

**Indigenous Self-Determination, Neoliberalization, and the Right to the City:
Rescaling Aboriginal Governance in Ottawa and Winnipeg**

By

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ABSTRACT

The needs, rights, and aspirations of urban Indigenous peoples in Canada have been marginalized through colonial and neoliberal governmentality, legality, and discourses that continue to place Indigeneity in rural and remote areas. This dissertation examines shifting state strategies of displacement and containment and Indigenous resistance to the production of the settler city as a *scalar void*. More specifically, it investigates the transformations in urban Indigenous governance in Ottawa and Winnipeg in the 2000s, with a particular focus on the horizontally and vertically networked partnerships created under the federal Urban Aboriginal Strategy.

The objectives of my research are twofold: first, to problematize the settler city as a socio-spatial technology of colonialism which operates through a range of interrelated strategies of erasure; and, second, to highlight Indigenous struggles for self-determination which include asserting the right to (be in) the city through community-building and nation-building and strategies of scale-jumping and scale-bending. Employing a critical spatial lens and a post-disciplinary methodology, I draw on key informant interviews to explore how various Indigenous and state actors have altered, reinforced, and contested colonial processes of meaning-making, territorialization, and marginalization in Ottawa and Winnipeg.

Positioning cities at the centre of the spatial logic of coloniality in Canada and as crucial sites of decolonization, I illustrate how the right to the city for Indigenous peoples does not only entail political reconfigurations at the urban

scale, but requires a fundamental rethinking of the place of cities and the place of Indigenous peoples in relation to competing scales, jurisdictions, and sovereignties. In this way, the dissertation seeks to address critical gaps in the research literature on urban Indigenous issues, particularly in the fields of Political Economy, Indigenous Studies, and Urban Studies. It is hoped that it will provide insights for justice-oriented political action.

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INTRODUCTION

A large and growing number of First Nation, Métis, and Inuit citizens live in cities (Statistics 2008; Siggner and Costa 2005). Similar to Indigenous¹ peoples living elsewhere in what is now Canada they face a myriad of barriers in relation to the exercise of their inherent rights, jurisdiction, and self-determination. In fact, the impacts of colonialism and neoliberalism are exacerbated for urban Indigenous people, because the dominant politico-administrative nexus has marginalized Indigenous individuals and communities in cities², as state discourses, policies, and practices continue to place Indigeneity in rural and remote areas (Peters 2006). This has meant that the needs, rights, and aspirations of Indigenous people who reside in cities have been virtually ignored. In fact, prior to the late 1990s, urban Indigenous communities – as communities – did not exist as far as policy makers were concerned. My point of departure is that, contrary to widely taken-for-granted assumptions, the real and imagined political and legal

¹ I use “Indigenous” to refer to the descendants of the original inhabitants of what is now Canada. The usefulness of the term lies in its transcendence of localized colonial contexts and state categories, such as “Indian” or “Aboriginal” (Smith 1999; Alfred and Corntassel 2005, 597). As Linda Tuhiwai Smith (1999, 7) notes, Indigenous is “a term that internationalizes the experiences, the issues and the struggles of some of the world’s colonized peoples... The term has enabled the collective voices of colonized peoples to be expressed strategically in the international arena. It has also been an umbrella enabling communities and peoples to come together, transcending their own colonized contexts and experiences, in order to learn, share, plan, organize and struggle collectively for self-determination on the global and local stages”. While the homogenization of peoples and nations is problematic, the term Indigenous, although a response to colonialism, does not originate in colonial discourses. At times, the term Aboriginal will be used, consistent with the meaning under section 35(2) of the Constitution Act, 1982 and the dominant terminology of Canadian public policy. Whenever possible, I will refer to First Nations, Métis, and Inuit to distinguish the three main groups of Indigenous peoples in Canada. The names that Indigenous peoples use to refer to themselves will be used to denote specific Indigenous nations and communities.

² While Canada is one of the most urbanized countries in the world, cities also remain marginalized within the dominant political imagination and with respect to the allocation of resources (Keil 2006; Andrew, Graham and Phillips 2002; Bourne and Simmons 2003; Bradford 2002).

geographies of Canadian cities have a significant bearing on the well-being of Indigenous individuals, communities, and nations.

Moreover, this dissertation contends that it is through the settler-colonial configurations of the city itself that Indigenous peoples and their nationhood, sovereignty³, and rights are being displaced. My research thus problematizes the neoliberal settler city in Canada as a spatial technology of colonialism which operates through a range of interrelated strategies of erasure. These include strategies of population management, knowledge production, legal containment and exclusion, and neoliberal state policies and practices, each of which will be discussed in more detail within the chapters of this dissertation. One of the central objectives is to bring attention to the central role of the settler city in dispossessing and marginalizing Indigenous peoples which brings it into view as a linchpin of colonialism – and a crucial site of decolonization.

This dissertation begins by identifying the central problematic as that of a *scalar void*, denoting the political and legal vacuum with respect to Indigenous individuals and collectivities in Canadian cities. Through intertwined sociospatial technologies of power, the state has produced this void in order to keep Indigenous peoples (in and) out of place and to legitimize a property regime premised on their dispossession. Looking at the relationship between the historical and ongoing production of urban space in Canada and the closely linked fictions of *terra nullius* and Crown sovereignty helps to elucidate the terrain

³ Sovereignty is not used in the conventional Western, state-centric sense (Forbes 1998; Alfred 1999). According to Barker (2005, 1), “following World War II, sovereignty emerged not as a new but as a particularly valued term within indigenous discourses to signify a multiplicity of legal and social rights to political, economic, and cultural self-determination. It was a term around which social movements formed and political agendas for decolonization and social justice were articulated”.

of contemporary struggles for Indigenous self-determination at, in between, and across multiple scales.

Given the precarious foundation of settler-colonial space, colonial rationalities of government have worked towards relegating Indigeneity to tightly circumscribed spaces away from settler society and producing Indigenous subjects without rights, jurisdiction, and territory. In this sense, the scalar void is synonymous with the settler-colonial city. Showing the work that goes into “settler colonialism’s ongoing project of reterritorialization” (Edmonds 2010, 246), this interpretive lens helps to denaturalize the injustices and inequalities intrinsic to this project, thereby opening up conceptual space for decolonized futures.

The political project of settler colonialism seeks to bring into being a social reality in which Indigenous peoples – as peoples with inherent rights, title, and sovereignty – do not exist. This remains as the central objective of the settler state today (Alfred and Corntassel 2005). It has been particularly relevant in relation to the city, because its very creation was predicated on the institutionalization of apartheid in the service of state formation, private property, and capitalist accumulation fuelled by the dispossession of Indigenous peoples.

This is, however, not a static project of transfer.⁴ State discourses and governing rationalities have shifted considerably under neoliberalism. According to David Harvey (2005, 2),

[n]eoliberalism is in the first instance a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property

⁴ Veracini (2010) posits “transfer” as the fundamental logic of settler colonialism in that it seeks to displace and eliminate the Indigenous presence which destabilizes and threatens settler sovereignty.

rights, free markets, and free trade. The role of the state is to create and preserve an institutional framework appropriate to such practices.

As a consequence, the state approach to urban Indigenous peoples in Canada has changed from indifference to one whereby communities and individuals are responsibilized through marketizing policies and mechanisms of incorporation. Whereas until the late 1990s state orthodoxy maintained that Indigeneity and the urban are inherently incompatible, the last decade has seen a policy shift from neglect to targeted investments aimed at fostering the participation of Indigenous individuals in local economies. Rather than looking to First Nation, Métis, and Inuit governments for their well-being, urban Indigenous citizens are asked to turn to voluntary organizations and multi-scalar state-community partnerships, where collective action is subject to the discipline of state control and surveillance, as well as the labour market.

Conducting a comparative case study analysis of Winnipeg and Ottawa, I illustrate how neoliberal state-led mechanisms and discourses of inclusion have entrenched colonial governmentality, insofar as the continued erasure of Indigenous nationhood, rights, and scales of governance is obscured through arrangements of self-management. The Urban Aboriginal Strategy, a federal initiative which was introduced in Winnipeg in 2003 and in Ottawa in 2007, has shaped urban Indigenous governance in these two cities, largely through the formalization of partnerships between state agencies and Indigenous service providers. These partnerships have enabled governments to continue to, by and large, evade fiscal responsibility while tightly controlling local decision-making

processes through a form of government at a distance (Rose 1999), based on contractual funding relationships, accountability and reporting frameworks, and the continued fragmentation of policy and legal landscapes.

The urban Aboriginal policy paradigm which emerged in the 2000s closely coheres around neoliberal logics of economization, individual choice, and urban competitiveness, rather than the substantiation of inherent Indigenous rights (Walker 2005, 400). Its discourse centers on economic participation and notions of the ideal citizen as self-regulating, entrepreneurial, and self-reliant. Collective rights and Indigenous self-determination continue to be constructed as falling outside of the scope of urban Aboriginal policy initiatives.

At the same time, however, this emerging phase of urban Aboriginal governance has enabled Indigenous actors to seize new political opportunities, build capacity, and mobilize for more far-reaching challenges to the status quo. It is important to note, therefore, that changes with respect to how the public policy community in Canada positions urban Indigenous peoples have come about as a result of both the infusion of colonial governmentality⁵ with neoliberal ideology and Indigenous resistance to marginalization and displacement.

In addition to examining the neoliberal settler city as a strategy of spatial and disciplinary colonial power, this dissertation explores the complementary theme of Indigenous resistance to this territorial and scalar fix. Indeed,

⁵ As Lemke (2002, 50) notes in his discussion of emergence of the concept in Foucault's writing, "the semantic linking of governing (*gouverner*) and modes of thought (*mentalité*) indicates that it is not possible to study the technologies of power without an analysis of the political rationality underpinning them" Governmentality is a way of looking at power that connects state and subject formation, consensus and domination, and a wide range of calculations, technologies and rationalities of governing (Lemke 2002, Dean 1999)

Indigenous peoples have contested the scalar void and employed a range of strategies, such as legal challenges, land claims, institution-building and coalition-building, to assert Indigenous scales of governance consistent with Indigenous rights to self-determination, treaty orders⁶, and nation-to-nation relations with the Crown. These struggles to decolonize Canadian cities illustrate that settler-colonial rule is not stable or total. As I will show, different forms of Indigenous resistance, which have advanced unevenly across space and over time, can be framed through the concept of the right to the city, a collective right to appropriate the ways in which urban spaces are produced.

Drawing primarily on interviews with key informants, I highlight competing meaning-making projects in the constitution of new political arrangements and the re-assertion of Ottawa and Winnipeg as Indigenous places. Rather than seeing the spaces of colonialism and neoliberalism as all-encompassing and coherent, it is clear from the actions and understandings of Indigenous actors in Winnipeg and Ottawa that they rely on opposing conceptualizations of place, rights, and scalar configurations. Based on different spatializations of Indigenous governance, subjects, and citizenship, my research highlights Indigenous projects along two main trajectories, community-building and nation-building, which co-exist, complement each other, and, at times, clash in urban settings. Community-building centres on local organizations and service providers and a pan-Aboriginal approach. In contrast, nation-building projects transcend the

⁶ See Henderson (1994) and Ladner (2003b) for a discussion on treaty federalism. Treaty federalism would constitute a profound rescaling of power relations and a more expansive spatialization of Indigenous rights.

urban scale and focus on specific First Nation and Métis, and to a lesser extent Inuit, scales of governance and citizenship.

Highlighting the connections between local and extra-local struggles of Indigenous peoples contravenes a central tenet of neoliberal governmentality which posits urban Indigenous people as atomized individuals. Neoliberal discourses and technologies of governing will be explored as the reinvention of the settler-colonial logic of elimination through depoliticization and disconnection. Brown (2006, 15) notes that depoliticization, as a rationality of government, “involves construing inequality, subordination, marginalization, and social conflict, which all require political analysis and political solutions, as personal and individual on the one hand, or as natural, religious, or cultural on the other”. My analysis of the discourses, relationships, processes, identities, and interests that constitute different networks of urban Indigenous governance in Ottawa and Winnipeg is based on the assertion that the relationship between Indigenous self-determination, neoliberalization, space, and urban governance merits scholarly attention and requires political solutions.

The aim of this dissertation is to generate an analytical perspective that contributes towards a decolonized theory and praxis, inclusive of urban Indigenous realities, voices, and the possibility of the emergence of new scales of co-existence⁷, consistent with Indigenous rights, nationhood, and an equitable distribution of resources. As such, the specific contribution this dissertation makes to the research literature is to examine cities as crucial sites of decolonization. It problematizes gaps in the social science literatures that have

⁷ See Howitt (2006) for a discussion in the Australian context.

reproduced the scalar void by failing to critically interrogate the intersections of Indigeneity, coloniality, space, and scale.⁸ According to King (1990, 2), the relationship between urbanism and colonialism has remained under-researched, particularly with respect to North American colonization (King 1990, xi).⁹ Yet an examination of this relationship is important, because cities and urban-based capital have been the primary beneficiaries of the dispossession of Indigenous peoples and the creation of wealth from Indigenous lands. Cities have also become major sites of disciplinary power where dominant forms of knowledge, property, control, and subjectivities are enacted (King 1990, 9; Isin 1992).

INDIGENOUS SELF-DETERMINATION AS THE RIGHT TO (BE IN) THE CITY

Indigenous self-determination refers to the project of liberation from colonial domination and the impacts of dispossession and displacement, including intellectual subalternization. Its actualization requires the restructuring of current state policies and practices, substantive restitution and the redistribution of wealth, and a fundamental rethinking of the place of Indigenous nationhood and sovereignty (Green 2001; 2003). This rethinking is considered particularly challenging in urban settings, because it would most directly undermine the foundations and processes of capitalism, property, and state sovereignty. As a result, while discourses of Indigenous self-determination and self-government

⁸ Canadian Political Economy, for instance, has not given much attention to cities, urban policy and space (Andrew 2003), reflecting its methodological nationalism and the privileging of the nation-state as the most relevant political unit. For the most part, scholars in the Canadian Political Economy tradition have also subscribed to colonizing assumptions and paradigms that marginalize Indigenous nations and their agency (Abele and Stasiulis 1989; Abele 1997; Satzewich and Wotherspoon 1993).

⁹ Within a larger view of this dynamic, the emergence of the British urban system comes into view as part of the colonial system of production. In this sense, “all cities can be described as colonial” (King 1990, 15). In his typology of colonial cities, King (1990) stresses the role of sociospatial segregation (57) and land policy (42), both of which will be of interest in looking at Canadian cities.

have expanded significantly in recent decades (Turner 2006), these notions do not seem to enter the universe of state discourse on urban Indigenous realities (Walker 2005).

The right to self-determination is here conceptualized, following Green (2001, 716), as “the collective right to be”. This evidently includes the right to be in cities – as peoples, communities, and nations.¹⁰ Yet, state notions of Indigenous rights in Canada have exempted urban areas, restricting the portability of Aboriginal rights to a spatial imaginary and material reality that benefit the interests of settler society and the state at the expense of Indigenous peoples and their well-being. This spatialization of rights persists despite internationally recognized principles, such as the minimum standards outlined in the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*.

The UNDRIP, which was endorsed by the Government of Canada on November 12, 2010, places self-determination at the core of its understanding of collective and individual Indigenous rights. Significant with respect to the rights of Indigenous peoples who reside in cities, the UNDRIP does not differentiate between urban and rural rights-holders. Consequently, it can be used to advance

¹⁰ It should be noted that while rights discourses have been successfully mobilized in Indigenous struggles for decolonization, particularly since the late 1960s, Indigenous conceptualizations of rights do not adhere to the individualistic logic and values of Western law, with private property at its core (Monture-Angus 1999). Rights talk can be problematic in its framing of the issues on Canadian terms, but, as a strategy, it provides a potentially powerful avenue to disrupt colonial relationships. In fact, taking on “project Canada” in the legal arena through the assertion of rights that transcend narrow settler state notions forms an important axis of struggle, as will be discussed further in chapter five. The term “project Canada” is used, as suggested by Green (2001, 716), “to refer to the state constructed from the colonies by colonial and then settler elites, evolving but firmly grounded on the original and continuing appropriation of indigenous land and resources, and built on racist and sexist practices that create the forms of privilege that dominate the state today”

the political aspirations of all Indigenous peoples in Canada, regardless of place of residence.¹¹

The state's (uneven) conceptualization of First Nations, Métis, and Inuit rights as strictly territorial and confined to minuscule portions of Indigenous territories can easily be deconstructed as a self-serving strategy of political and spatial containment. As elsewhere in Canada, Indigenous peoples in cities have contested state policies of disconnection and erasure and have asserted the right to be in the city. These claims to Indigenous self-determination resonate with what Lefebvre (1996) described as the right to the city, in the sense of gaining the capacity to restructure the urban environment and its social system of production. Therefore, the right to the city should not be seen as solely implicating city space; it refers to a more expansive notion of how the city and spatial justice are constituted (Soja 2010).

Insofar as Indigenous peoples and their territorializations transcend settler state categories and boundaries, self-determination as the right to (be in) the city should be conceptualized in terms of connections to spaces outside of cities, entailing the disruption of the settler city as a key process of colonialism. Just as Indigenous struggles unfolding outside of cities are of consequence for Indigenous citizens who reside in cities, Indigenous activism in cities has implications beyond the urban scale. As Blomley notes (2004, 127), given "that

¹¹ However, the manner in which provisions of the UNDRIP will be implemented by the state, if at all, remains to be seen. While Belanger (2011) cautions that the UNDRIP could deepen divisions between Indigenous nation-building and urban Aboriginal community development projects and could have a potentially destabilizing effect, I argue that the Declaration's provisions provide a blueprint for a scalar strategy that can be used to transcend the limitations imposed by domestic law and the settler political imagination.

the city is a site of particular ideological, material, and representational investments on the part of a settler society, native contestation has a particular valence here". Rescaling Indigenous governance to include cities, then, can provide meaningful opportunities for decolonization.

KEY CONCEPTS

In this section, I introduce key concepts, including Indigeneity and scale, which provide important analytical tools for understanding contemporary processes of urban Indigenous governance. The conceptual framework assembled here is inherently politicizing, as it seeks to denaturalize and historicize the spatialities, discourses, categories of analysis, processes, and institutions under examination. I begin with a discussion of Indigeneity and then move on to a brief introduction of the concepts of scale, place, territory and networks.

The principle of Indigeneity as a transformative politics is central to the analysis (Alfred and Corntassel 2005; Maaka and Fleras 2005). As defined by Maaka and Fleras (2005, 53), Indigeneity is "a political ideology and social movement by which a politicised awareness of original occupancy provides a principled basis for making claims against the state". The politics of Indigeneity thus calls into question the legitimacy and integrity of the settler state in its current form (Maybury-Lewis 2006, 20). It hinges on the concepts of inherent rights, sovereignty, title, and self-determination as vehicles to arrive at "the restoration of land, identity, and political voice" (Maaka and Fleras 2005, 25-26).

The attachment to homelands is vital to the politics of Indigeneity which is captured in definitions of the term Indigenous peoples, along with an emphasis

on the centrality of self-determination (Cobo 1987 cited in Maaka and Fleras 2005, 30-31). Yet, as Trujano (2008, 14) points out, the relationship between Indigenous peoples and land can be more abstract in that,

while land rights are a central demand of most indigenous peoples around the world, the possession of an indigenous territory should not be a requirement for a community to be recognized as indigenous. Such a requirement could disqualify communities that have no recognized territory, were evicted from their lands or have migrated.

Therefore, a focus on differences and how they have been produced in and through history and geography is crucial. This also prevents misguided notions of a unified Indigenous voice or positionality. Monture-Angus (1999, 21) draws attention to the fact that “as Aboriginal Peoples (that is, Indian (First Nations), Inuit, and Métis) are not homogeneous, there is no single Aboriginal ‘perspective’ on anything, let alone governance”. Here, it is also important to distinguish between differences as a result of distinct nations and cultures and those that were imposed by the settler state for its own purposes, such as status-based distinctions that restrict entitlements.

