; (4) there would no common
governing body with respect to political representation; and (5)
there would be no formal links with any of the established
political organizations representing either the First Nations or
the Metis.

The essential point with respect to this aspect of the discussion
is that it is possible to contemplate situations where the
organizing parameters are much more extensive than is usually
provided for in most models for self-determination and/or self-
government. Taken to its ultimate degree, it is theoretically
possible to continue to divide to the nth degree until we are
left with the self-determining individual. The degree to which
any of these models are appropriate and/or viable as models for
urban Aboriginal self-determination and/or self-government is
beyond the scope of this discussion.

As discussed previously, the model under discussion in this
section does not accommodate the political autonomy model, as
defined by Wherrat and Brown, since this model demands that the

political institution exercise control over the service delivery
institutions and/or agencies.

However, the model does provide for the existence of one or
several autonomous political representative bodies. With respect
to political organizations that are structured along these lines,
we are aware of three: Native Mediation Network, which represents
Treaty/Status people who have regained their status under Bill C-
31, and other Treaty/Status people who are experiencing
difficulties with First Nation band councils relative to access
to their treaty and aboriginal rights; the Indian Council of
Manitoba, which represents non-Status Indians, and which is
affiliated nationally with the Native Council of Canada; and the
Union National de Metis, socio-cultural and political
organization which is unconnected to the Manitoba Metis
Federation.

b)   The Status-Blind Option

With the status-blind approach within this general model, as with
the status-driven option discussed above, the option of
institutional autonomy is available so long as each institution
operates independently of each other, and independently of the
established political organizations representing First Nations
and the Metis. All of the Aboriginal social service agencies, and
business development organizations are organized on this basis.
Please review the list of urban Aboriginal status-blind agencies
which appears in the Appendices.

As per the discussion of the status-driven option, political
autonomy would not exist, as per the definition that we are using
in this paper (ie. the requirement for control over the service
delivery apparatus). However, the model would apply to
autonomous political representative bodies - the Aboriginal
Council of Winnipeg is the only organization that fits this
definition.

The status-blind model, within the context of institutional
autonomy, would provide for the development and delivery of
programs and services, through institutions and/or agencies that
would be established under the direction and control of a board
of directors that is elected from the urban Aboriginal community,
without regard to legal status, or any of the other potential
sources of differentiation. The sole determining factors for a
status-blind approach to urban Aboriginal self-determination
and/or self-government would be identity as an Aboriginal person,
and residence within the city of Winnipeg.

For greater certainty with regard to this issue, Section 35 of the Constitution Act 1982 defines "Aboriginal peoples" as inclusive of Indians, Metis and Inuit". This model, therefore, would be inclusive of all Aboriginal people resident within the city of Winnipeg, including those who identify themselves as, or who are identified by others as, Treaty/Status Indians, Non-Status Indians, First Nations, Bill C-31 Indians, Cree, Ojibway, Dakota and other members of Indian nations, Metis, Inuit, Native, and Indigenous peoples. It would be accessible to all peoples who fit any of these descriptive categories, including women, men, children, youth, and seniors, as well as traditional and non-traditional people. Significantly, this model does provide for the involvement of Non-Status Indian people, unlike the status-driven approach.

This model would provide for the creation of a series of institutions or service agencies to deliver services to members of the urban Aboriginal community. It can accommodate the development and delivery of any or all of the services required by the urban Aboriginal community, including child and family services, health care, education, housing, sports and recreation, addiction programs, justice, as well as any other services to women, children, youth, seniors and families. The range and extent of services that could be provided under this model would be limited by the level of financial resources that will be made available, and the areas where a legal mandate can be negotiated.

Under this model, there would be no formal structure linking any of these bodies, nor would there be any formal linkages with the status-blind political organization - the Aboriginal Council of Winnipeg. Of course, there would also be no relationship with any of the established political organizations representing First Nations or Metis.

The status-blind option does not preclude further differentiation along lines similar to those identified in the discussion of the status-driven option; that is, gender, age, language, nation, tribal council area, individual band, and culture, ie. traditional, neo-traditional, non-traditional, or christian. The only dimension that would not differentiate between members is the legal status category - Treaty/Status Indians, Non-Status Indians and Metis. To clarify issues concerning the Metis, in the context of this discussion, differentiation could occur within the Metis population, but such distinctions would be driven by cultural, rather than legal, considerations.

To qualify for inclusion under the framework under consideration in this section, all such structures would have to meet certain conditions: (1) they would be under the control of a board of directors that is elected from and by the urban Aboriginal community-at-large; (2) the services offered would be made available to all members of the urban Aboriginal community; (3)

there would be no formal links amongst any of the service
delivery institutions/agencies; (4) there would no common
governing body for purposes of political representation; and (5)
there would be no formal links with the status-blind political
organization, nor with any of the established political
organizations representing either the First Nations or the Metis.

Of the 201 urban Aboriginal people interviewed through the Native
Council of Canada's urban self-government research project, 11%
indicated a preference for such an approach; less than 10% of the
Aboriginal and non-Aboriginal stakeholders chose this option as a
model for urban self-government.

4. City-Wide Non-Territorial Institutions With a Common Governing Body

This model corresponds to the model identified by Wherrat and
Brown as a model that exists somewhere on the continuum between
the institutional and political autonomy models, similar to
URBAN, a Vancouver-based organization that brings together, and
distributes funding amongst, a number of Aboriginal service
agencies in that city. This evaluation is based upon the fact
that although the model has a level of institutional autonomy
with regard to the development and delivery of services, and a
degree of political autonomy with respect to the political
function it performs relative to the different agencies and or
institutions that would be represented on this structure, it
"does not perform the political representation role of a general
government". (Wherrat and Brown, p.38)

In other words, this model is differentiated from the model
described in section three - autonomous institutions without a
common governing body - in the sense that it provides for an
increased level of organization within the urban Aboriginal
community, and therefore, is likely to reflect a more effective
and efficient approach towards urban Aboriginal self-
determination and/or self-government. It falls short of the
political autonomy model, however, in that it does not provide
for the creation of a general urban-based Aboriginal government,
either status-driven or status-blind, that would have a level of
jurisdiction over the design and delivery of programs and
services to Aboriginal citizens.

In this regard, this option cannot be considered to be a
government, in the usual sense of the concept, however, it does
make a significant contribution towards achieving an increased
level of self-determination for the urban Aboriginal community.

In terms of the status-driven approach, to qualify for designation under this model, while the option of parallel structures that link service delivery agencies/institutions providing services and programs to the Metis and First Nations populations, is possible under this model, there can be no formal links with any of the First Nations or Metis political representative bodies or administrative structures.

The existing urban Aboriginal service agencies have expressed a preference for this model, however, it must be pointed out that the community consultation process did not provide an opportunity to select, as their preferred option, either the status-driven variant of this model, or the political autonomy model as the preferred model. In the Native Council of Canada's instrument relative to Aboriginal and Non-Aboriginal service agency stakeholders, respondents could only choose between four potential models: the urban lands/urban reserve model; the urban lands/neighbourhood-based model; the one city-wide status-blind institution with membership from all of the urban Aboriginal service agencies and institutions; and the option that provides for several or many autonomous Aboriginal service agencies/institutions without a common governing body. Stakeholders could, however, have selected the "other" option, and provided a description the model they believed to be more appropriate.