Intersectional approaches are helpful in accounting for the latter type of difference, because they stress the roles of race, class, gender, space, and the law in configuring relations of inequality. Intersectionality, as an analytical framework, integrates multiple systems of domination and demonstrates how these have interacted and constituted each other through material and discursive processes (Razack, Smith and Thobani 2010; Razack 2002a, 2002b; Aylward 1999; Creese and Stasiulis 1996). It calls for a contextual and relational

understanding of how people are located in relations of ruling, including how social inequality manifests in space.

Social inequalities that are re-produced among Indigenous populations and between Indigenous and settler populations, especially in relation to Indigenous persons who live in cities, are the result of active policies and state practices aimed at assimilating Indigenous peoples (Lawrence 2004; Proulx 2006). As previously mentioned, eradicating Indigenous nations has been a persistent aim of settler colonialism (Veracini 2010), especially in relation to cities.

Historically, cities have been of vital importance to the project of settler colonialism, having served “either as the metropolitan heartland of imperial expansion or as important nodal points in the establishment of colonies” (Anderson and Jacobs 1997, 18). The growth of cities in Canada was fuelled by the dispossession of Indigenous peoples (in cities and elsewhere) and the exploitation of resources from Indigenous territories. Urban settler elites actively participated and benefited from the displacement of Indigenous nations, on which the regime of private property, Crown sovereignty, and Canadian nation-building are premised. Nevertheless, the central role of cities is rarely acknowledged, as they continue to be reproduced as repositories of the legal fiction of *terra nullius* which legitimized the large-scale expropriation of Indigenous territories by asserting that land was uninhabited and/ or unmodified (Thobani 2007; Jacobs 1996; Shaw 2007). While settler representations of urban space and state practices have sought to insulate the city from Indigenous title and citizenship, the geographies of settler states like Canada are far from settled, as the

contemporary struggles of urban Indigenous peoples in Winnipeg and Ottawa illustrate.

A critical spatial lens is well-suited to bring into how Indigenous nations, communities, and individuals are situated in and through socio-spatial relations. This is particularly pertinent given that Indigeneity in cities, consistent with the Euro-Canadian fantasy of “real Indians”, is often discounted on the basis of its location outside of settler state mappings of Indigenous peoples (Trujano 2008; Lawrence 2004). However, just as there is no ontological essence to identities, there is also no ontological essence to places which are always unstable, relational, and contested (Jacobs 1996; Castree 2004; Keith and Pile 1993). In fact, the discussion of Indigenous place-making in chapter six demonstrates that settler cities are polysemic spaces where competing material and meaning-making processes take place.

Critical spatial theorists, such as Henri Lefebvre, David Harvey, and Edward Soja, have made significant contributions to the spatial turn in the social sciences (see Mahon and Keil 2009). Henri Lefebvre’s (1991 [1974]) *The Production of Space* is particularly note-worthy as a seminal work which challenged essentialist notions of space as the neutral and static backdrop of politics. Instead, Lefebvre proposed a materialist analysis that makes the “shift from things in space to the actual production of space” (1991, 37) where space is seen as a social product as well as a means of production (1991, 85).

In addition, feminist geographers have made important contributions by advancing intersectional methodologies. Through attention to the role of

knowledge production, power, and multiple axes of inequality, feminist scholars have productively destabilized taken-for-granted assumptions in relation to marginalized groups and stressed their agency in challenging hegemonic formations (Anderson 1991; Jacobs 1996; McKittrick 2006; Mitchell 2004; Shaw 2007). How space is imbued with meaning (place), bounded (territory), and linked to the governance (scale) of subjects (networks) should be conceptualized as closely interrelated social and historical processes – and as the outcome and medium of social action.

In this way, these key concepts – scale, place, territory, and networks – help us understand the strategies of neoliberal downscaling and Indigenous upscaling, the heterogeneity and specificity of struggles in Ottawa and Winnipeg, and the ways in which competing sociospatial processes are entangled, refracted through and co-constructive of each other. Rather than reifying these spatialities, my analysis examines how they articulate with complex institutional practices, citizenship, and sovereignty. While the theoretical framework will be discussed in more detail in the next chapter, I want to provide a brief description of how these concepts are understood in the paragraphs that follow.

The spatial turn laid the foundations for a subsequent scalar turn (Brenner 2001, 2004; Swyngedouw 2004; Jessop 2008; Smith 1993, 2004; Mahon and Keil 2009). Political economists have stressed the processual and contested nature of scale “as a container, arena, scaffolding and hierarchy of sociospatial practices within contemporary capitalism” (Brenner 2001, 592). Conventionally understood in terms of geographical extent and reach, scale is here

conceptualized as a deeply relational and contested social construction that includes both hierarchical (vertical) and networked (horizontal) dimensions (Howitt 2003; Gupta and Fergusson 2002). Scale is therefore inherently plural, in the sense that social relations are always scaled in multiple ways. This means that it can also become a strategy of resistance, in that groups can “use the opportunities provided through scale to produce spaces in which localized action can be made more permanent and be inscribed in a landscape” (Staeheli 1994, 389). As will be discussed further in chapter one, the concept of scale offers a useful way of thinking through the co-constitution of space, power, state control, and contestation.

Creswell (1996, 3) defines place as a simultaneously spatial and social referent imbued with ideological values and expectations tied to who belongs and who does not. Place is taken to refer to a particular location, implying a sense of boundedness (Escobar 2001; Creswell 1996). As “centers of meaning” (Creswell 1996, 13), places thus play a pivotal role in structuring normative geographies. However, the meanings inscribed and investments in particular ways of bounding place are always contested and negotiated (Keith and Pile 1993; Pile and Keith 1997; Jacobs 1996). In fact, as Jacobs and Fincher note (1998), social struggle is what turns space into place.

These struggles are always localized, situated in territory. Sack (1986, 19) defines territoriality as “*the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships, by delimiting and asserting control over a geographic area [italics in original]*”. A normalized way of delimiting

space to exert control is through the creation of territory as jurisdiction and sovereign domain (Paasi 2003; Ford 1999).

Research on networks generally stresses “interspatial interconnectivity” (Jessop, Brenner and Jones 2008, 390) and horizontal connections, flows, and mobilities. As such, it is a crucial concept for understanding the constitution and processes of urban Indigenous governance across places, scales, and territorializations.

As suggested by Jessop, Brenner and Jones (2008), one-dimensionalism in the analysis of socio-spatial relations may hide more than it reveals. Rather, scale, territory, place and networks should be seen “as mutually constitutive and relationally intertwined dimensions of socio-spatial relations” (Jessop, Brenner and Jones 2008, 389) and together will provide the explanatory tools to account for the contradictions and conflicts generated by the processes of urban Indigenous governance and the formations of colonialism and neoliberalism under investigation in this dissertation.

A POST-DISCIPLINARY APPROACH

This dissertation aims to transcend the limitations imposed by disciplinary paradigms and methods (Sayer 1999; Jessop 2004; Jessop and Sum 2001; Brenner 2004). Given that urban Indigenous realities confound disciplinary modes of inquiry, I will be drawing on theories and methods conventionally associated with a number of social sciences, including, but not limited to, anthropology, sociology, geography, political science, and legal studies. My analysis coheres around the topic of changing forms of urban Indigenous

governance, rather than any single discipline or interdisciplinary field. That is to say, analytical tools and concepts are employed based on what they can contribute to a better understanding of the actually existing complexities of urban Indigenous issues. This orientation is also in keeping with what Indigenist scholars advocate for as a holistic approach.

Sayer (1999) warns that rigid disciplinary methodologies can be a recipe for reductionism. What he refers to as “disciplinary parochialism/ imperialism” can stifle research by delimiting the questions that can be asked and the connections that can be made between the phenomena that have a bearing on the problem under investigation. Post-disciplinary research proposes not only to cross disciplinary boundaries, but to ignore them altogether, in order to better understand and account for “the complex interconnections within and across the natural and social worlds” (Jessop and Sum 2001, 89).¹²

Proponents of a post-disciplinary approach suggest that rather than letting an *a priori* methodology drive the research project, it should be the empirical problem that guides methodological and theoretical choices. As noted by Sayer (1999, 5),

Post-disciplinary studies emerge when scholars forget about disciplines and whether ideas can be identified with any particular one; they identify with learning rather than with disciplines... it requires us to follow connections. One can still study a coherent group of phenomena, in fact since one is not dividing it up and selecting out elements appropriate to a particular discipline, it can be more coherent than disciplinary studies.

¹² Interdisciplinary scholarship makes similar claims. However, as Sayer (1999) explains, the reason for opting for post- rather than interdisciplinarity is the degree to which the latter tends to remain grounded in disciplines and a sense of disciplinary boundaries, even as these are crossed.

Following the connections has been a crucial aspect of this research project, with the fieldwork data providing the foundation and starting point of the analysis. It is in relation to making sense of the empirical findings that discursive, policy, legal and scalar analyses were used to elucidate different technologies of power that have marginalized urban Indigenous citizens and communities and that have been taken up by key Indigenous actors as avenues to contest colonial policies and material inequities.

While this may give the appearance of inconsistency due to a less cohesive or “pre-packaged” intellectual toolkit, I argue that this particular combination of theories and methods within a post-disciplinary framework is better suited to capture and explain the research problem than any single one of these perspectives alone.

RATIONALE FOR A COMPARATIVE PERSPECTIVE

Although not intended to be exhaustive in scope, a comparative perspective is used to analyze the dynamics of urban Indigenous governance in Ottawa and Winnipeg. This methodological choice forms part of a broader argument that I am making in relation to the limited analytical purchase of the dominant ‘urban Aboriginal’ category. The heterogeneity of Indigenous populations in and across cities with respect to cultural specificity, socio-economic status, legal status, level of available services, and political representation renders the umbrella category problematic (Peters and Walker 2005). Indeed, the heterogeneity and complexity of urban Indigenous realities in Canada preclude a general discussion, abstracted from local agents and institutional contexts.

The selection of the two research sites was motivated by the objective to examine a range of conditions, processes, and scalar dynamics. Winnipeg and Ottawa provide for a productive comparison for several reasons. The two cities constitute rich case studies that differ with respect to the composition and size of Indigenous populations, the types of local and extra-local Indigenous institutions, and the nature of inter-scalar arrangements. The differential integration of Winnipeg and Ottawa in regional, national, and global economies also has a significant impact on the profile of local Indigenous populations.

The focus will not only be on inter-urban differences, but also on the production of difference within these cities, particularly through juridico-political categories regulating access to resources, rights, and representation. In addition to the description of local and regional specificities, my analysis also stresses commonalities based on the embeddedness of urban Indigenous communities in larger political, social, economic, and cultural formations of settler colonialism and neoliberalism.

A more comprehensive examination of urban Indigenous governance is necessary. The scope of this dissertation is more limited, given that it examines only two cities. However, the heterogeneity of urban Indigenous realities across the Canadian urban system and the specificity of local governance arrangements lend themselves to a comparative case study approach. Generalizations remain problematic given the complex, locally-specific entanglements of scales and colonial and neoliberal policies, but these two case studies allow for the identification of larger themes that may also have relevance in other sites.

RESEARCH METHODS

In this dissertation, I employ a mixed method approach, including key informant interviews, participant observation, policy analysis, and discourse analysis. My research plan is problem-oriented, the methods reflecting the need to follow connections in order to examine a heterogeneous set of material and discursive processes.

Given the dearth of research, particularly qualitative research, on urban Indigenous self-determination, key informant interviews were conducted to collect data on the developments in urban Aboriginal governance over the last decade. My research is not intended to be an ethnography. The aim here is not to “know” and definitively map Indigenous communities in Ottawa and Winnipeg. In fact, the feasibility of such an undertaking would be questionable. Rather, this is a study of the relationships between a number of Indigenous and state actors, and the political and spatial arrangements that shape and are shaped by these relationships.

The 31 interviewees who participated in this study were selected based on their professional roles in Aboriginal service delivery agencies, community organizations, political advocacy bodies, and First Nation, federal, provincial, and municipal governments. The interviewees worked for local Aboriginal service agencies (12), local, regional, and national Aboriginal political organizations (8), a First Nation government (1), the City of Winnipeg (4), the City of Ottawa (1), Aboriginal and Northern Affairs Manitoba (1), and the federal government (4).¹³

¹³ See Appendix for further details.

The rationale for selecting interview participants was their active engagement in the construction of the spaces, scalar environments, and structural relationships that shape the politics of urban Indigenous self-determination in each of the two research sites.

The aim was not to work from a representative sample, but to elicit a range of perspectives from the main actors involved in urban Indigenous governance, most importantly, from Indigenous community leaders, many of whom have worked extensively with Aboriginal, First Nations, Métis, and Inuit communities in Ottawa and Winnipeg. The focus on Aboriginal organizations and service providers is a function of their centrality in and for self-governance initiatives in urban settings. As Peters (2003, 45) points out, “at present, urban Aboriginal service providers probably create the most immediate access to institutions of self-government for the largest proportion of urban Aboriginal people”.

In May-June 2008, I spent four weeks in Winnipeg to complete 14 semi-structured interviews¹⁴ in person and two via telephone, with two more interviews completed via telephone from Ottawa later in 2008 and early 2009. 12 Interviews were conducted in person and one via telephone in Ottawa, from August 2008 to June 2009. Based on a semi-structured interview guide, the interviews were to shed light on complex institutional and policy environments, elucidate a range of opinions, and validate the knowledge of the individuals who provided the data (Dunn 2000, 52). Questions were designed to elicit interviewees’ notions

¹⁴ My project was approved by Carleton’s Ethics Committee (Ethics Approval Form, November 7, 2007; Ethics Clearance Form (renewal), November 14, 2008).

concerning the scope of and roles and responsibilities in urban Indigenous governance.

A core set of open-ended questions was used, with additional questions tailored to the individual being interviewed. Among the core questions addressed in each of the interviews were: What do Indigenous self-determination and self-government mean in an urban context; and, what are the barriers to implementing Aboriginal self-government in your city? Interviews ranged in duration from 16 to 87 minutes, with an average length of 53 minutes. The digitally recorded interviews were transcribed, coded, and interview excerpts were amalgamated according to a list of themes that emerged from the data.

In addition, I attended numerous community and political events and kept extensive field notes on how discussions and the statements of community members pertained to self-determination, governance, and scalar dynamics. A critical analysis of the discursive frames employed in various government, legal, academic, and popular texts supplements the analysis of the interviews and fieldwork data. These discourses are not privileged to the exclusion of material realities, but seen as co-constitutive of and recursively linked to these realities.

A contextual and historical understanding is central to the method of unmapping which seeks to denaturalize spaces by interrogating “how subjects come to know themselves in and through space and within multiple systems of domination” (Razack 2002a:17). By unmapping the transparent space¹⁵ of settler

¹⁵ Transparent space refers to the commonsensical notion that space can be seen as is, or that the representation of space is unproblematically mimetic through a gaze from nowhere (Blunt and Rose 1994:8).

cities, cities come into view as terrains of struggle over Indigenous access to rights, representation, and urban space itself.

A methodological challenge which needs to be acknowledged is the inadvertent reproduction of state spatializations through a focus on two cities. One of the arguments I make in this dissertation is that “scaling up” is required to understand and address the issues identified by research participants and in the literature on urban Indigenous governance. In this sense, looking only at cities would be problematic; instead, urban Indigenous realities need to be framed within their extra-local and historical contexts.

ORGANIZATION OF DISSERTATION

The dissertation is organized as follows: Chapter one begins with an overview of the theoretical framework which draws on the literatures on coloniality and decolonization, critical political economy, and radical geography. Seeking to widen the scope of the decolonization literature by including cities, chapter one sets the stage for understanding contemporary transformations in Indigenous governance and struggles for self-determination in and beyond cities. Here, the scalar void with respect to Indigenous peoples, citizenship, and rights in Canadian cities is identified as the central problematic. I suggest that capturing these dynamics through a critical spatial lens can bring into view the complex and contested terrains of the urban and Indigenous governance, as well as the strategies that seek to decolonize Indigenous-state relations in and across multiple socio-spatialities.

Chapter two presents an overview of Indigenous urbanization in Canada and demographic profiles of urban Indigenous communities in Winnipeg and Ottawa, with a particular focus on the gendered and racialized dimensions of social disadvantage. Contextualizing the politics of urban Indigeneity, this chapter problematizes the state construction of Indigenous subjects and dominant ways of knowing related to the politics of enumeration and classifications. It also draws attention to the inadequacy of the dominant ‘urban Aboriginal’ category and its role in the management and political containment of Indigenous peoples.

Focusing on the discursive and material practices involved in the compartmentalization of settler and Indigenous space, chapter three provides a genealogy of the settler city and settler representations of Indigeneity in relation to the city. More specifically, I show how narratives and state practices have served as complementary strategies of enacting race and property. I argue that it is through the historical and ongoing production of the city as *terra nullius* that urban spaces have come to be perceived as insulated from Indigenous and treaty rights. In this sense, this chapter speaks to the ongoing role of the city in legitimizing state sovereignty and Indigenous dispossession in Canada.

Chapter four provides a multi-scalar perspective on the urban Aboriginal policy nexus and examines federal, provincial, and municipal policies in relation to the two research sites, Ottawa and Winnipeg. An analysis of the discursive framings of existing policies over time reveals deeply problematic understandings that continue to reproduce colonial relationships. The current neoliberal paradigm, crystallizing around the Urban Aboriginal Strategy, is more in tune with

state objectives of marketization, community responsibilization, and individual self-reliance than with the imperative to decolonize cities.

In chapter five, I discuss the role of settler law in the spatialization of Indigenous rights. Given the constitutive nature of the law “as a means through which colonialism has itself been produced” (Blomley 2004, 109), the intrinsic limitations of settler legality in advancing decolonization must be acknowledged. At the same time, however, it is important to trace how the legal arena has been used as an avenue through which Indigenous litigants are seeking to contest settler state boundaries and re-assert (city) space. As will be shown, the *Corbiere* (1999), *Powley* (2003), and *Misquadis* (2002/ 2003) decisions have significant implications with respect to the socio-spatialities of Indigenous governance. In addition, the duty to consult and accommodate, is briefly discussed as potentially offering further leverage in transforming settler state parameters that currently curtail Indigenous rights and citizenship.

In chapter six, dominant narratives of erasure and containment are contrasted with Indigenous counter-discourses and re-assertions of material, representational, and political space in Ottawa and Winnipeg. I propose the right to the city as a concept to displace the spatial logic of coloniality in Canada by thinking about Indigenous struggles as more fundamental challenges to settler colonialism, property, and production – and, as such, linking up with a number of allied struggles and potential solidarities. This chapter highlights the Algonquin land claim, the Aboriginal Centre of Winnipeg, the proposed urban reserve in

Winnipeg and the Friendship Centre Movement as forms of Indigenous resistance.

Outlining how Aboriginal agencies and organizations negotiate local neoliberalisms in Winnipeg and Ottawa, chapter seven demonstrates the challenges in appropriating new political arrangements to advance agendas of Indigenous self-determination. The discussion in this chapter centers on issues faced by Indigenous organizations related to state-imposed constraints through contractual relationships and funding and the scale politics of jurisdiction, access, and representation.

Chapter eight focuses on the politics of partnership and the ways in which Aboriginal governance in Winnipeg and Ottawa has been rescaled in the 2000s. It problematizes the emerging collaborative paradigm as a form of political containment. In this chapter, I also distinguish the predominant scale politics in the two cities as one of predominantly scale-bending – a strategy aimed at the amalgamation of existing scales into a new scale of engagement – in Winnipeg and scale-jumping – a strategy of advancing interests through brokering access at different scales – in Ottawa. I also discuss tensions that were apparent in both cities with respect to collective Indigenous projects of community-building on the one hand and nation-building on the other. While by not mutually exclusive, these projects rely on fundamentally different political, legal, spatial, and scalar logics. In this way, the discussion highlights the roles of collaboration and contestation in Indigenous struggles to make more space for self-determination in cities.

To conclude, this dissertation shows how neoliberal practices of governing through state-civil society partnerships continue to configure relationships and spatialities of urban Indigeneity within a deeply colonial logic. At the same time this politics of scale intersects with and is, at times, subverted through the scale politics of Indigenous self-determination. This dissertation seeks to contribute to a theoretical and analytical reframing of Indigenous struggles for self-determination through which cities come into view as key sites and scales of decolonization and spaces of hope and possibility for Indigenous nations, communities, and families.

CHAPTER 1: MAKING SPACE FOR DECOLONIZATION: THEORIZING INDIGENEITY, NEOLIBERALISM, AND URBAN GOVERNANCE

INTRODUCTION

This chapter brings together the processes of Indigeneity, coloniality, and decolonization with a set of processes which are also vital to situating the politics of urban Indigeneity in Canada: neoliberalism, scale, and urban governance. It seeks to develop a conceptual framework for understanding Indigenous struggles to decolonize the city and what the right to the city means in a settler-colonial context. I argue that, taken together, these concepts can assist in mapping the relationships between the regulation of space, meanings, rights, and collective access to property, services, and self-determination. I propose the notion of the scalar void as a way to understand collective Indigenous positionalities in relation to the settler city.

In the first section, I outline the Indigenist and political economy approaches informing the methodological choices. The next section describes the key concepts of Indigeneity and coloniality. Then, I move on to discuss the scholarship on decolonization and propose to broaden its scope to include cities. In the remainder of the chapter I draw on the scholarship of critical geographers and political economists in order to situate how neoliberalized versions of capitalism-colonialism have shaped contemporary Indigenous realities in Canadian cities. Finally, I highlight two pathways to decolonized urban futures as equally important and intricately connected assertions of the right to the city:

Indigenous community-building, which denotes a localized response based on existing or emerging scalar arrangements, and nation-building, which tends to entail regionalized and new scales of governance.

ENGAGING INDIGENIST AND POLITICAL ECONOMY METHODOLOGIES

The work of Indigenist scholars is particularly relevant to the development of an analytical framework that privileges the perspectives shared by Indigenous interview participants in Ottawa and Winnipeg. The aspirations of Indigenous communities and nations and their understandings are thus placed at the centre of the analysis.¹⁶ In addition to giving attention to the political nature of the research process, Indigenist scholarship is characterized, above all, by a normative orientation towards decolonization. While this scholarship has made an important contribution to understanding how Indigenous peoples are marginalized and resisting their marginalization, I argue that it has often failed to include cities as important sites of Indigenous struggles.

Central to Indigenist research paradigms is resistance through the destabilization of the knowledge/ power regimes imposed by colonizers/ settler societies (Smith 1999; Rigney 1999; Simpson 2004; Wilson 2007, 2008; Kovach 2009). The production of knowledge, under the guise of universal truth claims, about Indigenous peoples has been central to colonial projects and state

¹⁶ It should be noted though that the researcher remains the primary beneficiary. This is not intended to gloss over the power imbalance between researcher and researched and the complicity of the academy in colonial projects (Denzin and Lincoln 2008, 2). I have attempted to address the political nature of inquiry throughout the research process, including the opportunities it can present. Several of the participants, in fact, noted the importance of politicized research in the area of urban Indigenous issues and the potentially transformative power of “getting their stories out there” as primary motivation to participate in the study.

strategies of control and coercion (Smith 1999; Henderson 2000).¹⁷ Academic knowledges, in particular, have re-produced deeply Eurocentric ontologies and epistemologies to the exclusion of Indigenous knowledges and in the service of multiple systems of domination (Smith 1999). Indeed, for Indigenous peoples, “the term ‘research’ is inextricably linked to European imperialism and colonialism” (Smith 1999:1), as scholars have constructed Indigenous peoples invariably in contradistinction and as inferior to Europeans (Hall 1992). The racialization of Indigenous peoples and their framing as inferior was a central structuring principle through which the colonial matrix of domination has operated in Canada. Coinciding with the formation of these racialized knowledges are classifications of space and spatialized representations aimed at asserting and controlling space – and dispossessing Indigenous peoples of their territories (Razack 2002a; Berg 2011).

Indigenist methodologies propose holistic understandings of social, political, economic, and cultural processes beyond the confines of any single discipline. Denzin and Lincoln (2008, 2) summarize what inquiry within an Indigenist paradigm entails, noting that research

must be ethical, performative, healing, transformative, decolonizing, and participatory. It must be committed to dialogue, community, self-determination, and cultural autonomy. It must meet people’s perceived needs. It must resist efforts to confine inquiry to a single paradigm or interpretive strategy. It must be unruly, disruptive, critical, and dedicated to the goals of justice and equity.

¹⁷ Henderson (2000, 65) notes that “repression of Indigenous peoples by universal standards or general law was and is effective in immunizing Eurocentric assumptions and practices from examination” It is thus crucial to deconstruct “the colonizers’ strategy of Eurocentrism, epistemological diffusionism, universality, and enforcement of differences” (Henderson 2000, 58)

Insofar as research is not understood to be a value-free process and, instead, seeks to affect social change, there are points of convergence with other theoretical schools that inform my research, most notably critical streams in political economy and geography. An important commonality of these scholarly traditions is their transformative orientation, as well as a holistic understanding of social reality. In combination with the principles of Indigenist research, critical political economy approaches, including those informed by insights from the governmentality literature, can inform an analysis that captures the ways in which coloniality is embedded in Canada's institutional landscape and the struggles of various Indigenous actors for self-determination on the shifting terrain of urban Indigenous governance.

Given that Canadian political economy has largely failed to critically engage race, Indigeneity, and colonialism,¹⁸ this chapter also seeks to contribute to the decolonization of political economy.¹⁹ I argue that the scholarly fields of political economy and geography have much to offer to Indigenist research, as they

¹⁸ Canadian political economy has not, or only in a very limited way, engaged with Indigenous peoples. On the one hand, the liberal staples approach has emphasized the destruction of Indigenous societies through non-Indigenous interests in resources, and, on the other hand, the Marxist approach has stressed the complete marginalization of Indigenous peoples (Satzewich and Wotherspoon 1993). For instance, Innis framed transformations as a narrative of decline with respect to Indigenous peoples, with the alleged “disappearance of many of the peoples concerned” (1956, 383), and asserted that “the lords of the lakes and forests have passed away” (1956, 392). In their critique, Abele and Stasiulis (1989) also note the exclusion of ethnicity and “race” as analytical categories, more generally, despite historical and ongoing processes of dispossession of racialized peoples. Further, Bedford and Irving (2001, 100-101) claim that the left’s investment in Canadian nationalism has resulted in a general “silence of the left” and lack of solidarity with Indigenous struggles. According to Bedford and Irving (2001, 57) and Churchill (1983), there is also reluctance on the part of Indigenous scholars to engage in Marxist-inspired analyses due to Eurocentric and deterministic notions of “development” and “progress.” However, as Abele and Stasiulis note (1989, 269), “[i]t cannot be assumed that class dynamics and conflict are non-existent just because the language and politics of class are absent, as occurs for many Native and ethnic minority movements.”

¹⁹ There has been engagement in Geography with the way in which the discipline itself has been implicated in imperial projects, see Jacobs 1996, Anderson and Jacobs 1997, Blunt and Rose 1994, Harris 1997, 2002, 2004, Peters 1996, 2004, Shaw, Herman, and Dobbs 2006, Smith and Godlewska 1994.

provide crucial analytical tools for understanding the complex relations that constitute urban Indigenous governance. As such, the combination of insights from these different scholarly fields is seen as offering opportunities for richer description and explanation.

INDIGENEITY AND COLONIALITY

In this section, I delineate the concepts of Indigeneity and coloniality as key to understanding Indigenous-state relations in Canada. Alfred and Corntassel (2005, 597) provide a useful definition of Indigeneity:

Indigenousness is an identity constructed, shaped and lived in the politicized context of contemporary colonialism.. It is this oppositional, place-based existence, along with the consciousness of being in struggle against the dispossessing and demeaning fact of colonization by foreign peoples, that fundamentally distinguishes Indigenous peoples from other peoples of the world.

The “place-based existence” has substantiated claims to sovereignty, autonomy, and territory in the struggles against colonialism-capitalism.²⁰ Firmly linking a people to land, Indigenous²¹ is thus an intrinsically territorializing and spatial referent (Malkki 1997).²²

²⁰ Indigenist methodologies seek to de-naturalize and transcend settler state boundaries so as to not reproduce and reinforce settler spatialities In keeping with the hemispheric approach that Forbes (1998) and others advocate for, I include a discussion of the Latin American coloniality/modernity research program in this chapter The materialist orientation of scholars affiliated with this paradigm adds to the understanding of the de/spatialization of Indigenous peoples as an integral feature of coloniality in Canada

²¹ The term Indigenous is not the preferred language of the state in Canada According to the Department of Indian and Northern Affairs (2004), “Indigenous means ‘native to the area’ In this sense, Aboriginal people are indeed indigenous to North America As a proper name for a people, the term is capitalized to form ‘Indigenous peoples’ Its meaning is similar to ‘Aboriginal peoples’, ‘Native peoples’ or ‘First Peoples’ The term is rarely used in the Department, and when it is used, it usually refers to Aboriginal people internationally Outside the Department, the term is gaining currency, particularly among some Aboriginal scholars ” It is, however, a term that is widely used, not only among scholars and activists, but also by the United Nations and other international forums It is precisely in the abstraction from local and state contexts that this concept politicizes being Indigenous and fosters solidarity (Smith 1999) Castree (2004, 153) notes that “the term has thereby created – or has attempted to create – a new world-historical

Indigeneity also denotes an inherently transformational politics, as Maaka and Fleras (2000, 89) point out:

The proposed restructuring of indigenous peoples-state relations is animated by the transformational politics of indigeneity, with its politicization of ‘original occupancy’ as basis for entitlement and engagement. Recurrent themes pervade the transformational dynamics within these settler cultures: foremost is a rejection of colonialist arrangements in exchange for indigenous models of self-determination that sharply curtail the legitimacy and jurisdiction of the state while bolstering indigenous jurisdiction over land, identity and political voice.

Taking Indigeneity seriously thus entails a politics of decolonizing the relationships between the Canadian state and Indigenous peoples – and the spatial relations of power which have been central to settler colonialism. The spatial boundaries imposed by the settler state were co-constructed in the process of imposing legal categories on Indigenous peoples. Together, they have served the settler state’s purposes of knowing, administering, and eradicating Indigenous populations. In this way, Canada has established a colonial grammar of entitlement and exclusion, based on concepts such as race, civilization, and “Indian” (Lawrence 2003), which is deeply spatial in nature.

That the construction and regulation of Indigenous subjects is fundamentally tied to collective and individual access to land is illustrated by the genealogy of state categories, such as “Indian” and “half-breed”, which emerged in relation to reserves, treaties, and Métis scrip (Lawrence 2003, 2004). Colonial agents had a

subject of sorts. People who have hitherto described themselves as, say, Maasai or Guarani, might now also consider themselves part of a more generic, global constituency of ‘indigenous peoples’”.

²² Indigenous counter-discourses construct land and the relationships between Indigenous peoples and homelands as the central difference between Indigenous and non-Indigenous peoples (Akiwenzie-Damm 1996, 21; Gupta and Ferguson 1997). Jacobs (1996) explains that the displacing power of multiculturalism and diasporic realities which make Indigenous claims more vulnerable render the assertion of being Indigenous more significant.

keen interest in differentiating and classifying Indigenous peoples in such a way that would facilitate and legitimize the expropriation of land and underscore Crown sovereignty and settler legality (Neu and Therrien 2003). It was for the purpose of limiting the number of persons entitled to compensation for, as well as continued access to, land that distinctions were institutionalized in the 1800s. Rules that excluded so-called “half-breeds” from treaty were often applied fairly arbitrarily and at the discretion of colonial agents. The creation of this definitional boundary significantly reduced the fiscal responsibility of the federal government, and together with *Indian Act* provisions that stipulated loss of status, “had rendered two-thirds of all Native people in Canada landless” by the mid-1980s (Lawrence 2003, 6).

The *Indian Act* of 1876 defined “Indian” patrilineally, as a male person belonging to a particular band, a child of such person or a woman married to such person. Women who left the reserve or married a person who was not registered under the *Indian Act* lost their registration status and band membership. Automatic loss of status also occurred as a result of attending university or unstated paternity. Those who lost status and their children were no longer eligible for residence in First Nation communities on reserve (Lawrence 2003).

While the overtly discriminatory provisions were modified through Bill C-31 which came into effect in 1985, residual discrimination against women and their children continues to exist. Bill C-31 changed the rules of registration to re-instate women who had lost status, but only deferred the discriminatory impacts of the

Indian Act by introducing a two-generation cut off. Sharon McIvor's struggle for state recognition of her descendants speaks to the issue of residual discrimination.²³ As the result of her over 20-year legal battle, Bill C-3, an amendment to the *Indian Act* as instructed by the British Columbia Court of Appeal (BCCA), came into effect on January 31, 2011, making it possible for grandchildren of women who lost status after 1951 to become registered under *Indian Act*.

Strategies of racializing²⁴ and categorizing were closely connected to efforts to keep Indigenous peoples in tightly circumscribed places – as “people without histories” (Wolf 1997) and without territory beyond small reserves that were created to segregate Indigenous peoples from the emerging settler society.²⁵ As Lawrence (2003, 8) notes, “the very existence of settler societies is therefore predicated on maintaining racial apartheid, on emphasizing racial difference, white superiority, and ‘Native’ inferiority.”

²³ See the McIvor decisions (2007, 2009) for more details (see also National Centre for First Nations Governance 2009). Due to the BCCA’s narrow interpretation of discrimination, Sharon McIvor sought to take her case to the Supreme Court. However, the Supreme Court ruled that it will not hear the case.

²⁴ Race as a primary mechanism of social classification only emerged in the process of establishing colonial domination in the “New World”, a racialized division of labour, and world capitalism. Quijano (2000, 534) notes that “the idea of race, in its modern meaning, does not have a known history before the colonization of America. Perhaps it originated in reference to the phenotypic differences between conquerors and conquered. However, what matters is that soon it was constructed to refer to the supposed differential biological structures between those groups”.

²⁵ While settler societies have different historical and geographical trajectories, they share common structural features related to ideologies, policies and social practices. Framing Canada as a colonial-capitalist project and in terms of its white settler ideology is a crucial step in deconstructing the hegemony of contemporary social formations and relations of ruling. By exposing its racist, gendered, and classed nature, anti-racist feminists have been at the forefront of destabilizing the white settler paradigm (Razack 2002a; Bannerji 2000; Stasiulis and Jhappan 1995). Stasiulis and Yuval-Davis (1995) define (white) settler societies as political spaces where Indigenous and (non-white) migrant collectivities have been racialized and dominated by (white) settler collectivities. Narratives that deny colonization and the violence of dispossession and displacement have figured centrally in the settler project of becoming the “original” inhabitants in Canada (Razack 2002a; Pearson 2002).

In this sense, the racialized social order of a settler society like Canada is also a spatial order (Razack 2002a). Furthermore, it is an order designed to create and protect the property rights of settlers (Mawani 2002). In other words, the politico-administrative and discursive strategies of erasure and containment, through which the state sought to relegate Indigenous peoples to an anachronistic space and time (McClintock 1994), were driven by the imperatives of a property regime that, by design, excluded Indigenous peoples.²⁶ Indeed, Indigenous peoples continue to be erased from Canadian cityscapes through various discursive, administrative, and legal strategies, as will be explored in more detail in later chapters.

The concept of coloniality captures the interrelationships between dominant ways of knowing and material realities.²⁷ Coloniality refers to a form of domination that entails the pervasive and invisible epistemic power and privilege of the colonizer. Among its key elements are the appropriation of land, the control of authority, and the control of knowledge (Quijano 2007; Mignolo 2007; Moraña et al. 2008). The re/production of the settler city illustrates the intertwined nature of these elements, as land theft, state repression, and settler understandings have marginalized Indigenous peoples from urban space and legitimized a property regime that is premised on the dispossession of colonized peoples. As a framework through which power operates, coloniality remains a central social,

²⁶ Physical displacement has been accompanied by tropes that assert space from a settler point of view, such as “vanishing race”, “two founding nations”, “space without place”, “wilderness”, and, more recently, “racelessness”, “equality”, and “tolerance” (Mackey 2002).

²⁷ While this critique of coloniality/modernity is anchored in Latin America as an epistemic space, the utility of this counter-hegemonic perspective is not restricted to any specific geographical location (Escobar 2007, 190, 2004). See Escobar (2004, 2007) for a comprehensive overview of the coloniality/modern research paradigm.

political-economic, and cultural organizing principle. As Quijano (2007, 170) points out, “coloniality, then, is still the most general form of domination in the world today, once colonialism as an explicit political order was destroyed”.

Understood as “the darker side of modernity and the global reach of imperial capitalism” (Mignolo 2007a, 159; Quijano 2000), coloniality provides a holistic counter-episteme to self-serving settler narratives. Through the lens of the coloniality, the colonialist, racialized, and capitalist framework through which power is exercised at the expense of Indigenous peoples becomes visible – and can be resisted (Escobar 2007, 185; Quijano 2000). Interrogating the coloniality of power thus opens up discursive, epistemological and, potentially, lived space for alternatives.

Viewing Indigenous-state relationships through the lens of coloniality means that we cannot think about the exercise of colonial power without giving attention to its simultaneous co-constitution in and through capitalism. Mignolo (2007b, 477) points out that “the modern/colonial world cannot be conceived except as simultaneously capitalist. The logic of coloniality is, indeed, the implementation of capitalist appropriation of land, exploitation of labor and accumulation of wealth in fewer and fewer hands”. In order to understand contemporary forms of urban Indigenous governance, it is necessary to examine neoliberalism as closely intertwined with and constitutive of coloniality, with a particular focus on the constitution of Indigenous subjects through state rationalities of governance (Mignolo 2007b, 483).

THEORIES OF DECOLONIZATION: BRINGING CITIES IN

This section provides a brief overview of how decolonization is conceptualized by scholars who have been influential in shaping the debate in Canada. Overall, there is a lack of explicit engagement with urban Indigenous realities. I argue that bringing cities into the decolonization literature would allow for a more comprehensive theorization of Indigenous liberation.

Most Indigenist authors stress the importance of self-determination and autonomy as fundamental to the collective, personal, and intellectual decolonization of Indigenous peoples and Indigenous-settler relations (Alfred 1995; 1999; Alfred and Corntassel 2005; Ladner 2001, 2003; Forbes 1998). As the following quote by Green illustrates, a fundamental shift in the relationships between Indigenous peoples and the state is required.²⁸

Decolonization in the Canadian context requires, first, the understanding of the historical colonial process. Then, it requires substantive power-sharing to ameliorate the inequitable, unjust, and illegal appropriation of indigenous peoples' territories, resources, and political autonomy. Decolonization implies fundamental change in the Canadian federation, constitution, and political culture (Green 2003, 54).

Smith (1999, 98) defines decolonization as a "long-term process involving the bureaucratic, cultural, linguistic and psychological divesting of colonial power". Whereas in some colonial contexts this has entailed the eviction of the colonizer, the process is more complex in settler societies where settler and Indigenous populations are permanently present (Green 2003, 53). Here,

²⁸ At the outset of this discussion, it should be noted that while decolonization is a concept that has been gaining momentum and currency, especially among Indigenous scholars, it has not figured prominently in public policy and media discourses on Indigenous issues in Canada.

decolonization requires the recalibration of political relationships and modes of co-existence, including sharing power, land, and wealth more equitably.

Decolonization should not be seen as a singular event or an end state. Rather, the term denotes a wide range of processes at multiple scales. That is, decolonization is not a monolithic project with a single or unified agenda (Ladner 2003a, 56); it is perhaps best conceptualized as a series of entangled projects that seek to realize Indigenous liberation. First and foremost, decolonization requires the critical interrogation of colonialism and its contemporary configurations in order to overturn them (Waziyatawin and Yellow Bird 2005, 2).