Because we are aware of the general sentiment amongst Aboriginal service agency stakeholders, we are confident that none of these organizations would have selected the status-driven option. Reporting on the level of support for the political autonomy model amongst this group is more problematic, however.

Given the choices that were available to them, urban Aboriginal service agency stakeholders selected a combination model that included the urban lands/neighbourhood-based model and the one city-wide status-blind institutional autonomy model. In the more general discussions that took place with stakeholders, a level of support was expressed for the political autonomy model, also in conjunction with the urban lands model, however, the level of support for this option among these stakeholders has not been documented to date.

We are confident, however, that should the political autonomy model be put before them, a majority of these stakeholders would select this option. In taking this position, we want to be careful to clarify that we are not claiming that the broader model enjoys universal support among this group of stakeholders, because we are aware that some within in this group are committed to the model that is best reflected by URBAN.

The survey of urban Aboriginal residents relative to the selection of preferred models is also subject to the qualifications noted above. Of the 201 urban Aboriginal people interviewed through the NCC's urban self-government research project, 33% indicated a preference for the single status-blind institutional model for urban Aboriginal self-determination and/or self-government. As with the stakeholders survey, this finding must, however, be qualified by noting that respondents did not have the option of selecting either the status-driven variant or the political autonomy model from the list of potential models. As with the agency stakeholders, they did have the opportunity to identify either of these models, or any other models for that matter, by selecting the "other" response, and by describing their preferred model.

Because we are aware of the general sentiment that exists within the urban Aboriginal community on this matter, we are confident in asserting that, given the choice, the majority of the residents within the urban Aboriginal community would reject the status-driven variant, and support the political autonomy model, in conjunction with the urban lands/neighbourhood-based model as the preferred model for urban Aboriginal self-determination and/or self-government.

It is our intention to put the status-blind political autonomy model before all of the stakeholders - members/residents within the urban Aboriginal community, Aboriginal service agency stakeholders and political leaders, and non-Aboriginal agency and political stakeholders - in the course of finalizing the recommendations and action plan that we will be bringing forward to the Royal Commission.

5.   The Political Autonomy Model

This model most closely resembles the structure of mainstream political systems, and is considered by many to be the highest form of non-territorial self-determination and/or self-government that could exist for the urban Aboriginal community.

Under the political autonomy model, political structures and processes would be open to participation by all members of the urban Aboriginal community, and would exercise control over the institutions and/or agencies delivering services and programs to the urban Aboriginal population. This model can accommodate both the status-driven and the status-blind approaches, although the status-blind option more closely approximates the public form of government that exists within municipal, provincial and federal political systems.

In other words, separate political institutions, with control
over the design, delivery and administration of programs and
services, could be established to serve only the citizens of a
particular status group, essentially, Metis and First Nations.
This model would provide for the creation of a series of parallel
institutions and/or service agencies to deliver services to
citizens of each of these governments. It can accommodate the
development and delivery of any or all of the services required
by their urban citizens, including child and family services,
health care, education, housing, sports and recreation, addiction
programs, justice, as well as any other services to women,
children, youth, seniors and families. The range and extent of
services that could be provided under this model would be limited
by the level of financial resources that will be made available,
and the areas where a legal mandate can be negotiated from
whatever level of mainstream government that has jurisdiction in
particular areas.

As with other options, further differentiations are possible
within both the status-driven and status-blind options, as
discussed in a previous section. For the sake of analytical
simplicity, we will deal with this model in terms of two parallel
structures - one for the Metis and one for First Nations.

Significantly, this model, as with other status-driven models,
does not provide for Non-Status Indians unless they are able to
define themselves as First Nations, or prepared to define
themselves as Metis in the event that a First Nations
identification is not available to them.

The political autonomy/status-blind model, in combination with
the urban lands/neighbourhood-based model, is the preferred model
for the Aboriginal Council of Winnipeg.

Chapter Two

The Extra-Territorial Model

The extra-territorial model, perhaps in conjunction with the urban lands/urban reserve model, to the best of our knowledge given the lack of information that is coming out of these organizations, is the preferred model of the political organizations representing First Nations - the Assembly of Manitoba Chiefs and the Winnipeg First Nations Tribal Council. It is likely that this model, if pursued, would be organized according to the existing Tribal Council structure, although there is some indication that at least some individual First Nation councils - Sagkeeng, for example - is contemplating establishing extra-territorial government through the extension of jurisdiction from the local territory. The extra-territorial model that could emerge, therefore, could reflect a combination of both local and tribal council forms of jurisdiction.

Significantly, this model, as with other status-driven models, does not provide for Non-Status Indians unless they are able to define themselves as First Nations, or prepared to define themselves as Metis in the event that a First Nations identification is not available to them.

As discussed in the previous section addressing the political autonomy model, it is not yet clear whether the Manitoba Metis Federation is contemplating an extra-territorial form of urban government. We suspect, however, that this model may not be either appropriate or necessary, since the Metis have land, culture, language and governance rights, as reflected in the Manitoba Act 1870 and the provisions for scrip, with respect to lands within the geographic area of Winnipeg. That is, the Winnipeg area is considered by the Metis as the original homeland and/or traditional territory of at least the Red River Metis. It is not yet known what the implications will be for those Metis who cannot trace their ancestry to the original Red River Settlement, and, therefore, may not be able establish their governance rights in the territory on the same basis.

In terms of rights arising from the traditional territory, it is also not obvious as to what the positions of either the Cree, Assiniboine and Ojibway nations will be as to traditional rights in the territory encompassing the city of Winnipeg. While the Metis assert rights in this territory, it must be recognized that they were only able to do so by displacing the Ojibway. However,the traditional territorial rights of the Ojibway could be challenged by the Cree and Assiniboine nations who were displaced by the western movement of the Ojibway from the Great Lakes area.

An additional consideration relative to Metis governance rights that are sourced in the Manitoba Act 1870 is that this legislation recognized rights within the context of a public government in the territory, rather than a distinct and separate Metis government. The Metis Federation may, however, assert their governance rights in the context of their aboriginal rights rather than the rights provided for in legislation.

The essential point with regard to this discussion is that, for reasons outlined above, the Metis Federation may opt for the political autonomy model in Winnipeg and the territorial model in the rural areas. If they choose the political autonomy model, this would provide for the development of a general government in which all Metis people resident in the city of Winnipeg would be eligible for citizenship. This general Metis government would have jurisdiction over the development, delivery and administration of the full range of programs and services for its citizens, subject, of course, to any constraints that may arise out of their negotiations with the three levels of mainstream government with respect to jurisdiction and financing arrangements.

Although First Nations people, in theory, could choose either the development of a political autonomy model or the extra-territorial model, it is likely that the model in Winnipeg will be developed according the extra-territorial model, which is the preferred model of Assembly of Manitoba Chiefs. Significantly, however, many urban First Nations people are opposed to the extra-territorial model. Whether or not this lack of support for the model will be significant enough to force the implementation of a different model is not known at this time. Similarly, there is no indication as to whether the AMC would undertake any form of consultation with urban First Nations people, or whether they will simply continue to assert jurisdiction. The selection of a model for First Nations will,however, be subject to the outcome of negotiations with the three levels of mainstream government relative to jurisdiction and financial arrangements.