Alfred and Corntassel (2005) stress the role of intellectual renewal and the decolonization of the self.²⁹ They suggest that individual decolonization must precede institutional or collective processes and stress the importance of relationships at the core of what they identify as an authentic Indigenous identity. The argument here is that decolonization must emanate from and through a place of Indigenous law, traditions, ceremonies, and languages (see also Alfred 1995, 1999, 2005). External definitions of Indigenous subjects are seen as instruments to subvert Indigenous existences and subsume them under the Canadian body politic (Alfred and Corntassel 2005, 598). Highly critical of decolonization projects that involve the state, Alfred and Corntassel caution that “purported decolonization and watered-down cultural restoration processes that accept the premises and realities of our colonized existences as their starting

²⁹ See also Henderson 2000, Ladner (2001, 33) is also concerned with intellectual decolonization and overcoming “a ‘paradigm of eurocentrism’ which is seldom recognized as it is cloaked in the assumed universalisms and essentialisms that define western-eurocentric thought and underscore the academic project”

point are inherently flawed and doomed to fail" (2005, 612). From this perspective, decolonization through state institutions and state-led mechanisms is not possible.

In contrast, Borrows (2002) stresses the notion of interdependence and the need for Indigenous peoples, perspectives, and knowledges to be included in Canadian institutions of power, in the hopes that these institutions will then better reflect the needs and goals of Indigenous peoples. Borrows' argument is based on an understanding of Indigenous citizenship in relation to the land. Not restricted by colonial geographies, his vision asserts that Indigenous peoples cannot afford not to lay claim to their traditional territories by becoming more involved in Canadian affairs. Based on this land-centered conception of Indigenous citizenship, his proposal for a decolonized future is based on simultaneous processes of "Aboriginal control of Aboriginal affairs and Aboriginal control of Canadian affairs", as a means of "preserving and extending citizenship with the land" (Borrows 2002, 154). Arguing for control of Canadian affairs through Indigenous participation is thus intended to maximize political space for Indigenous peoples.

Despite these differences in approach, all of the authors reviewed here agree that current arrangements are inadequate, insofar as self-governance and self-government tend to consolidate the power of the settler state and capitalism (Green 2003, 57).³⁰ Indeed, self-government in the form of "glorified municipal government" is seen as a vehicle of recolonization (Green 2003; Alfred and

³⁰ For discussions on the limits to self-government in the context of capitalist globalization and the subjugation of Indigenous peoples through market mechanisms, see Green (2003) and Gordon (2010)

Corntassel 2005; Alfred 1995, 1999, 2005). This type of self-governance is conceptualized as a form of neo-colonial self-administration. What characterizes contemporary political arrangements of self-administration, above all, is that while program responsibilities are downloaded, the ability to implement far-reaching changes continues to be restricted through the *Indian Act*, as well as funding relationships with the state. However, the processes are not unidirectional with “simultaneous decolonization – recolonization impulses” (Green 2003, 66). That is, Indigenous actors struggling to re-appropriate political and jurisdictional space have used these arrangements to build capacity to advance more transformative agendas of self-determination.

The authors reviewed here also agree on the importance of Indigenous homelands, cultures, and communities and the inadequacy of the *Indian Act* as the foundation for meaningful change. They stress the importance of taking Indigenous histories, political traditions, and systems of law into account as the basis for transforming political arrangements.³¹

This brief overview illustrates a significant gap in the literature in that it is largely silent on the specific nature of liberation from colonial domination in urban settings.³² This is perplexing given how vital cities have been to the colonial project in Canada. Not only were cities predicated upon the displacement and dispossession of Indigenous peoples, but they have also functioned as the nerve

³¹ A serious limitation of this dissertation is that the realities of urban Indigenous governance are analyzed through the lens of state-centred and neoliberal structures and practices. While Indigenous political thought is not the focus of this study, it is acknowledged that Indigenous political traditions and theories are important elements of decolonizing Indigenous governance in cities and offer the most appropriate ways of finding constructive arrangements.

³² Green (2003) is an exception in this regard. She points out that, given demographic realities and mobilities, mechanisms of decolonization cannot rely exclusively or unproblematically on the spatialities of sovereign homelands and treaty federalism.

centres and primary beneficiaries of the colonial-capitalist system of accumulation by dispossession (Gordon 2006, 2010). With the majority of Indigenous peoples in Canada living in urban areas (Statistics Canada 2008a), it is important to theorize the decolonization of urban spaces as connected and integral to larger-scale decolonization projects.

The spatial implications of decolonization are of particular interest here. Within Fanon's holistic analysis of colonization, decolonization means, above all, the reassertion of place for the colonized.³³ He notes that "there will be an authentic disalienation only to the degree to which things, in the most materialistic meaning of the word, will have been restored to their proper places" (Fanon 1967, 13-14). Therefore, a meaningful engagement with decolonization must question the spatialities that state policies and the settler imaginary have constructed. This not only entails the need to reassert material, but also political and metaphorical space.

A goal of this study is to flesh out the links between intersecting local and extra-local processes and to connect the struggles of Indigenous communities in cities to Indigenous struggles across locales and multiple scales. This also speaks to the mutual constitution of place, territory, scale and networks. The current disconnect, or scalar void, I argue, is not an accident; the way in which urban Indigenous subjects were constructed as confounding the spatialities of the settler state is a colonial strategy of displacement.

³³ Fanon (1963, 1967) problematizes the social and economic realities under colonialism as well as its psycho-social conditions as a result of the internalization of racism, noting that "the problem of colonization includes not only the interrelation of objective historical conditions but also human attitudes towards these conditions" (1967, 84)

As will be discussed throughout this dissertation, urban Indigenous struggles are precisely about the nature of boundaries and scales, and the appropriate ways to conceptualize Indigeneity, citizenship, and political space as connected to spaces outside of the city. At the same time, it would be problematic to uncritically adopt the view of Indigenous peoples who reside in cities as invariably connected to an “Indigenous somewhere else” – rather, cities need to be conceptualized as an integral part of the “Indigenous somewhere”.³⁴

SCALE, NEOLIBERALISM, AND URBAN GOVERNANCE

This section provides an examination of scale, neoliberalism, and changing urban governance paradigms as important concepts which help us understand the contexts of urban Indigenous self-determination in Canada. Drawing on Marxist as well as Foucauldian accounts of contemporary formations of rule in political economy and governmentality scholarship, respectively, I assemble an analytical framework that seeks to develop a more nuanced understanding of Indigenous spaces, subjectivities, political actions, and governance in cities under neoliberalisms. In looking at neoliberalized forms of urban Indigenous governance, a broader understanding that connects material outcomes to technologies of government and the production of subjects and subjectivities is helpful. As Mitchell (2001, 166) notes, “although neo-liberalism is generally framed in terms of its economic components and effects, its actual institutional entrenchment as a broad system is deeply bound up with the socio-cultural norms and taken-for-granted assumptions of any given society”. Seeing

³⁴ See Borrows (2008, 26).

neoliberalism as a set of complex, multifaceted, and contested processes will be helpful in appreciating changes and continuities in relation to colonial state policies and practices.

The concept of scale, as advanced by radical geographers and political economists³⁵, provides the foundation, along with other socio-spatial concepts, on which much of the analysis is based. Scale is here defined as a contingent social and historical construct which has important political effects, in the sense that, as a sociospatial process, scale is organized by, and at the same time organizes, power relations. Therefore, scale does not exist outside human agency, but is “a contingent outcome of the tensions that exist between structural forces and the practices of human agents” (Marston 2000, 220).

In defining scale, Marston (2000, 221) makes three important points: 1) scales are not an ontological given, but produced in interaction and therefore relational; 2) scale-making has material consequences; and 3) scales always contested and therefore unstable and open to change. The concept of scale is a useful tool to disentangle the processes that are associated with neoliberalization, coloniarity, and Indigenous governance in urban settings, because of its conceptualization as the terrain and stake in social struggles. With power and its reach organized along seemingly “natural” scales, scale politics have played a key role in how actors are positioned and how actors understand themselves vis-à-vis institutions of the state and other social formations. In its reified forms, scale is generally understood as level of representation and spatial extent. Ferguson and Gupta (2002) describe how notions of verticality and

³⁵ See Mahon and Keil (2009) for an overview.

encompassment are normalized and embodied to create the understanding that “higher” scales encompass and determine “lower” scales. That is, scales are often thought of as the socio-spatial scaffolding of a neat and fixed vertical as well as horizontal architecture of power.³⁶

In reality, the directionality of power is not fixed; and “causality can run in all kinds of directions across (and within) scales” (Sheppard and McMaster 2004, 262). Most importantly, as Mahon and Keil suggest (2009, 17), “a multiplicity of differently structured, tangled scalar hierarchies operates in and across diverse spheres of life”. This is not to say that these different hierarchies are necessarily on equal footing; particular inter-scalar arrangements are dominant at a given time, but scalar regimes and their regulatory efficacy change in response to (and as an expression of) changes in political power and social transformations (Mahon and Keil 2009, 18; Jonas 2006).

Scalar configurations, in turn, shape the political opportunity structure (Staeheli 1994, 387). Political opportunities are augmented or constrained at different scales for different actors. However, as part of the arsenal of strategies available to social groups, organizing and mobilizing across scales has offered greater potential to achieve change. As Staeheli (1994, 388) notes, “to the extent that oppositional movements can move across scales – that is, to the extent that they can take advantage of the resources at one scale to overcome constraints encountered at different scales in the way that more powerful actors can do –

³⁶ Ferguson and Gupta (2002) explore the practices through which specific spatial configurations of the state are produced. The authors identify two key mechanisms of state spatialization: verticality and encompassment. State actors produce and reify these notions through bureaucratic routines and everyday practices.

they may have greater potential for pressing their claims". This strategy of scale-jumping is important in the context of urban Indigenous organizing, as will be further discussed in chapter eight.

Hence, the production of scale is not the exclusive domain of the state and capital; non-state actors and social movements also employ strategies of scale to press their claims and can transform scalar configurations in the process (Marston 2000; Leitner and Miller 2007). In this sense, the goals and actions of the state as well as Indigenous peoples should be understood as centrally motivated and shaped by scale (Silvern 1999, 641, Castree 2004, 136-7).

Neoliberalism has brought about a comprehensive rescaling of the global political system with changing roles for nation-states and the simultaneous increase in local and global forms of regulation and politics since the 1980s (Dalby and Keil 2003). These particular dynamics of state rescaling are understood as integral to processes of neoliberalization (Brenner 2004), spawning "new forms of political-economic governance premised on the extension of market relationships" (Larner 2000, 5). Of particular importance for the purpose of analyzing urban Indigenous governance is the fragmentation of society into communities as the target of state intervention under neoliberalism (Rose 1999, 2001; Larner and Butler 2007, 73). As a consequence, cities have become central sites of neoliberal state policies, discourses, and governmentality (Peck and Tickell 2002; Leitner et al. 2007).

To improve conceptual clarity, it is useful to distinguish between different processes of neoliberalization as 1) an ideological project; 2) a program of

government; and 3) a set of political economic practices – all of which have significant material consequences (Larner 2000; Ferguson 2010). As an ideology, neoliberalism is based on the supremacy of markets and market mechanisms. Neoliberals promote a minimalist view of citizenship rights and state responsibility, and, instead, propagate the virtues of individual economic self-sufficiency and entrepreneurialism. The ideals of economization and individualization are at the core of the neoliberal project (Brodie 2007, 95). Among the core values underpinning neoliberal projects are market efficiency, property, freedom of choice, entrepreneurship, competitiveness, and minimal government, with the notion of the ideal neoliberal subject as one who is “autonomous, decision-making, self-governing and self-monitoring” (Jenkins 2005, 614; Larner 2000).

Government policies under neoliberalism privilege market mechanisms as the best way to encourage individuals to make the choice to be responsible for their own well-being. Neoliberal governmentality operates at a distance, outsourcing many of the functions that used to be understood as core government functions to non-state actors, but continuing to set targets and control outcomes through accountability mechanisms (Rose 1999; Dean 2010; Leitner et al. 2007).

In tandem with the closely associated processes of globalization, neoliberalization has caused a fundamental shift in the political, economic, and social landscapes that constitute Canada. Drastic cut-backs in welfare state provisions and protections, together with rising income inequality and the

proliferation of a bifurcated labour market, have led to the acceleration of socio-economic polarization, with a widening gap between rich and poor in Canada (Brodie 2007, 94; Bradford 2002, 8). In instances where funding was not cut or new program spending was made available, program parameters have tended to narrowly target populations considered “at risk”. The aim of these programs is to facilitate participation in the labour market (Brodie 2007, 101). This new political economy is also characterized by punitive state policies of welfare and the criminalization of marginalized populations (Peck and Tickell 2002).

This change in socio-economic conditions, described by regulation theorists as a shift from Fordist-welfarist state to post-Fordist workfare state regimes (Keil 2002), has also affected identities and how social difference is articulated. As Brodie (2007) notes, this has not only entailed growing inequalities, but also a redefinition of the social through neoliberal processes of economization and individualization. Collective identities and social citizenship rights are considered on the decline due to the rise of neoliberalism, with the geography of power shifting upward, downward and outward, away from the nation-state (Brodie and Trimble 2003).

While neoliberalization has entailed the downwards scaling of responsibilities and the discourse of minimal government, government does not disappear. To the contrary, through a neoliberal mode of operation which Rose (1999) describes as government at a distance, states retain the ability to determine outcomes through contractual relationships, as well as stringent auditing and reporting requirements (see also Dean 2010). In the context of

urban Indigenous politics, Walker (2008a, 190) explains that "by controlling financial resources, policy/ programme parameters and centrally designed accountability frameworks ... the state maintains its ability to guide and reward collective organization at the local level at its discretion".³⁷

Noting that "the process of neoliberalization, then, is neither monolithic in form nor universal in effect", Peck and Tickell (2002, 384) draw attention to the fact that actually existing neoliberalisms are varied and co-determined by a range of actors and relationships. In reality, local neoliberalisms are shaped by their specific political, economic, social, and cultural contexts. Neoliberalisms are thus always part of a composite logic of rule, a contingent set of governing practices, and hybrid political economic regimes (Peck and Tickell 2002; Larner 2000; Harvey 2005; Mitchell 2004).

In opposition to the simplistic notion of neoliberalism as a monolithic juggernaut, several authors have put forth more nuanced understandings with an emphasis on heterogeneity, hybridity, contingency, complexity, and process (Larner 2000; Peck and Tickell 2002; Keil 2002, 2009; Graefe 2006; Jessop 2002). Larner (2003, 509), for instances, is critical of the lack of scholarly attention "to the *different variants* of neoliberalism, to the *hybrid nature* of contemporary policies and programmes, or to the *multiple and contradictory aspects* of neoliberal spaces, techniques, and subjects" [emphasis in original].

³⁷ With the roll-back of the welfare state, the voluntary nonprofit sector has been faced with increased demands and expectations concerning its ability to provide supports and services. What Chouinard and Crooks (2008) describe with respect to disability organizations in Ontario and British Columbia is a general trend facing the voluntary non-profit sector in neoliberal environments less funding, administered through more precarious funding arrangements, and rising demands. This trend has been particularly pronounced since the introduction of the Canada Health and Social Transfer in 1996.

Peck and Tickell (2002) provided a basic typology and periodization that differentiates between the dismantling of the welfare state (roll-back) and the entrenchment of new political configurations (roll-out) according to neoliberal values and technologies of governance. Since the 1990s, the roll-out has typically involved a greater role for civil society organizations which have taken on capacities transferred from the state (Jessop 2002, 454). One of the consequences has been the reorganization of political subjects and the promotion of “community” (or a plurality of self-organizing communities) as a flanking, compensatory mechanism for the inadequacies of the market mechanism” (Jessop 2002, 454-455). The spatial implications of this process, as noted by Swyngedouw (2005, 1992-1993), are significant in that the urban scale has become central as the terrain where these new arrangements of governance have materialized.

This change has involved “a shift from centralized and bureaucratic forms of decision-making to a plurality of co-existing networks and partnerships that interact as overlapping webs of relationships at diverse spatial scales, from the neighbourhood to the globe” (Hubbard et al. 2002, 175-176). In addition to the shift of governing powers to non-state actors, the recalibration of urban governance under neoliberalism(s) is also characterized by the abandonment of policy goals of redistribution in favour of competitiveness (Purcell 2002) and an increase in entrepreneurial practices (Harvey 1989).

As mentioned above, this is not to say that the role of governments has necessarily diminished – the shift from government to governance should more

appropriately be conceptualized as networked, hybrid government/ governance forms (Swyngedouw 2005, 2002). As Swyngedouw (2005, 1999) explains,

the rescaling of policy transforms existing power geometries, resulting in a new constellation of governance articulated via a proliferating maze of opaque networks, fuzzy institutional arrangements, ill-defined responsibilities and ambiguous political objectives and priorities. In fact, it is the state that plays a pivotal and often autocratic role in transferring competencies (and consequently in instantiating the resulting changing power geometries) and in arranging these new networked forms of governance (Swyngedouw 2005, 1999).

This transformation of power geometries entails a range of contradictory consequences. On the one hand, increased participation of (some) grassroots actors can have empowering effects. On the other hand, these processes can have constraining effects in terms of eclipsing mobilization for more radical social transformations (Mayer 2009). While networks and institutional spaces are conditioned by neoliberalisms and forms of government at a distance, there is room for contestation (Larner and Butler 2007). Overall, however, these new networked arrangements are contradictory and tend not to live up to their emancipatory promise due to “the tension between the stated objective of increasing democracy and citizen’s empowerment on the one hand and their often undemocratic and authoritarian character on the other” (Swyngedouw 2005, 1993). This tension will be explored further in chapters seven and eight, especially in relation to partnerships under the Urban Aboriginal Strategy.

NEOLIBERALIZATION AND URBAN INDIGENOUS GOVERNANCE

Neoliberalization has significantly changed the terrain of Indigenous governance. On the surface, neoliberalism in Canada, with its mantras of freedom, choice,

and self-sufficiency, as well as concomitant downloading of responsibility to Indigenous communities, could be seen as having converged with Indigenous struggles for self-determination and self-government. Indeed some authors suggest that neoliberal policies and practices have led to increased space for self-determination (Slowey 2008; Abele 2004).

However, a closer look at material outcomes³⁸ and rationalities of governments reveals, as noted by Gordon (2010, 78), that the imperialist agenda of the Canadian state is intensifying under neoliberalism with detrimental effects on Indigenous communities and nations and their ability to determine their futures. I argue that neoliberalism has entrenched settler colonialism and the logic of eliminating Indigenous rights, sovereignty, and nationhood, while making it more difficult to detect this logic through arrangements of self-government in First Nation communities, Métis settlements and Inuit homelands and partnerships in urban areas.

Slowey (2008, 32) identifies a regime shift in the 1980s, a “shift from paternalism to partnership”, with “a reduction in federal constraints and a corresponding increase in First Nations responsibility for program delivery”. While the vocabulary of partnership has taken hold, the reality is that the nature of partnerships continues to be unilaterally determined by the federal government. Given the profound unwillingness of the state to relinquish jurisdiction,

³⁸ With respect to the living conditions in First Nation communities and the well-being of the on-reserve First Nation population, audits by the Office of the Auditor General of Canada in the areas of education, drinking water, housing, child and family services, comprehensive land claims agreements, and the burden of reporting requirements have found that “conditions have generally not improved for First Nations in each of the areas subject to our audit. The education gap between First Nations living on reserves and the general Canadian population has widened, the shortage of adequate housing on reserves has increased, comparability of child and family services is not ensured, and the reporting requirements on First Nations remain burdensome” (Office of the Auditor General of Canada 2011, 8).

neoliberalization hardly constituted a reversal of the colonial logic of settler state interventions. Responsibility for outcomes has been shifted to First Nation governments without the resources or the power to implement far-reaching changes or the capacity to meet the demand for services of a rapidly growing population due to restrictive and inadequate funding mechanisms (Assembly of First Nations 2009; Office of the Auditor General of Canada 2011).

In urban contexts, the neoliberalization of coloniality brought about a shift from exclusion to the language of partnerships in the 2000s, with the emergence of networks of governance and self-management that now include Indigenous actors. With the increased off-loading of responsibilities to local Aboriginal organizations, these agencies were incorporated into a regime of government at a distance (Rose 1999) and incipient shadow state³⁹ (Wolch 1990). One of the fundamental questions is in how far the needs and goals of Indigenous organizations have been redefined in response to neoliberal strategies of rule and the responsibilization of urban Aboriginal communities.