Although no information has been provided to date as to how First Nations people who are from territories outside of the jurisdiction of the AMC would be accommodated in such a structure, it is likely that they will be subject to similar structures. That is, extra-territorial jurisdiction for out-of-province First Nations citizens could take at least two forms. Where numbers warranted, First Nations councils and/or tribal councils could open offices in the city to serve their citizens. Alternatively, out-of-province councils could contract with Manitoba tribal councils and/or individual bands for the delivery of service and programs. Mechanisms for political representation may be more difficult for this group of urban people.

To summarize this discussion, Aboriginal self-determination and/or self-government for urban Aboriginal people may be reflected in arrangements that either: (1) correspond to the political autonomy model, either status-driven or status-blind; (2) provide for any combination of these two options; (3) reflect a status-driven extra-territorial model, that for First Nations may be organized on a local reserve and/or tribal council basis, and along similar rural local and/or rural regional lines for the Metis; or (4) incorporate a combination of the extra-territorial model and the political autonomy model, on either a status-driven or a status-blind basis. (Sound confusing?)

In neither the survey of urban Aboriginal residents, nor the survey of Aboriginal and non-Aboriginal service agency and political stakeholders, was there any indication of support for the extra-territorial model. To be fair, however, we must point out, as we have done in previous sections, that the instruments used in these surveys did not ask for specific feedback on this model. Notwithstanding this limitation, no respondents choose to identify this model under the category of "other". Based on these findings, as well as our awareness of the general sentiment of the urban Aboriginal community, we believe that we can safely conclude that a significant level of support for this model does not exist within the urban Aboriginal community. We do intend, however, to put this model before the community, in addition to the other models that were not specifically addressed in the surveys and consultations, to determine the level of support that does exist.

Before moving on to a discussion of the last model for urban Aboriginal self-determination and/or self-government - the territorial/urban lands model and the different forms of expression possible under that model - we will provide an assessment of what we believe to be the main strengths and weaknesses of the extra-territorial model.

In terms of strengths, it is our view that the extra-territorial model is likely to the one most firmly established in Canadian law, and would, therefore, likely be the most effective in ensuring that urban First Nations will be able to access their treaty and aboriginal rights.

In our view there are, however, significant weaknesses with respect to this model. The primary problem with this model is that it perpetuates the divisions that have been imposed by government, and finds ongoing reflection in the maintenance of different categories of Aboriginal peoples with varying rights, but similar socio-economic conditions. These divisions, which are now maintained by Aboriginal organizations as well as by governments, are one of the major internal barriers to achieving self-determination and/or self-government in the urban area.

A second and related concern is that this model has the potential to legitimate the inappropriate Indian Act governance structures as a primary model for self-government. This model is inappropriate because it concentrates power in the position of Chief, lacks accountability, and does not provide a structured full and equal role for women, youth, and other constituencies; nor does it provide a means for the incorporation of traditional structures and processes. In our view, this model reflects self-administration, and cannot be considered to be self-determination or self-government.

A third concern is that the model excludes significant sectors of the urban Aboriginal population; not only are people who are outside of the definition of First Nation, groups within this category are also excluded, most notably, Non-Status Indians and out-of-province First Nations.

To conclude this discussion, it is our view that, while the extra-territorial model is not inherently inappropriate, because of the way in which it is being pursued by the First Nations leadership, has made the extra-territorial model not viable as a model for urban Aboriginal self-determination and/or self-government. The acceptability of the model could be greatly enhanced by a commitment on the part of the leadership to work cooperatively with urban Aboriginal people towards the development of those governing structures and processes, and social and economic institutions, which will be most effective and efficient in meeting the needs and goals of the urban Aboriginal community.

Chapter Three

The Territorial/Urban Lands Model

In the survey of Aboriginal residents in the city of Winnipeg
done by the Native Council of Canada, respondents were given a
list of four potential models for urban Aboriginal government: an
urban reserve, a neighbourhood where the majority of residents
were Aboriginal, a community-wide non-territorial institution
with jurisdiction over services, or several autonomous service
agencies without an overall common governing body. Out of 201
respondents, 11% identified an urban reserve as the most
preferred model for urban self-government, 33% selected the
neighbourhood based model, for a total of 50% in support of a
territorial model for urban self-government. A similar level of
support for the urban lands/neighbourhood model was expressed by
Aboriginal and non-Aboriginal stakeholders.

In this section of the paper, we will review the issues relative
to each of the variants possible within this model. These models
are differentiated along the status-driven/status-blind dimension
as follows: an urban reserve for First Nations; an urban Metis
land base; and a neighbourhood-based urban territory.

a)   Urban Reserve and Metis Homeland Model

As noted above, while 50% of the urban Aboriginal people who were
surveyed through the urban self-government project, indicated a
preference for the urban lands model, only 11% expressed support
for the urban reserve model. A lower level of support for this
model was indicated by both Aboriginal and non-Aboriginal
stakeholders.

Respondents were not provided with the option of selecting a
Metis land base as well as an urban reserve, so it is not
possible to comment as to the level of support that may exist for
this option. This option was discussed within the stakeholders
consultations as an option that would exist for the Metis to
parallel the urban reserve model. Concerns expressed by
stakeholders were generally inclusive of both of these options,
although it was recognized that the Metis claim for an urban land
base would be different than that of an urban reserve.
Notwithstanding this qualification, the issues with respect to
how a Metis government would operate on its own land base are
considered to be similar, therefore we will address them as
different components of the same model. Generally, the Metis
participants did not advance an urban land base as a first
priority; rather, the political autonomy model for urban Metis
appeared to be the preferred model.

Notwithstanding the level of support that appears to exist for
the urban reserve model, the First Nations leadership that is
affiliated with the Assembly of Manitoba Chiefs appears to be
committed to this model within the context of an urban lands form
of self-government.

We are willing to acknowledge that the differential between
members of community and the leadership, as indicated through
these survey results, may be the result of bias in the research
methodology, rather than a reflection of the views of the
majority of the urban Aboriginal population. It is clear that
much more extensive research and community consultation must be
carried out before we can have full confidence in the findings.
However, these survey results are consistent with the positions
that we have come into contact with in our work within the
community. We believe, therefore, that the majority of Aboriginal
people in this city do not prefer the urban reserve option as a
model for self-determination and/or self-government on an urban
land base.

Considerations other than the level of community support which
would have to be addressed include issues relative to the level
of jurisdiction that could be exercised, which is linked to
issues concerning location. That is, stakeholders who commented
on this model indicated that, while they did not believe this to
be an appropriate model, if it was implemented, it would likely
be the model which would provide for the maximum level of
jurisdiction over an urban land base.

According to this perspective, because the precedent for a level
of exclusive First Nations jurisdiction has been established in
Canadian law through the existing, though largely rural, reserve
system, it can be expected that an urban reserve would be able to
exercise, at a minimum, that level of jurisdiction which is
accorded to existing reserve-based administrations. Additionally,
an urban reserve would benefit from the results of negotiations
between the First Nations leadership and the federal and
provincial governments relative to jurisdiction. In other words,
a government established by urban First Nations on an urban
reserve would not be required to negotiate in isolation of
developments that are taking place on rural reserves. This
consideration was qualified by stakeholders, by requirements
relative to location, as discussed below.

In terms of a Metis urban land base, it is recognized that while
the source of the Metis right to an urban land base may be
different from that of First Nations, this option cannot be
considered to be outside of the realm of possibilities,
especially within the context of the historical relationship of
the Metis to the territory which is now Winnipeg. Should the

Metis establish such a land base, issues with respect to jurisdiction, institutions, and intergovernmental relationships are likely to be similar to those confronting a First Nation reserve.