This form of rule is precarious and presents openings for Indigenous resistance insofar as it relies on the cooperation of the governed, as noted by O’Malley (1996, 316).⁴⁰ Given that agendas of Indigenous nation-building and community-building are often in direct opposition to neoliberal agendas, participation may have results that are neither intended nor anticipated by

³⁹ Wolch (1990, xvi) defines the shadow state as “a para-state apparatus comprised of multiple voluntary sector organizations, administered outside of traditional democratic politics and charged with major collective service responsibilities previously shouldered by the public sector, yet remaining in the purview of state control”

⁴⁰ O’Malley (1996, 311) critiques the governmentality literature for not taking agency and resistance into account. He frames Indigenous resistance as constitutive of the formation of rule insofar as “[g]overnment and resistance articulate, mingle and hybridize, so that resistance cannot readily be thought of as external to rule” (O’Malley 1996, 310)

neoliberal scripts. Does the Indigenous shadow state necessarily adhere to a coherent program and logic of colonial-neoliberal governmentality? Do Indigenous organizations make spaces and shape subjectivities that are simultaneously outside and inside the spaces of neoliberalism? Are discourses of self-governance and partnerships masking the continued and increased exercise of state control?

I argue that the Indigenous voluntary sector should not be seen as fully incorporated in the neoliberal model insofar as pursuing the mandates of Indigenous organizations under conditions of neoliberalism does not inevitably entail co-optation. To some extent, neoliberalization has created the conditions that have allowed for collective action in urban settings and challenges to settler state hegemony based on Indigenous rights. In other words, the downloading of programs and services and the responsibilization of urban Indigenous organizations has increased the capacity of urban Indigenous communities to constitute spaces and pursue strategies beyond the confines of neoliberal prescriptions.

COMMUNITY-BUILDING AND NATION-BUILDING

A central tension with respect to Indigenous governance in cities relates to how Indigenous citizens and communities are conceptualized. This section provides an analytical framework for understanding competing conceptualizations around the concepts of community-building on the one hand and nation-building on the other. It should be noted, however, that these are not necessarily mutually exclusive projects.

In fact, Indigenous discourses have asserted the connections that exist between Indigenous nations and urban communities. Urban Indigenous citizens and communities are seen by many as integral to the re-building of Indigenous nations. Lawrence (2004, 246) stresses “bringing together the very different strengths that urban and reserve-based Native people have developed out of their different circumstances, in the interests of our mutual empowerment”. This inevitably requires a re-mapping of Indigenous socio-spatialities in a manner that profoundly challenges to the spatialities of settler colonialism.

The tensions between community-building and nation-building projects can, in part, be explained as different scale politics. On the one hand, different levels of government, primarily federal state agencies, have institutionalized an understanding of urban Aboriginality as a fundamentally different category of engagement – and one that is entirely contained by the urban. Local Aboriginal organizations that seek to meet the needs of Indigenous residents have had to negotiate this scalar fix and have, to some extent, reinforced it by addressing urban Indigenous citizenship as localized and in terms of access to programs and services, rather than as connected to rights-based struggles of Indigenous nations for land, sovereignty, and inherent jurisdictions.

On the other hand, Indigenous actors that mobilize around rights, territory, and nationhood aim to strengthen connections between Indigenous nations, governments, and citizens wherever they reside. As clearly articulated by interviewees, First Nations and Métis political organizations and governments have stressed the need for the settler state to make political space for Indigenous

governments so that citizens of Indigenous nations can exercise their rights regardless of place of residence.

As stated above, the concepts of community-building and nation-building should not be conceptualized as mutually exclusive. However, within the current context, they denote two poles on the continuum of urban Indigenous politics, which, I argue, is centrally about scale to the extent that these strategies involve questions of jurisdiction, governing institutions, and territorialization. These two concepts address different ways of conceptualizing the appropriate relationship between governments and citizens, as well as among different levels and forms of governance.

Discourses of community-building have been activated to denote the realignment of inter-scalar arrangements to reflect the role of local agencies in providing services for Indigenous people who reside in cities. Often, a central aspect of this form of community-building is the notion of inclusiveness and the status-blind delivery of services. The advances made in this area are a significant achievement for Indigenous actors who struggled to create culturally relevant services and safe spaces for urban Indigenous citizens. However, developments in this field since the 1990s are also shaped by the changing context of urban governance. As mentioned in the previous section, state rescaling under neoliberalism has shifted responsibility to the voluntary sector without creating arrangements that allow for a meaningful level of control. Multi-scalar partnerships, while addressing pressing immediate needs, tend to marginalize struggles for more fundamental transformations beyond the neoliberal matrix of

community responsibilization, individual marketization, and the depoliticization of Indigenous citizenship.

In contrast, Indigenous nation-building projects seek to collapse or replace existing inter-scalar arrangements by asserting First Nation or Métis jurisdiction.⁴¹ This is founded on an understanding of Indigenous nations as nations. Here a fundamental re-scaling is required where inherent Indigenous and treaty rights become the anchors for political arrangements that more adequately address notions of Métis, Inuit, First Nation, and treaty citizenship. The latter merits particular attention, because it is capable of generating regional arrangements and a form of upscaling that can draw on increased capacity and economies of scale.⁴² While this cannot be discussed in more detail as part of this dissertation, this is an important topic of further investigation.

To some extent, the tensions between these two trajectories of urban Indigenous self-determination also speak to the contestations around the who of communities in cities, as well as who can speak for whom, and how claims need to be framed in order to be legible within the neoliberal grammar of coloniality.

CONCLUSION: LOCATING A SCALAR VOID

This chapter outlined an analytical framework that assembles different literatures, primarily those related to coloniality/ decolonization, scale-making, neoliberalization, and changing governance paradigms, in order to understand the contemporary struggles of urban Indigenous peoples for self-determination.

⁴¹ To a lesser extent, Inuit organizations, such as Tungasuvvingat Inuit in Ottawa, are attempting to “scale up”

⁴² A related notion is the re-building of political confederacies (Lawrence 2004, 239-242)

At the intersections of research on decolonization, the political economy of scale, and the neoliberalization of urban governance, this study analyzes these struggles through a critical spatial lens.

The starting point of my analysis is what I refer to as a scalar void. This notion that Indigenous peoples and nations do not exist in cities, because they confound the existing sociospatial order, was actively produced by the state to dispossess and exclude Indigenous peoples from settler cities. Although current political arrangements that have emerged as a result of neoliberalization construct urban Indigenous peoples as active participants in urban governance, neoliberal technologies of government at a distance continue to reinforce state control and the colonial logic of erasure. Partnerships are premised on the conceptualization of urban Indigenous people as individuals and an at-risk population rather than as rights-holders and citizens of Indigenous nations. As will be discussed further in later chapters, central contradictions related to urban Indigenous citizenship therefore remain unresolved and intensify as a result of neoliberal governmentality.

CHAPTER 2: “KNOWING” INDIGENOUS COMMUNITIES: URBANIZATION, DEMOGRAPHICS, AND WHO COUNTS

INTRODUCTION

This chapter looks at the history of Indigenous urbanization in Canada and provides a brief overview of the demographic contexts in which the dynamics of Indigenous governance in Ottawa and Winnipeg are embedded. In this chapter, I also problematize ways of knowing urban Indigenous communities,⁴³ by describing how the production of knowledge on Indigenous peoples is intimately tied to the production of settler spatialities and state governmentalities that have sought to disavow the presence of Indigenous peoples in cities.

Relatively little research has been done on urban Indigenous peoples and communities (Newhouse 2003, 247).⁴⁴ While urban Aboriginal populations have been growing steadily since the 1950s, academic and public policy discourses have not kept up with these realities (Peters 2003, 1996). This illustrates the pervasiveness of the project of keeping Indigenous peoples out of cities, despite current demographic realities with the majority of Indigenous peoples living in urban areas (Statistics Canada 2008a) and the historical geographies of cities (Peters 2004; Pitawanakwat 2008; Blomley 2004; Harris 2002). To a large extent,

⁴³ Feminist critiques of the politics of knowledge inform an approach to theory and practice in this dissertation that problematizes all forms of knowledge as socially produced, situated, and contested (Harding 1987; Haraway 1988).

⁴⁴ The small literature on urban Indigenous peoples that exists is often problematic insofar as it has tended to provide analyses that do not distinguish between the different groups of Indigenous peoples. In addition, data collection on Indigenous peoples, particularly through the Census, has imposed strict limits on comparability due to changing definitions, questions, and patterns of self-identification. Moreover, the underenumeration of Indigenous peoples – at times in defiance of settler state sovereignty and in other instances a result of the mode of data collection – poses challenges for any reliable account of Indigenous realities in Canada overall, let alone for specific populations in urban areas (Rust 2007, 5).

this lack of engagement is a reflection of dominant notions of how legitimate Indigenous communities are constituted – and where.

This chapter begins with a brief critical reflection on the role of knowledge production in state projects. In particular, I highlight the role of the census in bringing the populations to be managed into being and thus functioning as an important foundation for Canadian nation-building. This is an important caveat in using census data for the provisional description of Indigenous urbanization and, in particular, its gendered dimensions. In addition to highlighting the characteristics of urban Indigenous communities in Canada, more broadly, a more detailed description of the two research sites, Ottawa and Winnipeg, will be provided in the later sections of this chapter.

COLONIZING BY NUMBERS: THE CENSUS AND STATE SOVEREIGNTY

Population statistics, such as those compiled by the census, are never accurate representations of the people living in a given political and territorial unit. At its core, the census has been an instrument of state making and biopolitics through the creation of the population it purports to represent (Curtis 2001). In a colonial context, this function takes on heightened significance, as only a portion of the actual population, distinguished along racialized, classed, and gendered lines, is considered to be the legitimate subjects of state sovereignty – or, in the very least, are not subject to it in the same way.

Anderson (2000) describes the census as one of the principal technologies of power responsible for institutionalizing colonialism. Along with the map and the museum, he writes that, “together, they profoundly shaped the way in which the

colonial state imagined its dominion – the nature of the human beings it ruled, the geography of its domain, and the legitimacy of its ancestry" (Anderson 2000, 163-64). Particularly potent in its correspondence to administrative policies, the "inventive census" (Anderson 2000, 168) has created and quantified racialized categories according to the imaginings of the colonial rulers. These imaginations become real insofar as they regulate social life, habits, and subjectivities. In this way, the census has played a key role in the making of objects considered to be within the nation-state's domain and under its authority (Curtis 2001; Legg 2005).

The Canadian census has functioned as a tool of domination vis-à-vis Indigenous peoples which it sought to obliterate as peoples and (selectively) bring into the fold of the emerging settler state as racialized objects of state control and authority. That the creation and management of population, which Foucault sees as the ultimate end of governments, also has deeply spatial implications is a point that Legg (2005, 144) stresses when he asserts that "the questioning of numbers is, it seems, essential to detecting and critiquing the different scales and spaces in which populations are conceived and governed". By imagining both subjects and spaces, the census has continued to inform policies and underscored settler state sovereignty by projecting a social reality as if Indigenous nations and sovereignty did not exist.

Wanhalla's case study of census taking in Southern New Zealand illustrates the use of "periodical counting" as a strategy of asserting colonial sovereignty. In this sense, census-taking mirrored cartographic technologies of power employed by colonial agents to dispossess and displace Indigenous peoples (Wanhalla

2010). In light of this function of deterritorializing Indigenous peoples through counting them out of existence (Veracini 2010, 39), this form of knowledge production had and continues to have significant implications in regards to the allocation of resources and the distribution of land.

While his discussion of imperial interests in relation to the census is more narrowly focused on Quebec, Curtis (2001) provides important insight that is relevant to how Indigenous individuals and nations came to be imagined and projected by the settler state, namely as subsumed under fictitious notions of Crown sovereignty and state jurisdiction. Curtis writes (2001, 36) that,

Census making is inseparable from other practices whereby agencies of states come to claim successfully the authority to administer social relations and to elaborate collective representations of those relations. Census making is itself a practice of state formation, as assertion of sovereign authority over people and social relations. It seeks to tie people as state subjects and citizens to official identities within a determinate territory in order to rule them. It does so through the disciplining of social relations and the centralization of knowledge.

As a privileged site of knowledge production in the service of settler state interests, the census continues to turn Indigenous citizens into objects of the Canadian government and tied to specific places that become unquestionably Canadian. The assumed neutrality and objectivity of numbers often makes the ideological investment of statistics more difficult to detect and contest. Yet, given the notorious “unknowable” quality of any population, which, as Curtis (2001) points out, is a theoretical, not primarily an empirical reality, these state projections need to be questioned as imperial assertions of sovereignty and space in relation to Indigenous peoples in Canada. Keeping this interplay of

power and knowledge in mind, the remaining sections of this chapter will nevertheless make provisional use of available census data. This will help to situate state constructions of urban Aboriginal peoples and the discussion of Indigenous governance in Ottawa and Winnipeg to follow in the later chapters of this dissertation.

INDIGENOUS URBANIZATION IN CANADA

The brief overview of Indigenous urbanization in Canada in this section describes the growth of Indigenous communities in cities. I stress the ways in which state practices and policies have contributed to the spatial distribution of Indigenous populations in Canada (Frideres et al. 2004). The percentage of Indigenous people living in urban areas has been growing, from 7 percent in 1951 to more than 54 percent in 2006 (Graham and Peters 2002; Statistics Canada 2008a). In 2001, approximately one quarter of First Nations people and Métis lived in Canada's ten Census Metropolitan Areas (CMAs) (Peters 2006).

However, to analyze the contemporary urban Indigenous fact in North America as an entirely new or recent phenomenon would be misguided (Peters 2004; Beck 2002). In addition, Indigenous urbanization cannot be analyzed in complete isolation from larger societal trends which have rendered Canada one of the most urbanized countries in the world (Keil 2006; Bradford 2002). Further, the growing urbanization of Indigenous peoples is a global trend (Trujano 2008, 7-8). For instance, 56 percent of Indigenous people in the United States live in urban areas, according to 1990 census data (Beck 2002, 120). Therefore, the experiences of Indigenous individuals and communities in Canada may not be

unique in the sense that they also reflect larger patterns of migration, mobility, and urbanization among Indigenous and non-Indigenous peoples (Trujano 2008).

Migration is not the only way in which Indigenous peoples have become urbanized. In many cases, Indigenous communities were enclosed by urban expansion. That is, they became urban by virtue of cities growing around them. For instance, the Musqueam Nation is one of several First Nations located in what became the City of Vancouver in the late nineteenth century. Or, more recently, urban sprawl turned the Tsuu T'ina First Nation near Calgary into a quasi-urban community (Wood 2003).

Until the 1940s, the settler state actively removed Indigenous peoples from settler cities. A vital part of this policy of displacement was to keep Indigenous peoples "in place" on reserves and away from urban areas (Blomley 2004). One of the strategies employed to achieve this was the pass system. Under this regime, First Nation persons were required to secure the permission of the Indian Agent when leaving the reserve (Dickason 2006, 357).

The growth of urban Indigenous populations in Canada since the 1940s also coincides with the advent of a more interventionist state after the Second World War. In contrast to the US, however, Canada did not have an active relocation policy (Beck 2002). Nevertheless, the Canadian government contributed significantly to the proliferation of push factors, especially through the systematic under-development of reserve communities, and pull factors which have influenced decisions to leave home communities in search for employment opportunities and education (Lawrence 2003; 2004).

Urbanization has affected Indigenous peoples unevenly (Taylor and Bell 2004; Cardinal 2006), and urbanization rates and the compositions of urban Indigenous populations vary greatly across Canada. Differences among First Nations, Métis, and Inuit stem, to a great extent, from the specific set of relationships between these Indigenous groups and the settler state. That is to say, the spatial distribution of Indigenous peoples is significantly influenced by state practices related to collective access to land, resources, and recognition. Métis and non-status First Nation people⁴⁵ are the most urbanized Indigenous groups (Frideres et al. 2004). According to the 2001 census, 73 percent of non-status First Nations people lived in urban areas, followed by Métis with 66 percent, an estimated 37 percent of status First Nations peoples and less than 30 percent of Inuit (Norris and Clatworthy 2003, 54). Statistics Canada (2008b) estimated that, in 2006, 50 percent of the urban Aboriginal population in Canada was comprised of First Nations peoples, of whom an estimated 68 percent were registered under the *Indian Act*, and 43 percent identified as Métis.

Urban Indigenous communities tend to be larger in Western Canada, especially in Regina, Saskatoon, and Winnipeg, where the proportion of Indigenous residents is significantly larger than the Canada-wide 3.7 percent average (Groves 1999:5; Siggner 2003a; Siggner and Costa 2005). Table 1 provides an overview of Indigenous populations in selected cities. However, in light of the under-coverage of urban Indigenous populations, these are

⁴⁵ Increasingly, non-status First Nation persons seem to coalesce around the Métis category (Sawchuk 2000), which has seen large rates of non-demographic growth (Siggner and Costa 2005).

conservative estimates at best.⁴⁶ Rather than presenting a detailed statistical profile, my aim here is to highlight some of the broader trends.

TABLE 1: Number and Percentage of Population who Identified as Aboriginal, Selected Cities, 2006⁴⁷

Selected Cities	Aboriginal Population	Percentage of Aboriginal People in City's Population
Winnipeg	68,380	10
Edmonton	52,100	5
Vancouver	40,310	2
Toronto	26,575	0.5
Calgary	26,575	2
Saskatoon	21,535	9
Ottawa-Gatineau	20,590	2
Montreal	17,865	0.5
Regina	17,105	9
Prince Albert	13,565	34

In terms of residential patterns, overall levels of segregation are considered to be low (Maxim, Keane and White 2003). A comparison of aggregate data from 1981 and 2001 in Winnipeg, Edmonton, Regina and Saskatoon, however, illustrates a trend of increasing spatial concentration of Indigenous populations in these cities (Peters 2006). While seen predominantly in a negative light because of the concentration of poverty in these spaces, residential concentration, in general, has a range of implications, some of which are positive for potential self-government arrangements, including the possibilities of urban land bases and “city within city” arrangements.

⁴⁶ Available demographic data on Aboriginal peoples suffer serious problems, such as chronic under-coverage Aboriginal organizations have consistently reported higher numbers of their constituencies than Statistics Canada (UATF 2007, 33) Available data also do not capture the reality of mobility, particularly of First Nations populations

⁴⁷ Statistics Canada (2006b)

Despite differences in urban Indigenous populations across Canada, overall, Indigenous people living in cities appear to lag behind non-Indigenous city-dwellers in terms of social and economic indicators, with higher unemployment, lower income, poorer health status, poorer housing, higher rates of homelessness, lower levels of education, and greater dependence on government support (Siggner 2003b; Stokes et al. 2004).⁴⁸ At the same time, it is important to note that Indigenous citizens who reside in cities are not homogeneously disadvantaged (Wotherspoon 2003; Peters 2006; Hull 2001). Moreover, marginalization is not an urban phenomenon per se (Silver 2006; Groves 1999, 29-30). Contextualizing and historicizing the social disadvantages experienced by urban Indigenous peoples is crucial, because “a focus on contemporary social and economic marginalization hides the way the dispossession of Aboriginal peoples from their lands contributes to their contemporary conditions” (Peters 2001a, 138).

In 2007, the unemployment rate for Aboriginal people, at 10.6 percent, was almost double the rate of 5.9 percent for non-Aboriginal people (Statistics Canada 2008c, 8). In Manitoba, this disparity was larger than in Ontario (Statistics Canada 2008c, 11). Of all provinces, Manitoba has the highest unemployment rate among Aboriginal youth, with one in three young First Nation persons unemployed (Statistics Canada 2008c, 5). For Aboriginal people who are employed, the average hourly wage was 12 percent lower than that of non-Aboriginal people in 2007. According to Statistics Canada (2008c, 16),

48 This is also the case globally (Trujano 2008, 24).

Wage gaps were observed among both men and women; in the Atlantic region and in all the other provinces; and within most industries. The gaps also persisted regardless of whether or not Aboriginal people had completed a post-secondary education. For all provinces combined, North American Indians aged 25 to 54 averaged \$19.33 per hour, Métis \$20.09 and non-Aboriginal people \$22.33.

Secondary school completion rates are improving for Aboriginal peoples, but there is still a significant gap (Statistics 2003, 18), which is, in fact, widening for First Nation people who live on reserve (Office of the Auditor General of Canada 2011). Post-secondary completion rates have been improving for off-reserve First Nations, Métis and Inuit to a 39 percent average in 2001, compared to a 55 percent Canadian average (Statistics 2003, 19).

Based on the 2001 Aboriginal Peoples Survey (APS), a report on the wellbeing of the non-reserve Aboriginal identity population finds that 56 percent aged 15 or older self-report excellent or very good health (Statistics 2003, 11).⁴⁹ It can be expected that the 17 percent reporting fair or poor health would be larger, if homeless people, those in cities temporarily for medical treatment, and those in institutional care were selected as respondents of the APS. Allec (2005, 8) stresses the importance of social determinants affecting the health of a population, listing the following factors: income and social status; social support networks; education; employment/working conditions; income/poverty; social environments; food security; physical environments; crime; personal health

⁴⁹ According to Statistics Canada (2008, 10) “Aboriginal Identity Population refers to those people who reported on the APS 1) being North American Indian, Métis, and/ or Inuit or 2) having registered Indian status as defined by the Indian Act, and/ or 2) having Band or First Nation membership” The category of “non-reserve Aboriginal people” is misleading insofar as it suggests a dichotomy between on- and off-reserve that includes Indigenous groups which are not eligible to live on reserve, such as Metis, Inuit, and First Nation people who are not registered under the Indian Act and/ or do not have First Nation membership. In other contexts, the use of this category gave the false impression of massive out-migration from reserves, when the opposite is actually the case, with First Nation citizens frequently returning to home communities when housing or other opportunities become available

practices and coping skills; healthy early child development; biology and genetic endowment; health services; gender and culture. The colonization process and the policy of residential schooling are identified as key contributors to the alarmingly poor status of First Nation peoples' health in Manitoba (Allec 2005, 11).

Among the Indigenous groups that the Census distinguishes – North American Indian, Métis, and Inuit⁵⁰ – Métis have seen the most rapid growth, with an increase of 91 percent between 1996 and 2006 (Statistics Canada 2008a). This has contributed to the growth of the urban Indigenous population, as many individuals who identify as Métis live in cities.

Similar to the Indigenous population in Canada more generally, the urban Indigenous population has been growing rapidly. However, the growth of urban Indigenous populations is not entirely based on demographic factors, i.e. natural increase and net immigration (Siggner and Costa 2005; Siggner 2003a). It has also been attributed to better census coverage and changing patterns of reporting and self-identification. Driven by legislative, political, and social changes, this process of "ethnic mobility" has primarily affected an increase in the Métis and, to a lesser extent, First Nations categories (Guimond 2003; Siggner and Costa 2005).

The urban Indigenous population in Canada is significantly younger than the non-Indigenous population. Almost 50 percent of the urban Indigenous population is under the age of 25 years (Statistics Canada 2003). Given the age structure of the population, the Indigenous presence in Western cities will

⁵⁰ See Statistics Canada (2007a).

become more pronounced in the future. Projections for Winnipeg estimate that 1/6 of the city's labour force will be Indigenous in 2016 (Hanselmann and Gibbins 2003, 77-78).

Relative to the overall population, Indigenous people constitute larger shares of the population in the North and in the prairie provinces (Statistics 2003, 8). With 242,490 respondents who identified as Aboriginal in the 2006 census, Ontario, however, is the province with the largest Indigenous population. Close to one in five of all Indigenous people in Canada live in Ontario where they only make up a 2.2 percent share of the province's total population (Statistics Canada 2007b). In Manitoba, 175,395 Aboriginal people were enumerated as part of the 2006 census, representing 15.5 percent of the province's total population (Statistics Canada 2007c). Along with Saskatchewan, Manitoba has one of the largest proportions of Indigenous peoples as part of the provincial population.

Overall, almost 60 percent of the so-called "non-reserve Aboriginal population"⁵¹ is comprised of Métis, about 40 percent of North American Indians and less than 1 percent of Inuit (Statistics 2006a, 43-44). The rigid dichotomy between on reserve and off reserve in state discourses is collapsed by the actual fluidity of those spatial boundaries due to current mobility patterns of First Nation citizens (Harris 2002; Cardinal 2006; Norris and Clatworthy 2003). First Nations mobility is high and reasons related to family and housing are two important factors in decisions to move both to the city, as well as back to reserve communities (Graham and Peters 2002, 21). In 17 interviews with First Nation citizens, Cooke and Belanger (2006, 154-155) find that the presence of family

⁵¹ See footnote 50 for a discussion of the problems with the "non-reserve Aboriginal" category.

and friends is an influential factor in decisions to move to or stay in Winnipeg; the authors go on to suggest that the role of personal and institutional networks has tended to be under-emphasized in the literature on Indigenous urbanization.

The findings of the First Nations/ Métis/ Inuit Mobility Study point to three main factors that prompt Indigenous persons to move to Winnipeg: family reasons, employment, and education (Distasio 2004, 18). What are often framed as distinct “push” and “pull” factors turn out to be influential regardless of the direction of migration. Indigenous persons who move from and to home communities (away from cities) are also referred to as “circular migrants” (Trujano 2008, 35), a term which captures the dynamic nature of migration patterns.

Often, moving is linked to the improvement of conditions on reserve (availability of housing, social services, health care, education, etc.). Recent studies confirm that housing requires immediate attention as “the single most important service needed” (Distasio 2004, 20), in cities as well as on reserves.⁵² In addition to housing, challenges relate to ensuring that culturally appropriate services are in place regardless of place of residence. One interviewee commented that,

when we look at, we call it the churn; when we look at the number of Aboriginal people especially First Nations moving from reserve and into cities and moving back and forth, we got to find ways to ensure that our delivery systems are much more seamless, because right now, people are suffering, because they can’t move smoothly

⁵² While “in all regions of the country, the homes of Aboriginal people living in non-reserve areas were more crowded than those of all Canadians”, this alarming trend is particularly pronounced in Winnipeg, Regina, Saskatoon, and Edmonton (Statistics Canada 2003, 24) Crowding is defined as one or more people per room

between these two systems (female, representative of INAC, Ottawa, October 22, 2008).

In fact, as Peters (2004, 256) observes, Aboriginal peoples in Canada are “stretching out social relations and identities across urban and rural space”. Clearly, the implications for the public policy community in Canada are evident in that, as Graham and Peters (2002, 23) point out, “the urban Aboriginal population in Canada is not distinct from the ‘non-urban’. They are interconnected in terms of mobility, culture and politics”. Giving meaningful expression to different forms of interconnectedness in terms of political arrangements remains a challenge.

GENDERED REALITIES

Reflecting the impact of state policies, patterns of mobility are highly gendered (Lawrence 2003; Peters 2000).⁵³ Due to *Indian Act* provisions related to registration status and matrimonial real property, First Nation women were historically overrepresented in urban populations; this trend continues today (Statistics Canada 2006c). Gender-based discrimination has thus significantly contributed to the overrepresentation of Indigenous women – who often move as the heads of single-parent households – in urban populations (Peters 1995, 15; Peters 2000; Native Council of Canada 1993).

In addition, living conditions in home communities and family violence have contributed to this demographic reality. In a 1989 report, the Ontario Native Women’s Association notes that family violence has often forced Indigenous women to flee to larger urban centres where shelter and health services are

⁵³ This brief discussion is not intended to be exhaustive. Rather, I want to highlight some of the gendered dimensions of urban Indigenous realities which will be contextualized throughout the chapters of this dissertation. For a discussion on Indigenous feminisms, see Green (2007).

more readily available (Ontario Native Women's Association 1989). Here, Indigenous women tend to be among the most marginalized, with high rates of poverty and homelessness (Klodawsky 2009, 602; Peters and Robillard 2009; Jaccoud and Brassard 2003). Legal status and socioeconomic conditions thus intersect with gender and space in ways that have put a disproportionately large number of Indigenous women in precarious situations, particularly in prairie cities.

It is useful to think of processes of victimization and criminalization along a continuum (Balfour 2008). Feminist analyses of the criminalization of Indigenous women stress the gendered nature of crime and sentencing. Ironically, legislation intended to address the gendered violence experienced by Indigenous women has led to higher rates of incarceration for Indigenous women. At the same time, Indigenous women do not appear to have the same level of access to provisions that were introduced to take prior victimization and the systemic contexts of Aboriginal offenders into account. The number of Indigenous women in the female federal inmate population has increased, to 29 percent in 2001 (Balfour 2008, 105). Overall, Indigenous people are over-represented in the prison system, especially in the prairie provinces where, in the late 1990s, the proportion of Aboriginal inmates was ca. 10 times higher than their proportion in the population. For women, this trend is even more pronounced, with 73 percent (41 of 56) of women held in provincial custody on September 6, 2000 in Manitoba being Aboriginal (Lafreniere, Fontaine and Comack 2005, 6).

As noted in the report of Manitoba's *Aboriginal Justice Inquiry* (Hamilton and Sinclair 1991, 481), "the status of Aboriginal women in the city of Winnipeg is particularly disturbing".⁵⁴ The Commissioners go on to describe the conditions of poverty, violence and abuse faced by a large number of Indigenous women in the province. All Indigenous women are faced with racialized stereotypes that make them vulnerable to becoming the victims of violent crimes, but the risk of being victimized is compounded for women who are marginalized (Razack 2002b; Amnesty International 2004).

High rates of violence affect Indigenous women within mainstream society, as well as within Indigenous societies. According to a 1996 report, First Nation women between the ages of 25-44 are 5 times more likely to experience death due to violence than non-First Nation women (Indian and Northern Affairs Canada 1996, 13). In 2009, the rate of self-reported violent victimization among Indigenous women was three times higher than for non-Indigenous women in Canada (Brennan 2011). In addition to high rates of spousal abuse, by Indigenous and non-Indigenous partners, a disproportionately high number of Indigenous women have also been victims of stranger violence, perpetrated by non-Indigenous men and in mainstream society, often in urban centres. Over the last 20 years alone, close to 600 Indigenous women and girls went missing or were murdered (Native Women's Association of Canada 2010).

The Stolen Sisters report (Amnesty International 2004) analyzed the historical processes and systemic problems that continue to compromise the

⁵⁴ Among its recommendations, the Aboriginal Justice Inquiry proposed group homes for Aboriginal women in urban areas and mandated Aboriginal child and family service agencies (Hamilton and Sinclair 1991).

safety of Indigenous women in urban centres. It links racism and sexism to violence against Indigenous women, stating that “racism and sexism intersect in stereotypes of Indigenous women as sexually “available” to men. This intersection of sexism and racism contributes to the assumption on the part of perpetrators of violence against Indigenous women that their actions are justifiable or condoned by society” (Amnesty International 2004:29; see also Smith 2005).

It is important to note these troubling conditions and the vulnerability of many, especially young, Indigenous women who reside in cities. However, it is also important to acknowledge the agency, leadership and innovation demonstrated by Indigenous women who live in cities, because, as Krouse and Howard (2009, ix) remind us, “a further neglected aspect of these urban areas has been the central role of Indian women in generating and sustaining community cultural and social life”. Much of Indigenous women’s activism has centered on creating safe spaces, educational opportunities, and appropriate services for Indigenous families in urban areas.

In Ottawa and Winnipeg women have played a prominent role in urban Indigenous community-building. An interview participant described the leadership of women in Ottawa in the following way:

So in relation to moving to self-governing, I think we are at a place where we are self-governing ourselves, but our structure is not there in the sense that you speak of. There are no chiefs. We are back to probably that real basic community living where generally women are ruling a community. And in fact that's what you see in all the organizations. They're all women, generally – all women who are grandmothers now who are guiding and providing what wisdom they have at their age, you know, and bringing their community together to

stay together and hold each other together and work at making things better (female, representative of Aboriginal service provider, Ottawa, October 27, 2008).

Many community-based Aboriginal service providers were started by Indigenous women (Krouse and Howard 2009; Janovicek 2009), and Indigenous organizations in urban areas are often led by women.⁵⁵ Indeed, the community sector continues to be a prominent source of jobs in cities, particularly for Indigenous women (Peters 2006, 9-10).⁵⁶ This is not only in contrast to the largely male-dominated Red Power Movement (Thunder Hawk 2007), but also to the predominantly male leadership under the *Indian Act* or other arrangements of self-governance. The contributors to Krouse and Howard (2009) highlight what they refer to as the “incipient” and “low-profile” activism of Indigenous women in cities across North America.

The struggles for services and for conditions where women are safe from violence are closely linked to the struggles for self-determination and against the conditions of colonialism (Janovicek 2009). This includes confronting the effects of the *Indian Act* regime and residential schools within Indigenous communities, including in urban settings. As Monture-Angus (1995, 229) explains,

Eliminating this disadvantage [that Indigenous women face] is the greatest of the challenges that face Aboriginal people. By confronting the disadvantage that women face as both women and as Aboriginal, we will also be confronting the discrimination, disadvantage, oppression and dependency faced by our fathers, uncles, brothers, sons and husbands. We must also accept that in some circumstances it is no longer the descendants of European settlers

⁵⁵ For instance, 66 percent of Friendship Centre employees are women (National Association of Friendship Centres 2008, 4).

⁵⁶ Aboriginal organizations account for a significant share of the managerial and professional positions for Indigenous employees (Hull 2001, 23). Women tend to be overrepresented in the public “care” sector and local partnerships, more generally (Bradford 2002, 42; Larner and Butler 2007, 79).

that oppress us, but it is Aboriginal men in our communities who now fulfill this role.

Monture-Angus (1995, 221) further notes that meaningful and substantive change in the lives of Indigenous women requires profound structural transformations, based on the deconstruction of colonialism and colonial knowledge and the re-building of Indigenous nations. This is a project that has implications at every scale and with respect to the relationships among scales, including how urban Indigenous community, citizenship, and nationhood are imagined. The current positionalities of Indigenous women in cities, including their high rates of victimization and criminalization, are thus directly related to the historical foundations and the ongoing colonial processes that produce the neoliberal settler city.

PROBLEMATIZING “URBAN ABORIGINAL” AND “COMMUNITY”

Federal, provincial, and local state responses are largely advanced in relation to ‘urban Aboriginal people’. Yet there are serious limitations related to the dominant ‘urban Aboriginal’ category as the basis for defining community for First Nations, Métis, and Inuit peoples who reside in urban areas. The two main problems are that, first, ‘urban Aboriginal’ homogenizes a range of experiences and identities and, second, it suggests a qualitatively different experience of Aboriginality, and, implicitly, a lesser one.

The dominant state category ‘urban Aboriginal’ is dysfunctional in the sense that it does not account for differences of legal status, cultural specificity, and – for many but not all urban Indigenous persons – continued ties to First Nations,

Métis, and Inuit communities outside the city. The term 'Aboriginal' thus obscures the structural inequalities – and their spatializations – in state policies and practices advanced under this category.

The dominant paradigm hinges on a pan-Aboriginal conception of urban Indigenous citizenship, but I argue that it is important to distinguish among First Nations, Métis, and Inuit community- and nation-building projects and the specific scale politics involved in each. As an interviewee in Winnipeg noted, "governments like to treat Aboriginal people as one single entity, you know, and look at us all the same and we're not" (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008). Consistent with the invention of the Indian as a European category of knowing and administration (Francis 1992), Aboriginal is now the preferred category of state intervention. However, the problem is that, as a participant working for a Métis organization in Winnipeg pointed out, "in most people's minds, Aboriginal means First Nations" (male, representative of Métis service provider, Winnipeg, May 14, 2008). Another interviewee explained that "you'll run into it every day that, you know, a federal program would come out and it would say Aboriginal, but all the intent is still First Nation, First Nation on reserve, rather than off reserve or non-status or Métis" (male, representative of provincial Métis organization, Winnipeg, May 27, 2008). This homogenization of Indigenous peoples takes place against the backdrop of an insidious campaign of enforcing and normalizing differences among Indigenous peoples through policies and practices that will be discussed further in chapters four and five.

Divisions imposed along the lines of status, rights, and recognition complicate notions of urban Indigenous citizenship (Lawrence 2003; 2004). Community-building in cities is further complicated by the fact that community cannot be taken for granted as a geographical reality, but is created – and constantly in the making – through social relationships, networks, and shared activities that typically center on Indigenous service agencies (Lobo 2001, 75; Proulx 2003).⁵⁷

With the shifts associated with neoliberalism discussed in the previous chapter, Indigenous agencies are implicated in neoliberal technologies of governance and what Rose (2001) refers to as “risk politics”. That is, civil society agencies are forced to frame their aspirations in accordance with state parameters that target populations considered “at risk” and make individuals and communities responsible for their well-being. The definition of urban Indigenous populations as collectively at risk and the exclusive focus on social service providers in defining urban Aboriginal community are intrinsically linked and equally problematic. The majority of Indigenous people who live in cities do not use Aboriginal-specific services, and many object to an implicit association of urban Indigenous communities with dysfunction (Proulx 2003, 166). In fact, urban Indigenous communities are multi-sited, fluid, and imagined in contested ways. Indigenous communities have to contend with state definitions that do not reflect reality as much as they intend to produce a reality where Indigenous individuals

⁵⁷ Susan Lobo (2001, 75) defines urban Indian community as “a widely scattered and frequently shifting network of relationships with locational nodes found in organizations and activity sites with special significance.”

are no longer citizens of their Indigenous nations, but neoliberal Canadian citizens and self-sufficient consumers.

A participant in Proulx's study of Community Council Project (CCP), an Aboriginal-run diversion program in Toronto, commented that "community is defined for us by outside society... And a lot of us have bought into that definition of community" (cited in Proulx 2003:153). This is not to say, however, that "there really is no such thing as an urban Aboriginal community" (Hanselmann 2001, 20). On the contrary, several authors stress that urban Aboriginal service agencies, most notably Friendship Centres, have been instrumental in generating a sense of belonging, largely through a pan-Aboriginal strategy (Newhouse 2003; Proulx 2003; Lobo 2001; Weibel-Orlando 1991).

Yet while governments and Aboriginal organizations often invoke "community" in the singular, it seems more appropriate to think of urban Indigenous communities in the plural or, better yet, as a heterogeneous network of communities that may variably mobilize, unify, as well as fragment around particular issues and initiatives. My main point is that there are different perspectives on how best to conceptualize community or communities in (as well as beyond) any given city. In the interviews, different perspectives not only emerged with respect to the "who" of community, but also the "where". More specifically, the urban, for many Indigenous city-dwellers, does not delimit the appropriate scale of governance. In other words, 'urban Aboriginal' is not the only or most relevant category under which Indigenous interests are advanced.

Peters (2001b) traces how this differentiation into ‘urban Aboriginal’, initially through the creation of the ‘urban Indian’ category, proliferated through discursive and administrative processes. This state politics of disconnection through the ‘urban Aboriginal’ category is problematic for defining community for Indigenous peoples who live in cities in that it suggests a uniform experience and singular set of needs, no collective rights, and political goals restricted to the urban scale. Postulating a different form of Indigeneity based on location may serve the administrative purposes of different levels of government, but does not capture the realities of Indigenous mobility, networks, and nationhood.

INDIGENOUS COMMUNITIES IN WINNIPEG AND OTTAWA

In this section, I provide a profile of the Indigenous communities in Winnipeg and Ottawa. Although Indigenous populations differ significantly in these two cities, particularly in terms of size, cultural composition, and socio-economic conditions, there are commonalities as well.