In this regard, stakeholders expressed the view that an urban reserve/Metis land base should not be established within any areas of the city that are currently occupied by non-Aboriginal people, because of the animosity that would be created should the model be imposed unilaterally, and the unlikelihood of securing consent, should that be an option. In other words, they suggested that such lands should be established on vacant lands within or immediately outside of the city boundaries. The basis for this position was framed in terms of this being the least disruptive to the existing non-Aboriginal population, and therefore, less likely to be opposed. They noted, however, that choosing such a location would not be a guarantee that the non-Aboriginal community in Winnipeg would be generally supportive of the implementation of this model.

Other issues with respect to jurisdiction concern the degree to which jurisdiction will be exclusive or shared, given that the territory will have to co-exist with the larger non-Aboriginal community. This issue was of special importance relative to issues concerning policing and justice, which were viewed as the areas most likely to be contentious. Questions raised with respect to this issue include:

-       the role of and relationship with the Winnipeg Police Department relative to policing in the territory;

-       the level of jurisdiction to be exercised relative to non-Aboriginal/non-citizens. in terms of offenses committed on the territory by non-citizens, and those situations involving both Aboriginal and non-Aboriginal people, where the Aboriginal person was a citizen and the non-Aboriginal person was not, in relation to offenses committed either on or off the reserve;

-       whether there would be any differentiation of jurisdiction depending on the nature of the offence;

-       the relationship to the mainstream justice institutions such as courts, correctional institutions, etc; and

-       the overall focus and priorities of the on-reserve justice system, such as whether or not there would be a greater emphasis on reconciliation, restitution and/or rehabilitation, as an alternative to punishment.

To conclude this discussion, we will note that while there does not appear to be a great deal of community support for this model of an urban lands based government, stakeholders were generally appreciative of the reasons why First Nations and Metis would prefer this model over a neighbourhood-based model which would provide for a lower level of exclusive jurisdiction.

b)   The Neighbourhood-Based Model

As noted at the outset of this discussion on the urban lands model the highest level of support was indicated for the neighbourhood-based model. This model could apply to any neighbourhood within the city where Aboriginal people make up the majority of the population in the area. Issues that would require consideration relate to the degree of authority that such a government could exercise over non-Aboriginal residents. Since this issue was discussed extensively in the section dealing with citizenship issues, we will not provide any further comments here. As a way of illustrating how a neighbourhood-based/urban lands government may operate, we will discuss how it may be applied one of our clearly Aboriginal neighbourhoods.

Lord Selkirk Park as a Test Case for the Development of Neighbourhood-Based Urban Lands Model for Urban Aboriginal Self-Determination and/or Self-Government

In this section, we will discuss the development of a test case for an urban lands model within the Lord Selkirk Park community, a predominantly Aboriginal neighbourhood within Winnipeg's north end/inner city. We will begin by describing the level of investment that the Aboriginal community has made to date in this neighbourhood, and will outline a process that could lead to self-determination and/or self-government within this territory. We will also describe how this self-governing territory could relate to the overall forms of institutional and/or political autonomy that could exist within the city as a whole.

The Lord Selkirk Park community is situated in the heart of the area with the largest and most heavily concentrated Aboriginal population. This area covers an area bounded on the south side by the Canadian Pacific Rail Lines. Main Street on the east side, Redwood Avenue on the north side, and Arlington Street on the west side, and encompasses approximately 100 city blocks. The neighbourhood draws its name from the public housing project of the same name which is one of the largest in the city.

Approximately 90% to 95% of the housing units within this housing development project are occupied by Aboriginal people; the Aboriginal population with this area as whole is also in the range 90% to 95%.

This area incorporates some of the "best" and "worst" aspects of inner city and/or Aboriginal neighbourhoods. On the one hand, it is highest crime neighbourhood, according to Winnipeg Police Department statistics, and includes the "low track" - an area frequented by sex trade workers, most of whom are Aboriginal children and women, and their clients, most of whom are white males of all ages. It is an area known for its violence, drug, alcohol and solvent abuse, and increasingly by mostly Aboriginal youth gangs. Single parent mother-led families is the predominant family structure in the area, and social assistance the most commons source of income for the people who live in the neighbourhood.

On the other hand, the Lord Selkirk Park neighbourhood is one area of the city that is identifiable by the significant level of investment in the social infrastructure that has been undertaken by urban Aboriginal organizations. Over the past few years, a number of urban organizations, mostly acting alone rather than in coordinated manner, have established a number of social service and economic development projects in the area, most of which are located within a the centre of the neighbourhood, within a three block radius. These projects include:

-       The Mamawi Youth Program, a program of the Ma Mawi Wi Chi Itata Centre, focussed on the design and delivery of a range of culture-based services and programs for urban Aboriginal youth.

        The main agency, is a non-mandated Aboriginal agency providing a range of child and family support services, in conjunction with the mandated child protection agency. Up until recently, it was located over the bridge that separates the north end from other parts of the inner city, but has since relocated to the Aboriginal Centre, which was site of the Canadian Pacific Railway Station, and which is now being re-developed by a coalition of urban Aboriginal organizations as a focal point for the delivery of services to the urban Aboriginal community. The Centre is located just outside of the southern border of the Lord Selkirk Park community, on the corner of Main Street and Higgins Avenue, an area most well known as Winnipeg's "skid row"- an area of the city home to a highly visible Aboriginal street population, a number of bars/hotels, missions, soup kitchens, sex trade workers and their clients, and so forth.

        The Mamawi Youth Program began in the early 1980s by providing a fairly narrow range of services that included a drop-in centre, recreation programming, one on one counselling, and so on. Over the years, the Youth Program has reorganized its

approach, and now focuses upon programming related to youth
leadership within the context of healing, education and
empowerment. Specific programs include the New Direction Healing
Our Youth initiative which is based upon the Alkali Lake;
intensive bail supervision, and youth leadership development
within the context of an international Indigenous peoples network
focussed on the protection of sustainable societies. The Youth
Program has been responsible for the development of much of the
innovative culture-based initiatives for urban Aboriginal youth
including Youth Assemblies at the local and international level,
which are political forums for youth, the Thunder Eagle Society,
the Children of the Earth High School the Aboriginal Elementary
School, and the Bear Clan Patrol, all of which are located within
this area.

The Youth Program piloted and operated an innovative bail
planning and bail supervision program for Aboriginal youth who
would otherwise remain in secure custody pending their trials, at
a significantly higher cost to government. Although the 1991
report of the Aboriginal Justice Inquiry recommended that this
program provide a model for the expansion of such services, this
program has been cut, although the program has retained a reduced
capacity to provide intense supervision for a smaller number of
youth. The provincial government has, however, used this model in
the context of an expansion of the Community Release Centre.

-    The Native Women's Transition Shelter, a facility that
provides support services within a residential setting for
Aboriginal women and their children, where the women have
committed themselves to overcoming past problems which may have
been reflected in alcoholism, drug abuse, violence, and which
sometimes lead to their children being taken into the care of a
child protection agency. The Transition Centre recently moved
from an older building in the area into a new facility for which
they were able to negotiate funding. They are currently trying to
secure additional funding for the second phase of their project,
which would provide longer term housing for the families they
serve, and which would be located just behind the new building.

-    A Youth Safe House has been recently opened as an
initiative of the Native Women's Transition Centre, and is
located one-half of a block from the Centre;

-    The Kekinan Centre, which provides housing to Aboriginal
elders, is located one block from the Transition Centre. This
facility was developed through the efforts of Aboriginal elders
and the Association of Native Nurses. They are still attempting
to secure funding to establish a personal care home alongside of
the housing project, which was their priority from the beginning.

-    Payuk Intertribal Housing Coop has five housing units across the street from the Kekinan Centre. These units are part of a larger 42 unit apartment block downtown which is operated as a cooperative.

-    Neechi Foods is a worker owned cooperative located one block from the housing projects identified above. It is a small scale supermarket that was developed and is operated as a community economic development project. In essence, this means that any profits above that which is needed to cover operating costs would be re-invested within the local community. The people who developed this project are also involved with a number of other community-based agencies and housing project. They have also developed relations with Aboriginal producers in other areas, mostly northwestern Ontario, whereby they market their traditional harvest products, primarily blueberries, preserves and wild rice. They also market arts and crafts produced by Aboriginal people from this area as well as Indigenous crafts people from Central and South America.

The people involved with Neechi Foods recently completed an analysis of the local economy in the area, and are currently working towards the implementation of an economic development strategy for the neighbourhood intended to retain a greater portion of earned income in the community.

Essentially, this strategy is based upon a recognition that significant amounts of money is earned in the neighbourhood through the delivery of social services, as a result of the socioeconomic conditions which exist within the community. Although earned in the community, most of this income leaves the area immediately, because the professionals who earn this income live in the suburbs or other parts of the city. This income is invested in, and thereby strengthens, the local economies of other parts of the city through the purchase of goods and services. The strategy Neechi Foods is advancing would be one that encourages professionals working in the community to spend at least a portion of their earnings within the community.

-    The Bear Clan Patrol is an initiative of the Mamawi Youth Program, and is a community-based Aboriginal agency committed to providing safety for the people who live in the Lord Selkirk Park community. Originally organized in response to the sexual exploitation of Aboriginal youth through the sex trade, and to the harassment of women and children living in this area as a result of the trade, the Bear Clan now provides general community safety services to people within the area, with a priority towards children, youth, women, and elders.

This organization reflects the structure of the clan system of government, where the Bear Clan traditionally was responsible for the physical defence of the community. The Patrol is under the

control of Aboriginal women, and also provides for the membership of non-Aboriginal people as long as they are prepared to follow the established policies and procedures, and to take direction from Aboriginal women.

The Patrol is recognized by, has received training from, and works with police officers from the local policing district. They are equipped with two-way radios, have their own base station and frequency, and provide a car patrol and a foot patrol. In addition, the Bear Clan provides security services for community events and community agencies. They are now located within the Aboriginal Centre.

-    Children of the Earth High School is a culture-based high school for Aboriginal youth which was developed in 1991 through the efforts of the Mamawi Youth Program, and the Thunder Eagle Society. Although established as a community-driven, the school functions within the public school system as a part of the Winnipeg School Division #1. Negotiations are continuing with the Division for a governance model which will vest control in the Aboriginal community, over all aspects of the school's operation.

-    The Aboriginal Elementary School is a nursery to grade eight program, and is the second phase of the community-driven process to gain control over urban Aboriginal education, the first phase being the Children of the Earth High School. This school opened in September 1993 with an enrollment of 450 students and a waiting list of about 200. This waiting list is not really an accurate indication of the actual interest, since many people did not register because of they were discouraged by the length of the waiting list. This school also operates within School Division #1, and has also begun a process towards a governance model. A campus concept is being developed which would provide for the integration of the two schools. Staff delivering cultural programming are shared between the two schools. The Mamawi Centre has placed a child and family support worker within the school as a preventive support for families, and to work towards the replacement of the Child Guidance Clinic, which operates through the school division.

-    The Indian and Metis Friendship Centre has recently re-established its presence in the community by securing a new facility within the neighbourhood. This new facility includes a large hall which is used for community events and conferences; bingos are held there three nights of week. The rental of the hall and the profits from the bingo operation provide an independent source of revenue for the Centre. These additional revenues are desperately needed by the Centre, since the current Conservative government of Manitoba eliminated 100% of its funding to Friendship Centres in the spring of this year. The programs that were funded through the provincial government included support services to elders, services for children and

families, assistance with housing, and sports and recreation for children and youth. Although the staffing at the Centre has been significantly reduced as a result of these cuts, it is still able to provide a level of service, mostly to youth, because of the private sector funding that they continue to receive through the United Way, and through their own fund-raising efforts.

- The Native Alcoholism Council and Pritchard House, which is the NAC's residential treatment centre, is located within the neighbourhood, and provides counselling, residential care, support groups, and other services to Aboriginal people requiring alcoholism and drug addiction services

- Anishinabe RESPECT is a joint initiative of the Aboriginal community and a church. It provides employment training, and job readiness and literacy training for adult men and women, and support services to their families to ensure that the training programs will be successfully completed. This agency also operates an Aboriginal youth justice committee for diversions from the court system.

- In terms of businesses who deal directly with the local population, there are three Aboriginal thrift shops located on Selkirk Avenue, which is the primary street for commerce in the area.

In addition to the extensive investment that has been made by the urban Aboriginal community, a number of other social support services have been established by the non-Aboriginal community. The consumer base of these agencies is overwhelmingly Aboriginal, and some have Aboriginal staff, to the extent that many people are not aware that these agencies are not controlled, or directed in any way, by the urban Aboriginal community.

There are at least two central concerns with respect to most, although not all, of these agencies for reasons relating to an inappropriate bias towards either christian values and practices, or to mainstream treatment modalities or because these agencies receive a significant level of public funding for the delivery of services to the urban Aboriginal community. We will provide a listing and brief overview of the key agencies, as follows:

- CEDA, an inner-city school-based community development agency, and MAPS, a CEDA affiliate, providing cooperative housing and cooperative housing construction in the area, are agencies which share similar goals and approaches to the Aboriginal community, and which have worked on a number of joint project/program development with the Mamawi Youth Program.

- The six schools within the area have an Aboriginal student population that ranges between 80% to 100%. The Mamawi Centre, through its deployed worker project, has placed one child and family support worker within one of these elementary schools, at the request of the new principal who is supportive of the Aboriginal agenda, and with the financial and other support of CEDA and Winnipeg Child and Family Services;

- The Indian Family Centre, a church-based inner city mission to Aboriginal peoples. Outside of the christian community that this agency serves, there is not a great deal of support for this agency in the urban Aboriginal community.

- The Mount Carmel Clinic, a long-standing charity providing community-based health care to a consumer population that is largely Aboriginal. The major concerns with respect to this agency include the high level of public funding it receives for the delivery of health services to our community, and the reluctance of this agency to consider ways and means of increasing Aboriginal community control. Other concerns relate ti first hand reports from Aboriginal people who have used the clinic in terms of how they have been treated there.

- The North End Women's Centre functions as a resource, referral and drop-in centre for women living in the area, and also provides women opportunities to generate some income through sewing and other crafts.

- Pritchard Place is a youth drop-in centre located in the same building where the Mamawi Youth Program is currently housed.

- Beat the Street is a literacy development agency where the majority of the consumer group are Aboriginal;

- The Hope Centre provides a level of support services to psychiatric out-patients.