Table 2 provides an overview of the number of Indigenous people living in Winnipeg and Ottawa in 2001 and 2006, based on census data. Indigenous populations in both cities have grown significantly between 2001 and 2006, almost doubling in Ottawa-Gatineau to 20,590 Aboriginal residents. A 2006 community report, however, puts the number of Aboriginal residents in the National Capital Region at 35,000 (Kohoko 2006, 8). According to the census, 52.4 percent of Ottawa’s Indigenous residents identify as American Indian (First Nations) (with just under half reporting being Treaty and/ or status First Nation

persons), 38.5 percent as Métis, and 3.5 percent as Inuit (Statistics Canada 2009a, 2009b).⁵⁸

Winnipeg has the largest urban Indigenous population in Canada, with 68,380 Aboriginal persons according to the 2006 census, representing 10 percent of the city's population. Winnipeg also has the largest Métis community; 55 percent of Métis in Manitoba were living in Winnipeg in 2001 (United Way of Winnipeg 2004, 29). Of the city's Aboriginal population, 59.9 percent identify as Métis, 37.9 percent as American Indian (First Nations), and 0.5 percent as Inuit (Statistics Canada 2008b).⁵⁹

TABLE 2: Aboriginal Population in Ottawa-Gatineau and Winnipeg (2001, 2006)⁶⁰

	Aboriginal identity population, 2001	Percentage of Aboriginal people in the city's population	Aboriginal identity population, 2006	Percentage of Aboriginal people in the city's population
Ottawa-Gatineau	13,695	1.2	20,590	2
Winnipeg	55,970	8.2	68,380	10

While the Inuit population in Winnipeg is fairly small⁶¹, Ottawa has the largest Inuit community in Southern Canada with an estimated 1,500 Inuit living in the capital (Tungasuvvingat Inuit 2005). It should be noted that considerable heterogeneity exists within these larger census categories. First Nations people

⁵⁸ ‘Multiple’ and ‘Other’ Aboriginal responses were not included here which explains the discrepancy between the total and the percentages of the three Aboriginal identity groups.

⁵⁹ See footnote 59.

⁶⁰ Statistics Canada (2006a, 2006b).

⁶¹ The Manitoba Urban Inuit Association (MUIA) was formed in 2008, “in order to promote and enhance individual and community quality of life for Inuit living in Manitoba by sustaining the rich and vibrant practices to our health, our environment and our economy” (MUIA). The MUIA has launched a website and produced a welcome guide; the long-term goal, according to the website, is to establish an Inuit-specific service and cultural centre (MUIA).

who reside in Ottawa and Winnipeg come from a large number of different nations and communities across Canada. For instance, in an analysis of 1996 census data, Clatworthy (2001) finds that First Nation residents of Winnipeg are affiliated with at least 135 First Nations.

The Aboriginal population in Winnipeg grew by 22 percent between 2001 and 2006 (Statistics Canada 2010). The Manitoba Bureau of Statistics (MBS) projected the Aboriginal population in the province to grow by ca. 30 percent between 2004 and 2017. Winnipeg was projected to see a slightly higher than average growth of 33.5 percent (MBS 2005, 3). The Métis were the group with the least amount of growth, with a projected annual growth rate of 1.2 percent, compared to 2.2 percent for Registered Indians and 2.3 percent for 'Other Aboriginals' (MBS 2005, 15).

The median age of the Aboriginal population in Manitoba was 23.6 in 2004, about sixteen years less than the non-Aboriginal median age (MBS 2005, 12). The MBS estimated that three out of ten children (up to 14 years of age) will be Aboriginal in 2017. While not addressing the process of ethnic mobility (either inter- or intra-generational changes in reporting ethnic identity) in the projections, the MBS report asserted that approximately 50 percent of the growth of the Aboriginal community between 1996 and 2001 was due to changes in reporting (MBS 2005, 10). As far as the projections are concerned, the report noted that "high fertility rates and increasing life expectancies are the main drivers of population growth for each of the Aboriginal groups. On a regional basis however, migration plays an important role in growth. The current trend of more

people leaving the North for the South and Winnipeg is expected to continue" (MBS 2005, 14). Intra-provincial migration, including from 61 First Nation communities, tends to gravitate towards Winnipeg, the only major city in the province (Cooke and Belanger 2006, 149).

I am not suggesting that the two cities represent distinct types across the spectrum of urban Indigeneity in Canada. However, Winnipeg and Ottawa can, as Peters (2003) suggests, be seen as representative of larger groupings on the continuum of social indicators. Indigenous residents in both cities lag behind the non-Indigenous population with respect to socio-economic and health indicators (Siggner 2003, 119-130), but there are significant differences in terms of the degree of social disparities, as Table 3 illustrates.

TABLE 3: Characteristics of Aboriginal Identity Population in Ottawa-Gatineau and Winnipeg, 2006⁶²

	Aged 15 and over %	Without grade 12 %	Unemployment rates %	Average earnings \$
Ottawa-Gatineau	79.8	27.7	8.8	35,508
Winnipeg	69.6	39.5	11.3	25,379

In Winnipeg, unemployment rates are higher and the average earnings are considerably lower than in Ottawa. There is a significant education, employment, and income gap between Aboriginal and non-Aboriginal residents in Winnipeg – less so for Métis than for First Nation residents (Statistics Canada 2010). Higher rates of poverty exist among Aboriginal residents of Winnipeg, with 43 percent of Aboriginal people living under the low-income cut off (an indicator that Statistics

⁶² Statistics Canada (n.d.).

Canada uses to determine the poverty line), compared to 24 percent in Ottawa (Statistics Canada 2009b, 2010). Socio-economic marginalization is even more pronounced among Winnipeg's child population (aged 14 years and under) – 57 percent of Aboriginal children fell below the cut off in 2005, compared to 20 percent of non-Aboriginal children in the city (Statistics Canada 2010, 13).

While “Aboriginal people live in every neighbourhood in Winnipeg” (United Way of Winnipeg 2004, 32), Winnipeg has the highest degree of residential concentration, or segregation, among CMAs. There is a distinct division between a strong Indigenous presence in the downtown core and North end and largely non-Indigenous suburban and ex-urban parts (Gerecke and Reid 1992; Silver 2006; Peters 2006).

This is problematic due to the simultaneous concentration of poverty in the core area and the North end.⁶³ This polarization is due in part to a strong ‘unicity’ orientation of the city through which the geography of power has shifted in a way that has allowed suburban property interests to dominate at the expense of inner-city concerns (Gerecke and Reid 1992; Graham, Phillips and Maslove 1998). As Gerecke and Reid (1992, 131) attest in the early 1990s, “the refusal to publicly face the aboriginal issue is the best example of the politics of denial in the city. This is physically buttressed by the general indifference of Winnipeg politicians and citizens to the inner city”.

As is the case for Western Canada more generally, there is a greater Indigenous presence and Winnipeg’s large Aboriginal service infrastructure

⁶³ Residential concentration in itself can have positive outcomes, fostering cohesion and facilitating capacity building and more efficient service delivery (Groves 1999, 33).

speaks to this fact (Silver 2006; Hallett 2006; Peter 2003). The Manitoba Roundtable estimated that there were ca. 70 Aboriginal organizations in Winnipeg in the late 1990s (Manitoba Roundtable 1998, 14).⁶⁴ Given the growing and young population in Winnipeg, however, programs and services delivered by Aboriginal agencies will need to expand significantly (Distasio 2004; DeVerteuil and Wilson 2010).

In part reflecting differences around how long Indigenous individuals and families have lived in Winnipeg, Indigenous people who live in Winnipeg are not homogeneously disadvantaged (Wotherspoon 2003). Those who were born in the city tend to be less marginalized, as “for generations, Aboriginal people have been part of the City’s mainstream, and members of Winnipeg’s Aboriginal community proud of their culture, heritage and institutions” (Manitoba Roundtable 1998, 7). Generally, however, characteristics of the First Nation urban population in Winnipeg include high unemployment, a low rate of home ownership, a high rate of income assistance recipients, a low rate of school completion, and a high number of children living in poverty (Allec 2005, 22; Distasio et al. 2003; Statistics Canada n.d.).

Distasio et al. (2003, 7) found a high level of residential mobility among Indigenous residents in Winnipeg, with reasons for moving primarily linked to family and housing issues. A spatial analysis of the data revealed that the bulk of the moves followed a direction towards more central locations (Distasio et al. 2003, 9). Securing affordable quality housing remains a key challenge for

⁶⁴ For an overview of Indigenous organizations in Winnipeg, see Aboriginal Friendship Committee Fort Garry United Church (2008).

Indigenous people in Winnipeg. Aboriginal housing organizations, such as Dial-A-Life Housing Inc., Kanata Housing, Kekinan Centre, Kinew Housing Corporation, and Payuk Inter-Tribal Housing Co-op, face ever-increasing demands for adequate and affordable housing (United Way of Winnipeg 2004, 33-34). A survey of Indigenous persons who had recently arrived in Winnipeg revealed that more than 50 percent of respondents were still living with friends or family approximately one year after the initial survey (Distasio 2004, 19). This illustrates the high rate of hidden homelessness among Indigenous persons across prairie cities (Distasio et al. 2005; Peters and Robillard 2009).

In addition to service providers, Winnipeg also provides a diverse picture when it comes to the political representation of Indigenous people locally and regionally. The Assembly of Manitoba Chiefs (AMC), Southern Chiefs Organization Inc. (SCO), and Manitoba Keewatinowi Okimakanak Inc. (MKO) represent First Nation communities. Indigenous women are represented by Mothers of Red Nations (MORN). Métis are represented by the Manitoba Métis Federation (MMF) which is a self-governing institution combining political advocacy with service delivery through its regional and local affiliates. Finally, the Aboriginal Council of Winnipeg (ACW), formed in 1990 as the result of a merger of the Urban Indian Association and the Winnipeg Council of Treaty and Status Indians (Wuttunee 2004, 65), works on behalf of “a unified and cohesive urban Aboriginal community of Winnipeg” (ACW).

In Ottawa, the gap between Aboriginal and non-Aboriginal populations in terms of income and education levels is the smallest among CMAs, largely due

to the high number of professionals working for national Aboriginal organizations and the federal government. As one interviewee commented, "the other bigger driver, too, is because you got all the national Aboriginal organizations here in the city. That is obviously a great draw in terms of bringing in people from all over the country here, as well the federal government which is the largest employer of Aboriginal people in this city" (male, representative of Aboriginal service provider, October 3, 2008).

While the gap between the Aboriginal and non-Aboriginal population in terms of socioeconomic characteristics is smaller, the Aboriginal population is more polarized along class lines. The City of Ottawa (2003) indicates that Aboriginal people are overrepresented in the homeless population in Ottawa. In this sense, available census data hide a significant and increasing need for Aboriginal-specific, especially Inuit-specific, social services in Ottawa (UATF 2007b). This is confirmed by a community worker who asserts that "there are very real issues and needs specific to Inuit and then specific again to urban Inuit" (female, representative of Inuit service provider, Ottawa, August 20, 2008).

In relation to the size of the community, the number of organizations providing Aboriginal-specific services is relatively small. One interviewee pointed out that,

Ottawa is kind of a funny community, because we have a small number of the Aboriginal organizations. So for the amount of people that are actually in this community, there's hardly anything here for them. You got the Friendship Centre, you got Wabano, you got Gignul housing, you got Inuit organizations, TI and the Inuit Children's Centre, Inuit housing and Minwaashin Lodge and that's it pretty much (female, representative of local Aboriginal service provider, Ottawa, September 5, 2008).

Access to Aboriginal-specific programs can also be complicated by the fact that the city-region spans two provincial jurisdictions, with services for Aboriginal people all located in Ontario (UATF 2007b).

In terms of political representation, even though the national Aboriginal organizations are headquartered in Ottawa, they do not, or only to a limited extent, appear to directly address the needs and interests of the local Aboriginal community (UATF 2007b, 53).⁶⁵ Furthermore, as one interviewee explained,

you could really sense disappointment among Aboriginal members in Ottawa, because here they were located in the capital city with the Government of Canada, yet they felt that there was this great distance between the Government of Canada and the Aboriginal community. And the same was true for community members and the national Aboriginal organizations. They just felt that there was a disconnect; yet everyone was located in the city and yet the Aboriginal community within the city seemed to be forgotten (female, representative of INAC, Ottawa, October 22, 2008).

While the Congress of Aboriginal Peoples (CAP) is the national Aboriginal organization that purports to represent urban Aboriginal peoples, several interviewees were sceptical when it came to the capacity of CAP to effectively insert an urban Aboriginal political voice into the national discourse on self-government. Nevertheless, the National Aboriginal Organizations (NAOs) and federal government agencies located in the capital significantly shape the politics of Aboriginal self-government and (urban) Aboriginal policy environments. This makes Ottawa a particularly interesting site for exploring the scalar mismatch with respect to urban Indigenous self-determination.

⁶⁵ Given their roles as national organizations, the primary focus of national Aboriginal organizations in Ottawa is on national politics. These organizations provide employment for a large number of Aboriginal residents, but this does not necessarily translate into “political push” and strong presence on the local level (female, representative of local Aboriginal service provider, Ottawa, September 5, 2008)

CONCLUSION: HETEROGENEITY, INEQUALITIES, AND CONNECTIONS

We need to start thinking about urban communities as legitimate communities, rather than as depositories of poverty and pathology. Urban Native communities are real, they endure, they are growing, and it is long past when we can make the mistake of perceiving them as vestiges or missives of some more legitimate land-based community. Moreover, these Native communities both include and transgress existing bureaucratic categories, and they are the source of new forms of culture, association and self-perception – both individual and collective – about what it means to be Aboriginal (Andersen and Denis 2003, 385).

This quote by Andersen and Denis alludes to some of the ways in which urban Indigenous peoples have come to be “known” in dominant discourses and through state practices of administration and accounting. The production of knowledge in relation to urban Indigenous communities has been particularly problematic in that the politics of data collection has been steeped in assumptions about who counts and who does not. Moreover, this politics has reinforced colonial categories of knowing and spawned new ones which, together, are implicated in attempts of administering Indigenous peoples and nations out of existence (Lawrence 2004).

Reading these ways of knowing urban Indigenous communities through a scalar lens is helpful in several ways. It illustrates that Indigenous people who live in cities are conceptualized as individuals who come to be captured under the urban Aboriginal umbrella category by virtue of assumed cultural commonalities, not as citizens of Indigenous nations. In addition to an overview of the history of Indigenous urbanization in Canada and contemporary Indigenous realities in Ottawa and Winnipeg, this chapter has provided a critical reading of how the ‘urban Aboriginal’ category and ‘community’ are constituted

through state practices and discourses. It has also demonstrated that heterogeneity, inequalities, and connections are key features that form the context of urban Indigenous governance. In this sense, the networked politics of urban Indigenous community-building and nation-building confound and profoundly challenge state constructions of scale, place, and territory, including the scalar void.

CHAPTER 3: INDIGENEITY AND THE CITY: *TERRA NULLIUS*, PROPERTY, AND NARRATIVES OF ERASURE

INTRODUCTION

Contemporary Settlers follow the mandate provided for them by their imperial forefathers' colonial legacy, not by attempting to eradicate the physical signs of Indigenous peoples as human bodies, but by trying to eradicate their existence as peoples through the erasure of the histories and geographies that provide the foundation for Indigenous cultural identities and sense of self (Alfred and Corntassel 2005, 597-598).

The unrelenting project of erasing Indigenous histories and geographies in relation to urban space, including Indigenous scales of governance, and the concomitant discursive marginalization of Indigenous peoples through the antithetical construction of Indigeneity and the city are the focus of this chapter. More specifically, this chapter explores how scholars have contributed to discourses that have marginalized Indigenous peoples by writing them out of urban spaces. The brief review of the literature presented here illustrates that these representations of Indigeneity as non-urban have been pervasive across a range of academic projects.

In this chapter, I argue that the narratives of erasure that pervade much of the popular and academic literature of urban Indigenous realities are intricately connected to the constructions of property, scale, and race in Canada. That is, the discourses that disavow the existence of Indigenous sovereignty, title and peoples have had material consequences in that they have helped to enact a version of reality which benefits the state and settler society, along with its claims to land, nationhood, and citizenship.

The construction of Indigenous and urban as mutually exclusive has been central to the production of city-space in what is now Canada and continues to structure dominant notions of where Indigenous peoples belong (Peters 1996; Razack 2002a; Lawrence 2004; Proulx 2006; Borrows 2008). Despite historical trajectories and contemporary realities of cities as Indigenous places, this dichotomy has remained persistent (Wilson and Peters 2005:399). In this chapter, I show that the socio-spatial order which marginalizes Indigenous peoples from city-life is premised on the settler fantasy of *terra nullius*.⁶⁶ It has required the denial of the Indigenous presence, because it threatens to expose the self-serving fiction of white settler space (Razack 2009; Jacobs 1996; Shaw 2007).

Although it might be less difficult (or unsettling) to identify these processes as taking place in the past, it is important to note that this is an ongoing project carried out through narratives of erasure, active displacement, and the juridico-political containment of Indigenous nations and communities. These intertwined discourses and politico-administrative strategies have rendered Canadian cities seemingly exempt not only from Indigenous and treaty rights, but also place-making, more generally.

THE PRODUCTION OF SETTLER CITIES

Since colonialism is in itself a deeply spatial project, centrally about “the transfer of land from one people to another” (Harris 1997, xxi; see also Smith and

⁶⁶ This European legal fiction has legitimized the large-scale expropriation of land the world over by asserting that it was uninhabited or unmodified. Together with the doctrine of discovery, it constitutes the foundation of the settler regime of legality and sovereignty in Canada (Thobani 2007).

Godlewska 1994, 2), space is not innocent. As McKittrick (2006, 95) reminds us, “historical practices, of vanishing, classifying, objectifying, relocating, and exterminating subaltern communities, and desiring, rationally mapping, and exploiting the land and resources, are ongoing, firmly interlocked with a contemporary colonial agenda, which has material consequences”. For Indigenous peoples, the material consequences are evident across all socio-economic indicators, as discussed in the previous chapter.

Noting the historical and geographical variations in the configurations of cities by colonial relations, King (1990, 37) cautions against the notion of the colonial city “as a single, unitary category”. In a similar vein, post-structural and feminist theorists have problematized monolithic and undifferentiated assumptions concerning ‘the city’, as “social differences are gathered together in cities at unique scales and levels of intensity” (Jacobs and Fincher 1998, 1). The analytical lens of difference is applied more rigorously to urban Indigenous realities in chapters two, seven, and eight. Here, my goal is to examine the production of the settler city in structural terms, in order to outline the colonial nature of historical and contemporary geographies of what is now Canada.

Applying a decolonizing lens brings these geographies into view as always contested. The object of struggle is not solely material. Contestations are “also about ideas, about forms, about images and imaginings” (Said 1994, 7), and how individuals and groups are spatialized in and through discourses.⁶⁷ For instance,

⁶⁷ Said (1994, xii-xiii) explains the connection between discursive and material processes of colonialism and imperialism in the following way: “The main battle in imperialism is over land, of course; but when it came to who owned the land, who had the right to settle and work on it, who kept it going, who won it

colonial descriptions of Indigenous peoples in relation to allegedly “empty” land have drawn heavily on tropes of mobility and transience (Blomley and Pratt 2001, 158-9). This portrayal of Indigenous peoples as “wandering nomads” was part of the legitimizing discourses of dispossession, which supplemented practices of land theft.

The dispossession and displacement of Indigenous peoples have been legitimized by representations that depict Indigeneity as the constitutive outside of the “civilized” space of the settler city (Blomley 2004, 119; Barman 2007, 5; Razack 2002a; McClintock 1994; Prout and Howitt 2009). Within this logic of coloniality, space and time have been activated to construct Indigenous populations in contradistinction to modernity. Mignolo (2007, 470-1) traces the way in which temporal and spatial difference were initially expressed respectively through the notions of “primitives” and “barbarians”. These figures were later conflated into “the primitive” associated with “tradition”, both of course appearing “as ‘objects’ outside Europe and outside modernity” (Mignolo 2007, 472). The expulsion of Indigenous peoples from urban spaces was thus legitimized through the construction of spatial *and* temporal difference, with reserves imagined “as existing in another time frame” (Peters 2001b, 69).

The *frontier complex* described by Furniss (1999) or the *pristine myth* identified by Sluyter (1999, 379) show how these discourses of dispossession are depicted as “progress”, operating along oppositional binaries, such as civilized versus savage and social versus natural. These dichotomies were also

back, and who now plans its future – these issues were reflected, contested, and even for a time decided in narrative”.

expressed in and through space. As noted by Fanon (1963, 29), “the colonial world is a world divided into compartments”, confining the colonized to “a world without spaciousness” (Fanon 1963, 30), while materially and discursively opening up the rest of the space for the colonizer. In this sense, this division into Indigenous and settler space, the reserve and the city, and propertylessness and private property has been the precondition for the production of white settler space (Blomley 2004).