- Habitat For Humanity, a christian mission based in the United States, is the most recent newcomer to the community. Through the "Jimmy Carter Work Week" in July of this year, Habitat built eighteen single family homes, on land given to them by the City, on what was a vacant property immediately next to the new Friendship Centre.

After extensive discussions, and some conflict, between Habitat and the Friendship Centre relative to the appropriateness of them locating there given their strong christian missionary focus, the noise issues that may result through the use of the hall for socials, the number of trees to be removed from what was once a heavily treed lot and one of the remaining green spaces within the inner city, the density of the development, the number of Aboriginal families who would receive houses, and the degree to

which the new home owners would support the development plan for the community, an agreement was reached whereby Habitat would allocate nine of the homes to Aboriginal families.

Subsequent to their taking possession of their new homes, the new homeowners discovered that the Friendship Centre had not exaggerated the extent of some of the problems in the area, and they were soon calling upon the city Police Department to increase their presence in the area.

On the clearly negative side, within the Lord Selkirk Park community, there are currently:

- four bars/hotels, one of which is a major centre for the city's drug trade;

- another five bars/hotels immediately outside of the area on Main Street;

- five known booze cans and six known sniff houses;

- a non-Aboriginal merchant class who carry on a brisk trade in the full range of solvents, notwithstanding that the sale of these products for consumption is illegal within the city;

- a commercial retail and.or service sector that is 99.9% owned by non-Aboriginal people, and 95% dependent on an Aboriginal customer base;

Because of the size and density of the urban population within the Lord Selkirk Park community, and because of the significant level of Aboriginal investment that currently exists, and the additional service development that is planned for the future, it has been suggested that this area be considered for the development of a model for a territorial/urban lands model of Aboriginal self-determination and/or self-government.

As noted earlier, one-half of the urban Aboriginal people interviewed in the self-government project expressed a preference for the urban lands model; 33% of the respondents chose the neighbourhood-based model, while only 11% chose the urban reserve model. A similar level of support for the urban lands/neighbourhood model was expressed by Aboriginal and non-Aboriginal stakeholders. The development of this model would not preclude also moving forward with the institutional autonomy model which has also received a high degree of support amongst both Aboriginal residents and stakeholders, as well as from non-Aboriginal stakeholders.

In terms of proceeding with the development of this model, from the beginning, it should be organized according to the constituent group structure, and carried out according to the proposals for legislative processes that have been discussed in this paper. In short, the process that should be used is as important as the goal itself. We are of this view because we are aware that one of the fundamental barriers to self-determination can be found within our community itself, in the nature of our social relationships.

The other important consideration which will shape this process is the demand for numbers for legitimacy. In other words, one of the main mechanisms that governments and the mainstream society use to erect obstacles in our path to self-determination is the demand that we come forward with a consensus decision that is inclusive of the majority of the urban Aboriginal population. In our view, this is not only a stalling tactic, it is another form of racism. We hold this view because we are aware that full participation and consensus is never demanded of non-Aboriginal groups within the community. That is, although the non-Aboriginal sector of society is as fractured and contentious, and divided along the same lines, as the urban Aboriginal community, they are never told to come back once they have all of their people with them.

While this is a significant problem that we face continuously, when it is manifested within our own community, it is even more troublesome. If we are ever to put this into motion, it will be necessary, therefore, to begin with those individuals, groups and agencies/organizations who share this as a common agenda, and who are prepared to invest some of their time, energy, and resources into turning this vision into reality. Because of the lack of consensus, relative to model and strategy, that we know to exist in the community, our time, energy, and resources, all of which are scarce commodities amongst the activist community, are likely to be more beneficially invested into efforts to mobilize the model. It is likely that, as the initiative gains some profile and success, other organized groups, agencies, and individual members of the community are likely to begin to adhere to the model.

Thus, it is probable that a process towards self-determination and/or self-government in terms of an urban lands model, and to a lesser degree the institutional autonomy model, is likely to be longer term, and fraught with difficulties and frustrations, however, if we don't do this, what is the alternative?

For many, the alternative will be to work within the system and try to reform the organizational culture, and the appropriateness and effectiveness of the programs and services which are offered to urban Aboriginal people. If this is the way that people want to engage with the self-determination process, then so be it.

They certainly can't do any worse that than what currently exists, and any reforms that they may achieve are likely to improve conditions for our community.

While we recognize that it an individual's personal choice to engage in the process in whatever ways they think are appropriate, there are two important qualifications that must be made. First, they need to consider whether their participation will impede systemic change by giving the system a way out of their obligations, with only a minimal level of change. In other words, participation in incremental change may forestall real change. Secondly, if they are in leadership positions within service agencies or other organizations, political or otherwise, they should at a minimum provide opportunities for their members, staff, boards, and consumers, to have access to the information so that they are able to make an informed choice as to their preferred model.

Other members of our community do not support this approach. There are four main groups for whom the incremental reformist approach is not adequate, although they differ in the identification of the source of their right to be self-determining and/or self-governing, and in the their position vis-a-vis the status-driven/status-blind issue.

Aboriginal people who follow their traditional spiritual ways constitute one group. They locate the source of their right in the sacred responsibilities given to Indigenous peoples by the Creator. They prefer the neighbourhood-based urban lands model as their primary choice, and to a lesser extent, the status-blind political autonomy model which they see as operating in conjunction with the urban lands model.

Aboriginal people involved in the delivery of programs and services to the urban Aboriginal community are the second group. They tend to locate the source of their right as a function of need and the capacity of Aboriginal agencies to deliver a more culturally appropriate and effective service, and to a lesser extent, as a function of their aboriginal and/or treaty rights. They prefer the status-blind/institutional autonomy/common governing body model.

First Nations people who are affiliated with the reserve-based First Nations leadership through the Assembly of Manitoba Chiefs are the third group. They locate the source of their right within their inherent aboriginal rights that are recognized through the Royal Proclamation of 1763, the treaties, court decisions, the Canadian constitution, and international instruments. They prefer the status-driven variants in terms of the urban reserve/urban lands model, and extra-territorial model.

Metis nationalists, as represented by the Manitoba Metis
Federation are the fourth group within the urban community. They
locate the source of their right as arising from the Red River
and the provisional government, as reflected within various legal
instruments such as the Manitoba Act of 1870, and in the Canadian
constitution. They prefer the status-driven political autonomy
model and the Metis homeland/urban lands models.

Given that the models preferred by the First Nations and Metis
nationalists are not the priority of the majority of urban
Aboriginal people, as indicated through the survey of urban
Aboriginal residents, and the consultations with stakeholders, we
not provide any further comments on the substance of these models
in this section of the paper. Rather, we will focus on the
perspectives of those groups who prefer the status-blind
approaches.

Aboriginal people involved in the delivery of programs and
services to the urban community support the status-blind/common
governing body/institutional autonomy model. Whether they would
also support the political autonomy model is not clear at this
time because the option was not specifically put before them. We
do know, however, from past discussions that within this group
their are people who support the development of autonomous
political institutions, as well as people who do not. Among those
service providers who support political autonomy, some have
identified concerns about the implications of affiliations with a
status-blind political system relative to their relations with
the status-driven political organizations. Thus, it is likely
that this group would initially prefer to begin to work towards
the institutional autonomy model, and defer for a time
consideration of the most appropriate political structures.

In terms of proceeding with the development of the institutional
autonomy model, urban Aboriginal service agencies can begin to
organize a strategic planning process to outline an
implementation process. Within this process, they can identify
the internal and external strengths and weaknesses that will
impact on the implementation process, and can define an action
plan to overcome weaknesses and build on strengths. This process
would provide them with a strategic framework with which to go
forward with their plan. In undertaking this process, they can
call upon, and learn from, the experiences of URBAN, which is a
Vancouver based structure that is consistent with their preferred
model.

At an individual agency level, assessments can be undertaken of
their programs and administrative systems to assess the depth of
coverage, and to identify the gaps in service that currently
exist. They can explore options for the consolidation of programs
and services, and administrative systems, with a view to the
elimination of duplication and the more efficient and effective

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use of scarce financial resources. Where funds are saved as a result of this exercise, they can devise strategies for re-investment into the community.

The priority for these investments should be those programs and services that have demonstrated their effectiveness, but have found it impossible to secure stable program funding from government or private foundations. In other words, the priority for investment should be those approaches which provide a real alternative to the mainstream, and real potential for healing and self-determination, rather those programs and services that simply maintaining the disempowered and dependent status of our people, and which seem to be the preference of governments and mainstream systems.

In terms of the perspectives of the second major group within the urban community, traditional Aboriginal people reject the notion that has been expressed by some stakeholders that any variant of the urban lands model will inevitably result in the ghettoization of the urban Aboriginal community, as well as the similar criticism that such models are unacceptable because they are forms of segregation and apartheid. They point out that these labels are appropriate to current structures since they are not of our choosing. They note that ghettoization is a function of economics not geography, and that there are many current examples within urban societies that have proved to be positive rather than negative. They also point out the development of the urban lands model has been on the political agenda of the urban Aboriginal community for at least twenty years.

Members of this group are of the view that we are largely dealing with a system that is hostile to our interests, and unconcerned with our well-being. They see the existing mainstream system has having a massive negative impact on our children and youth, and, therefore, take the position that no compromise is acceptable where such an approach fails to make changes adequate to the crisis that confronts our community.

They are of the view that this society has reached, and in some cases has exceeded, its social and ecological limits, and that this reality is reflected in an increasingly degraded social and natural environment. They point out that the increasing level of violence and racism within the city, that has made certain parts of the city too dangerous for, and off-limits to, both Aboriginal people and non-Aboriginal/mostly white people, has arisen out of a social and economic system that is driven by individual greed, rather than by a concern for others.

Given this state of affairs, they suggest that what is required is a radical departure from approaches that have failed our people, and especially our young people. In short, what is required is a paradigm shift - a shift in consciousness, values,

social relationships, economic systems, and so forth. Therefore, for this sector within the urban Aboriginal community, simple reform around the margins is not acceptable. Self-determination based upon our enduring traditional values and practices is the agenda to be pursued, not self-administration.
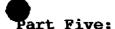
It terms of some initial steps that can be taken towards the implementation of this model, it will be necessary to begin discussions with the Aboriginal people who live in this area, and with the organizational community as well. The existing social infrastructure should be seen as one that provides an alternative and parallel service delivery system for the Aboriginal community. Existing service organizations could approach this effort by identifying the areas of support and resourcing they will need in order to more adequately and appropriately meet the needs of the community. These agencies/organizations should view themselves as evolving into a much larger role as the process unfolds.

As an example, the Bear Clan Patrol can engage with this initiative with the view to replacing, over time and if necessary, the role of the police department relative to policing in that neighbourhood. Discussions can be initiated with the city's police department with a view towards strengthening the capacity of the Bear Clan to take on increasing responsibility with respect to community safety.

Aboriginal organizations, and members of the community, who are interested in alternative justice systems can begin to conceptualize the substance of an Aboriginal justice system that is not simply a carbon copy of mainstream systems. They can begin this process by focussing on those areas with the heaviest impact on our community, such as violence against women, and violence on the streets. They can begin to consider how "zero tolerance" might be different in the Aboriginal community from the concept within the mainstream society. That is, in discussions with community groups, they can ask whether an Aboriginal justice system means increasing the arrest and incarceration rate, and building our own correctional institutions, or whether it means that more attention should be focussed upon prevention, and/or the development of a capacity to hold the offender accountable to the community

To conclude this discussion, it can be said that we currently have the capacity and the drive to begin to work cooperatively towards self-determination and/or self-government for the urban Aboriginal community.Opportunities exist to begin a process that could ultimately lead to the capacity to exercise a level of jurisdiction, whether shared or exclusive, for key aspects of our lives in the urban area. While we can and should move on all fronts at once, we should focus especially on the neighbourhood-based/urban lands model, in conjunction with the status-blind

institutional autonomy model, since it is these two models which have received the highest level of support through the consultations. While we should not give up on efforts to develop positive arrangements with the existing First Nations and Metis political leadership, we should also not be limited by their agenda. Ultimately, we are limited only by our vision and by our level of commitment to the struggle.

Part Five:

Recommendations/Action Plan

In this section, we will outline a plan of action relative to the transition to self-determination and/or self-government. These recommendations will be focussed on each of the key cultural, social, economic, environmental/ecological, and political dimensions that are critical to achieving truly sustainable Indigenous communities and territories.

This plan includes both internal and external recommendations, and are directed towards members of the urban Aboriginal community of Winnipeg, our urban Aboriginal organizations, agencies and political leaders, and First Nations and Metis political leaders, as well as elected leaders and officials within the federal, provincial and municipal governments and public agencies, and decision-makers within non-Aboriginal institutions including the private business sector, foundations, social service agencies, the health care profession, economic/business development programs, labour, the church, international development agencies, environmentalists, the women's community, and social justice groups.

These recommendations outline the changes in policies, legislation, practices, institutions and so forth that we believe to be necessary to the self-determination of urban Aboriginal peoples. These action plan provides the critical path to healing, education, empowerment and self-determination.

Self-Government

- Consideration should be given to structuring self-government in urban areas based upon self-determining institutions that are geared towards meeting the social and economic needs of the community; they should be structured in ways that brings government closest to the people and does not erect another large, distant, unaccessible and unresponsive political and administrative apparatus. Such institutions should be linked to the First Nation and Metis political structures to protect and enhance the treaty and aboriginal rights of urban people, and to ensure that the needs of urban people are addressed at all levels;

- Urban First Nations and Metis people should have the option of organizing according to legal status but should not impose this model on others who wish to organize otherwise;

- The Assembly of Manitoba Chiefs, the Assembly of First Nations, the Manitoba Metis Federation and the Metis National Council must provide urban Aboriginal people with full and equal participation in the development of self-government arrangements; urban people must consent to the new operations,the failure of the political organizations to secure urban consent will render their authority without effect in urban areas;

- In the event that the AMC and the MMF fail to involve urban people in the development of self-government arrangements, urban organizations must take the initiative to implement an urban-driven process to define the nature of self-government for Aboriginal people in urban areas;

- The Government of Canada and the provincial government must accept the principle of consent relative to new governing relations;

- The potential for legal and human rights actions should be explored should the various levels of government, including the First Nations administrations, fail to provide for the full and equal participation, and consent, of urban Aboriginal people in the development of self-government arrangements in the city of Winnipeg;

- The model adopted by the Winnipeg First Nations Tribal Council should not be imposed either by the Tribal Council, the Assembly of Manitoba Chiefs, the Assembly of First Nations, or the governments of Canada, Manitoba and the City of Winnipeg, upon urban First Nations people who wish to organize on according to models which are not based upon artificial legal distinctions;

- Aboriginal people who wish to support the Aboriginal Council as a political representative body should undertake to make that organization representative of all constituencies within the Aboriginal community;

- Urban Aboriginal organizations must identify and implement ways and means of ensuring that the youth, elders and traditional people are able to play a determining role in the development of self-government arrangements;

- The neighbourhood-based urban lands model should be implemented in the Lord Selkirk Park community as a demonstration project to test this model for urban Aboriginal self-determination and/or self-government;

- Urban Aboriginal service agencies should work towards the development of the institutional autonomy model for urban Aborigianl self-determination and/or self-government; and

- The Aboriginal Council of Winnipeg should work towards the implementation of the political autonomy model, in conjunction with the neighbourhood-based urban lands model, and the institutional autonomy.

The Relationship With First Nation Administrations

- Urban Aboriginal people who support the delivery of culturally appropriate services through status blind service delivery vehicles should commit themselves to a process of community based research and consultation with all urban Aboriginal constituencies, giving particular attention to the views of youth, women, elders and traditional people to ensure that services are effective in meeting needs and that such services also contribute to socioeconomic self-determination.

- In the interests of urban Aboriginal children and families who have or wish to develop connections to their home communities, urban Aboriginal agencies should continue to try to establish cooperative working relationships with reserve-based agencies so that the culturally appropriate services and resources of urban agencies will be available.

- New programs and services should be implemented according to the principles of inclusiveness, culturally appropriate, culture based, and self-determining.

Urbanization

- Services should be developed to meet the adjustment needs of Aboriginal migrants to urban areas. Such services should be similar to those offered to refugees from other countries, and should necessarily include assistance with locating housing, including access to home ownership programs, education and employment services, orientation to available health, social and day care services and programs, banking, urban safety and transportation systems.

- Development strategies should ensure a balance between both urban and reserve/rural communities because urban migration patterns are inextricably linked to the well-being of reserve and rural communities.

- Every effort should be made to develop positive working relationships between urban Aboriginal service agencies and agencies based on reserve and in rural Metis communities to meet the needs of urban families who move regularly between the city and the rural areas, or have maintained close ties with their home communities.

Socio-economic Conditions

- Processes and structures must be developed to ensure the full and equal participation of youth, women, elders and traditional people;

- Efforts to try to develop working relationships with the political organizations representing First Nations and the Metis should be continued, so that collective efforts can be focused on the various levels of government to provide the necessary level of resources for urban socio-economic development;

- Initiate a community economic development planning process geared towards a convergent, self-reliant local economy based upon community economic development principles: maximizing income retention, strengthening and promoting economic linkages, and maximizing community employment. Efforts should be made to develop linkages between the urban Aboriginal community and reserves and rural Metis communities.

- Utilize training monies available through the Pathways program to develop the human resources necessary to take control of the social service delivery system currently controlled by mainstream agencies, and to support the community economic development strategy.

- Work cooperatively to derive maximum benefit from the existing social service resources currently controlled by urban Aboriginal organizations.

- Initiate a decolonization campaign in urban areas to transfer control over existing services currently delivered to the urban Aboriginal community by non-aboriginal authorities.

- Initiate a community planning process to develop a comprehensive youth support and development campaign to ensure the well-being of current and future generations to include access to elders and ceremonies, services, education and training, employment and business development, health, housing, sports and recreation, and the expansion of personal development programs such as the New Directions program.

- Initiate a campaign to gain control of all aspects of urban Aboriginal education: this will necessarily include pre-school, elementary, junior and senior high schools, adult up-grading and literacy, trades education and post-secondary institutes. Control over all aspects of educational institutions inclusive of budgets, enrolment, staffing, curriculum, administration and the physical plant must be transferred to Aboriginal education authorities. There should be a separate school division for Aboriginally controlled schools with a level of funding proportionate to that provided to other school divisions.

- Ensure the development of the full range of services for services and resources for Aboriginal seniors, including housing, medical services, home care, transportation and recreation.

- Expand and/or establish working relationships with inmates groups (men, women and youth) to develop the range of services and supports required for a successful re-integration into Aboriginal society on their release.

- Ensure the development of Aboriginal controlled medical and mental health services to meet the needs of the urban Aboriginal community to include services and resources for children, youth, families, women, men and seniors.

- Continue to work on a "zero tolerance" campaign to end violence and the sexual exploitation of women and children.

- Begin to value the traditional knowledge and skills of our people and use these as the basis for our social support systems.

- Explore the possibilities of securing a land base for a cultural camp and healing centre that can function as a resource for our urban service delivery agencies.

The Status of Women

- Men must take primary responsibility for challenging male violence within Aboriginal communities; must model appropriate behaviour to male children; and must share the responsibility for placing the issue of violence on the agenda of our Aboriginal political organizations.

- Interventions designed to stop male violence should focus on removing the offender from the home and guaranteeing the safety of women and children in their homes and communities. Peacekeeping forces under the control and direction of women should be the primary resource that is developed in our communities to carry out these responsibilities. Peacekeepers should be seen as essential to our self-determination, and should be developed as a matter of utmost urgency.

- As a matter of policy, resources for male abusers should not come from allocations intended for services to women and children.

- The analysis of violence that we make available to governments and the general public should always be very careful to make the point that violence is the result of the colonial oppression of Aboriginal peoples, but it should also very clearly stress that although we did not create this problem, individually and collectively we have the responsibility to take action to stop the violence in our own lives and communities, and to prevent the intergenerational reproduction of violence.

- Aboriginal women and men who choose to stand up to violence should be supported and defended against criticisms that they are undermining the drive for self-government.

- Sexism should be recognized as a form of violence and a precondition for greater acts of violence. Men and women should become conscious of the nature and extent of sexism in our relationships and within our organizations, and should strive collectively for its elimination.

- Aboriginal political organizations should recognize that women do not have equality of access within political institutions and processes, therefore institutions should be restructured to enable women to hold 50% of the elected positions; decision-making processes should be should be based upon the principle of consensus.

- Aboriginal political organizations should establish a budget category to support an agenda for women and children.

- The structures and processes relative to the development of self-government should be restructured to provide a full and equal role for Aboriginal women; these new structures and processes should respect the integrity of structures determined by women.

The Development of Culturally Appropriate Services

- Urban Aboriginal organizations should continue to develop services, structures and processes that reflect the actual cultures of urban Aboriginal people.

- Social service programs and services should be developed and implemented in ways that will allow people to understand the impacts of our colonial history on the current functioning and well-being of individuals, families and communities as a means to taking control over and changing the direction of their lives in more positive, self-determining ways.

- Urban Aboriginal service organizations should make it a priority to recruit traditional people as staff, board members and program consultants to ensure the delivery of culturally appropriate services.

- The budgets of Aboriginal service agencies should be determined in ways that will facilitate the delivery of culturally appropriate services.

- Urban Aboriginal organizations should be ever vigilant to prevent any changes to legislation, standards, regulations and professional accreditation that will impact on the delivery of culturally appropriate services.

- Political organizations representing First Nations and Metis should respect the right of urban Aboriginal people to determine the services, structures and processes that they feel best meet their needs, circumstances and goals; status driven organizational and service models should not be imposed on urban Aboriginal people against their will. This provision will ensure that those who choose to organize themselves according to legal status will be able to do so.