As a result, Indigenous peoples were systematically pushed out of cities. In 1911, the *Indian Act* was amended to facilitate the removal of reserves from urban areas “in the interest of the public” (Barman 2007, 5-6; Mawani 2005). In the debate in Parliament, Prime Minister Wilfrid Laurier stated that “where a reserve is in the vicinity of a growing town, as is the case in several places, it becomes a source of nuisance and an impediment to progress” (House of Commons Debate, April 9, 1911, cited in Barman 2007, 5).

The production of the settler city required the deterritorialization of Indigenous peoples and their relegation to spaces away from settler society. This entailed a radical reconfiguration of space through a series of intertwined and violent processes which largely occurred in the 1800s and early 1900s: the denial of Aboriginal title, the entrenchment of a private property regime from which Indigenous peoples were excluded, and the creation of the reserve system (Blomley 2003, 2004; Harris 2002, 2204; Wilson and Peters 2005). This large-scale remaking of geography and property has required both “historical amnesia” (Blomley 2004, 106) – conveniently forgetting that settler cities are on Indigenous

territory, often in locations of pre-existing Indigenous settlements (Pitawanakwat 2008, 169) – and the ongoing erasure and marginalization of Indigenous peoples (Berg 2011).

DENYING ABORIGINAL TITLE: THE CITY AS *TERRA NULLIUS*

Most pronounced in British Columbia⁶⁸, the denial of Aboriginal title in what is now Canada was justified through the legal fiction of *terra nullius* (Thobani 2007; Asch 2002).⁶⁹ *Terra nullius* is the legal doctrine that legitimizes the prevailing assumption in settler societies that land was unsettled and unused (thus “empty”) prior to European resettlement. In short, *terra nullius*, the claim that land was “empty” of sufficiently organized communities – measured against criteria of solely European provenance – formed the legal basis for asserting title over Indigenous territories in the absence of conquest or treaty. Sustained by the prefigurative power of settler legality, colonial agents then actively pursued “emptying” the land of its inhabitants and displacing Indigenous sovereignties.

⁶⁸ While there are parallels with the rest of Canada, British Columbia has a distinct trajectory of Indigenous-settler relations based on the fiction of *terra nullius* (Banner 2007). By 1854, 14 treaties had been signed to extinguish Aboriginal title to land in close proximity to Victoria, but there was a sharp reversal in policy. James Douglas who had initiated the treaties on Vancouver Island later ignored Aboriginal title and shifted his efforts to the creation of small reserves. A more dramatic departure occurred when Joseph Trutch became Chief Commissioner of Lands and Works in 1864. He rejected both treaty making and the reserve policy (Furniss 1999, 35). The rapid shift to a new spatial order was further entrenched by the 1866 Land Ordinance which denied Indigenous people the right to preempt land and become private property owners (Harris 1997, 86). When BC entered the Confederation in 1871, the province refused to provide funds for the settling of treaties (Harris 2002, 297). Since Indigenous people were denied access to the courts, they had no legal recourse to fight their dispossession (Harris 1997). A series of factors contributed to this blatant denial of Aboriginal title. As Rossiter (2007, 776) explains, “it seems that a combination of high costs, racism, and the pragmatics of colonial resettlement led to a disinterest in the extinguishment of Native title on the part of both the Governor and the Colonial Office in London”. The result was that by the second half of the 19th century, Indigenous peoples were excluded from individual and communal land ownership in what is now British Columbia. As a consequence of litigation, the federal government and the province initiated the British Columbia Treaty process in the 1990s, it has been fraught with problems and largely ineffective in resolving the land question.

⁶⁹ As Thobani notes (2007, 43), this legal fiction is intertwined with other European legal constructs, such as the doctrine of discovery and *terra incognita*.

Beginning in the 1600s, European law constructed Indigenous peoples as too “primitive” to be sovereign in their territories (Asch 2002, 24-25).⁷⁰ This denial of the political existence of Indigenous peoples opened up space for the alleged acquisition of sovereignty and underlying title through mere “settlement”; and it continues to inform unproblematic settler state understandings of Crown sovereignty in Canada today (Asch 2002).

Henderson (2000, 61) shows how the legal fiction of *terra nullius* was part of an interlocking set of myths whose primary function was to validate settler claims to land and sovereignty. Speaking to the inextricable links between title, sovereignty, property, and the politics of knowledge production, the following four assertions were central:

- 1) A non-European region is empty or nearly empty of people (so settlement by Europeans does not displace any Native peoples).
- 2) The region is empty of settled population: the inhabitants are mobile, nomadic wanderers (European settlement violates no political sovereignty since wanderers make no claim to territory).
- 3) The cultures of this region do not possess an understanding of private property, to the region is empty of property rights and claims (colonial occupiers can freely give land to settlers since no one owns it).
- 4) The final layer, applied to all of the “outside”, is an emptiness of intellectual creativity and spiritual values, sometimes described by Europeans as an absence of “rationality” (Henderson 2000, 61).

The settler politics of *terra nullius* was not applied uniformly over time and across space. In the context of the 1700s, when the relative power of Indigenous nations dictated a nation-to-nation relationship between settler and Indigenous

⁷⁰ Colonial law established the binary of “civilized” vs “primitive” to deny Indigenous sovereignty and title. This is illustrated in a 1919 decision, *Re Southern Rhodesia*, in which the highest judicial authority of the British Empire asserts that “some tribes are so low in the scale of social organization that their usages and conceptions of rights and duties are not to be reconciled with the institutions or legal ideas of civilized society. Such a gulf cannot be bridged. It would be idle to impute to such people some shadow of the rights known to our law and then to transmute it into the substance of transferable rights of property as we know them” (cited in Asch 2002, 25)

nations, the *Royal Proclamation of 1763* illustrates the contradictory impulses that characterize early colonialism. The *Royal Proclamation* recognized that Aboriginal nations, as they are referred to in the document, have possession of and rights to their land. At the same time, however, the Crown asserted sovereignty over the North-eastern part of North America and the exclusive right to purchase land from Indigenous nations. With the demographic and economic shifts in the first half of the nineteenth century, this became the road map for land cession treaties that colonial agents negotiated with Indigenous nations.⁷¹ As the case of British Columbia illustrates, however, Aboriginal title was not recognized consistently and rested on the assumption of underlying Crown sovereignty (Asch 2002).

The numbered treaties, signed between 1871 and 1921, demonstrate the ambivalence of state agents with respect to Aboriginal title, as the federal government was concurrently consolidating all previous “Indian” legislation under the *Indian Act of 1876* (Dickason 2006; Miller 2000). The *Indian Act* provided the legislative framework for repressive policies of assimilation and social control, such as the residential school system and the pass system. It also unilaterally imposed the criteria for identifying who could be registered under the *Indian Act*.

⁷¹ As Usher et al. (1992, 113) note, “the assertion of sovereignty is in effect a declaration of intent to acquire aboriginal lands. Britain acquired underlying title in the sense that aboriginal nations with whom the Crown formed an alliance or offered protection could cede land title only to the Crown, not to other imperial powers, or to individuals. (This doctrine leaves aside, of course, the question of whether the aboriginal nations agreed to, or were even aware of, this arrangement.) However, a lawful process of acquisition was established whereby ‘Indian territories’ (in which the tribes were to be ‘unmolested’) could be converted to ‘general lands’ in which the land and property regime of the colony would apply. Only after such conversion could the Crown dispose of lands to settlers. Formal treaty-making was the normal legal procedure by which the underlying title to Indian territories was converted to a full and unencumbered title”. It should be noted that the understandings of the process and substance of treaties varies significantly, with Indigenous perspectives stressing the intent to share land and resources, not surrender them (Asch 2002; Borrows 2002).

Legitimized by tropes of the “vanishing race” which was allegedly “doomed to extinction”, the *Indian Act* created racialized non-citizens around a “hierarchy of authenticity” (Thobani 2007, 14), produced on the basis of restrictive and gendered criteria of settler state recognition. Inventing the “Indian” was central to the colonial project of disconnecting Indigenous peoples from their land and relegating them to small and scattered reserves. In order to circumscribe Indigeneity in ways that served the purposes of re-settlement, a range of legal processes variably constructed Indigenous subjects as outside the law or as wards of the state, with tightly circumscribed rights restricted to spatio-temporal zones of exclusion (Monture-Angus 1999:30, 52; Thobani 2007, 48).

To summarize, *terra nullius* constitutes the foundation of the settler regime of legality and sovereignty in Canada (Thobani 2007; Asch 2002). Similarly, in the Australian context, Howitt (2006, 54) points out that “the legal imaginary of *terra nullius* established a political framework for thinking about the nature of property in the Australian landscape – the governance of resources, the development, settlement and planning of land use – as if Indigenous peoples’ rights did not exist”. This thinking, I argue, is particularly pronounced in urban contexts. In fact, the reproduction of cities as settler space requires their conceptualization and ongoing policing as *terra nullius*.

PRIVATE PROPERTY AND SETTLER LEGALITY

Property law has been the most important aspect of the settler regime of legality which projected self-serving values and ideologies as “a set of timeless legal truths” (Harris 2004, 177). Clearly, representational and spatial practices are

tightly entwined in the projection of land as private property and the fiction of Crown title.⁷² As Blomley (1994a, 189-190) notes, "the development of property as a form of spatial representation, for example, was shaped by spatial practices linked to the evolving economy. In turn, emergent conceptions of property generated changes in spatial practice, such as the partition of space into privatized sites". The normalization of a Western property regime was part and parcel of the spatial imperative of colonization.

In the context of settler colonialism, narratives of Indigenous dispossession and narratives of private property were essential to the creation of cities as white settler space and the regulation of racialized bodies and spaces (Edmonds 2010). One of the justifications for dispossessing Indigenous peoples and appropriating the land for settlers was that Indigenous peoples were not using the land "properly" (Harris 2004, 170). This self-serving definition of proprietary rights is illustrated in the following Government report from 1886:

Some of the old Indians still maintain that the lands over which they formerly roamed and hunted are theirs by right. I have to meet this claim by stating that as they have not fulfilled the divine command, 'to subdue the earth', their pretensions to ownership, in this respect, are untenable (cited in Usher et al. 1992, 121).

Viewing Indigenous peoples "as people in the state of nature" (Henderson 2000, 70; Quijano 2000), colonial agents acted in the belief that since land was not "developed" in a European sense⁷³, it was ready for the taking, to be transformed into private property.

⁷² See Alfred (1999, 2005) for discussion on Crown title

⁷³ For a discussion of the genealogy of property, and particularly, liberal notions of private property as based on Locke's work, see Blomley (2004)

Critical to the hegemony of a Western property regime were the spatializations produced by the grid and the survey. These representations of space cannot be de-linked from the production of material space and the geographies of white settler violence.⁷⁴ The grid and the survey normalized and legitimized the settler notion of space as consisting of empty squares to be filled, i.e. land waiting to be “settled” and “developed”. This mapping of space into parcels of fee simple title – as if Indigenous title never existed – articulated new relations between colonizer and colonized, insofar as this mapping completely reterritorialized Indigenous lands (Blomley 2003). Harris (2004, 178) notes that,

this new human geography—the survey lines, the property boundaries, the roads and railways, the farms, the industrial camps, the towns—became, from a native point of view, the most pervasive disciplinary technology of all. Superimposed on their former lands, it defined where they could and could not go. Made by newcomers, it was reinforced by property rights held by landowners (or renters or leasers) wary of trespassers, people who knew their rights and where, in their terms, “Indians” belonged.

The exclusionary ideologies and practices of private property continue to function as a powerful form of disciplinary power regulating sociospatial relations in cities (Mitchell 2003). The racialized construction of private property continues to configure contemporary struggles, where settler concerns with property values figure prominently in reactions to recent reclamations of land by Indigenous peoples in Vancouver (Tomiak 2008).

As Pugliese (2005, 91) notes with respect to Ottawa, the reason why urban Indigenous communities did not persist in the 1800s is that “they were simply not

⁷⁴ As Blomley explains (2003, 129), “the establishment of a Western liberal property regime was both the point of these violences and the means by which violent forms of regulation were enacted and reproduced. Space, property, and violence were performed simultaneously”

welcome. Wherever an urban Indian community appears in the records, it is eventually pushed out by townsfolk". These practices reflect the racialized spatial order, with cities as the primary sites of private property held by settler citizens. In 1897, Hayter Reed, Deputy Superintendent of Indian Affairs, stated that "this Department is not desirous of assisting to create Indian reserves in townships which will be opened up for settlement as its experience is that Indian settlements render the localities in which they are situated less attractive for settlement purposes than other localities in which there is no Indian population" (cited in Pugliese 2005, 92).

The complicity of the legal system in excluding Indigenous peoples from property and city-space is highlighted in the descriptions of the evictions of Indigenous peoples from Stanley Park (Barman 2007, 2005; Mawani 2005). The process of remaking Coast Salish land was legitimized as a project of creating a "new civic site intended to cultivate the minds and bodies of Vancouver's British settlers" (Mawani 2005, 325). The Musqueam, Tseil-Watuth, and Squamish Nations who inhabited the region never surrendered title to what is now known as Stanley Park. The justification of the expropriation of Indigenous peoples as the creation of public space also points to the ways in which notions of what constitutes 'public space' and who can have access to it were mobilized to dispossess Indigenous peoples (Barman 2005, 2007; Mawani 2005). These are also bound up in larger structural contexts, as access to property is raced, classed, and gendered, and socially and historically contingent (Mitchell 2003). The unsettling of Indigenous peoples, through evictions and provisions of the

Indian Act, to make space for private property and ‘public’ space was facilitated through the creation of the reserve system.

RESERVES AS ZONES OF EXCLUSION

Reserves, as zones of exclusion and permanent exception (Thobani 2007; Agamben 2005),⁷⁵ were key in the strategy of “emptying” the land of its Indigenous inhabitants. Settler state agents allocated small areas for the use of First Nations to free up the rest for “settlement” and policed the boundaries to ensure the separation between settler society and reserves. As a result of these politico-administrative strategies, Indigenous peoples were deliberately pushed to the margins of the emerging settler society (Alfred and Corntassel 2005; Alfred 2005; Harris 2004). The compartmentalization into reserve/ Indigenous space and rest/ white settler space was also important as a means to draw boundaries around racial categories and to segregate citizens from non-citizens (Razack 2002a).

Seen as “cradles of the Indian civilizing effort” (cited in Dickason 1996, 157), the reserve system began to take shape in the mid-1800s as part of a policy of “peaceful euthanasia” (Miller 2000, 126). The creation of reserves was accelerated when the *Indian Act* came into existence in 1876. Section 18 (1) of the *Indian Act* defines reserves as lands “held by Her Majesty for the use and benefit of the respective bands for which they were set apart, and subject to this Act and to the terms of any treaty or surrender...”. The size of reserve lands and

⁷⁵ As Mbembe points out (2003, 24), “the colonies are the location par excellence where the controls and guarantees of judicial order can be suspended—the zone where the violence of the state of exception is deemed to operate in the service of ‘civilization’”.

number of reserves varies greatly over time and across space, e.g. with a greater number of reserves per First Nation, but much smaller reserve sizes in British Columbia as compared to elsewhere in Canada (Frideres and Gadacz 2008).

The initial state logic of the reserve system was one of eventual elimination of Indigenous nations, but, as Thobani (2007:62) points out, “the zones of exclusion mapped out by the sovereign, marking out the actual sites for the extinction of Aboriginal peoples, have been transformed by the resistance of these peoples into the sites of their survival and renewal, into the sites of the reproduction of their socio-cultural practices”.

Based on these exclusionary mappings, discursive technologies of spatial and political containment have also come to structure expectations of “authenticity”, as the next section shows. These expectations have shaped ways of knowing and seeing Indigenous peoples in relation to the city, through a colonial lens of invisibility and hyper-visibility (Proulx 2006). Together with the state’s steadfast refusal to deal with private property as part of Indigenous land claims,⁷⁶ the processes described above have taken cities virtually out of the equation when it comes to Indigenous rights and title.

NARRATIVES OF ERASURE AND CONTAINMENT

It is evidently the case that geographical imaginations are also imaginative geographies. They involve a cognitive mapping with political intent and material effectivity. This arguably heightens, rather than reduces, the stakes in their construction, circulation and consumption (Castree 2004, 139).

⁷⁶ The Hul’qumi’num Treaty Group (HTG) has been granted a hearing before the Inter-American Commission on Human Rights (IACHR). HTG’s case rests on the assertion that Indigenous rights are being violated through the subjection of their territories to private property rights created by the state (Hul’qumi’num Treaty Group 2009).

Drawing on Lefebvre's (1991) conceptualization of space as inescapably social, I seek to show how discursive and material practices "filter through one another" (Nast and Pile 1998, 5) and are mutually constitutive of historical and contemporary geographies of colonial domination. In this section, I examine a selection of academic, popular, and government texts⁷⁷ to excavate the dominant images and discourses that have constructed Indigeneity in contradistinction to the urban. My aim is to demonstrate how these notions continue to structure contemporary realities. Based on an analysis of histories of Winnipeg and Ottawa and texts dealing with Indigenous urbanization more generally, I sketch how dominant discourses have imagined Indigeneity at a perpetual distance to the city. I argue that this discursive marginalization is recursively linked to the state policies and practices discussed in the previous sections.

The bulk of the literature on Aboriginal urbanization was produced between the late 1960s and early 1980s by non-Indigenous writers (Peters 1998, 237). The final report of the Royal Commission on Aboriginal Peoples (1996) fuelled a renewed interest in urban Aboriginal issues in the late 1990s. Yet, a significant research and information deficit persists with respect to urban Indigeneity. As Walker (2008b, 30) notes, "most non-Aboriginal citizens do not have a clear understanding of local Aboriginal history, historic and contemporary cultural landscapes within city boundaries, and the urban aspirations of Aboriginal communities". This section illustrates how non-Indigenous discourses have cohered around themes of erasure and containment.

⁷⁷ Among the texts analyzed are works by Bond (1968), Brody (1971), Cairns (2000, 2001), Dosman (1972), Flanagan (2000, 2001), Gourlay (1896), Hanselmann (2001), Healy (1927), Hessel (1993), Krotz (1980), Nagler (1973), and RCAP (1996).

While my focus here is primarily on the discursive dimensions of how the settler mind spatialized – or de-spatialized – Indigenous peoples, it is also acknowledged that we need to examine “the diverse, on-the-ground workings of colonialism in colonized spaces” (Harris 2004, 166), as well as the impacts of the “new regime of urban inequality and marginality” (Wacquant 1999, 1640) which disproportionately affects urban Indigenous peoples (Cardinal 2006; Zietsma 2010). My focus in this chapter is on showing how narratives of erasure have contributed the on-the-ground marginalization of Indigenous peoples by insulating city-space from Indigenous claims to sovereignty, title, and citizenship.

When Indigenous peoples are not completely written out of the story of cities, they are only briefly mentioned as a relic of the distant past, before the Indigenous presence fades from view. Historical accounts tend to depict emerging settler cities, such as Winnipeg, as frontier towns, claiming that the historical geographies of the city is “young” (Healy 1927, 9). In a popular history of Ottawa published in 1896, the author asserts that “few traces remain of them; Algonquins, Hurons, Senecas have almost disappeared or at least greatly diminished, so that little reliable can be written of them” (Gourlay 1896, 3).

In a similar vein, almost a century later, *The Ottawa Country. A historical Guide to the National Capital Region* acknowledges archeological evidence of Algonquin presence in the region, but goes on to assert that “all these traces, however, were located upwards of a hundred years ago; little or nothing remains of them today” (Bond 1968, 13). Hence, Indigenous people generally disappear

from histories of Ottawa after the arrival of settlers (Pugliese 2005, 2).⁷⁸ Contemporary Algonquin and Indigenous communities in the region and the fact that Ottawa is on unceded Algonquin territory are completely ignored. The lack of historical writing on urban Indigenous peoples reflects racist notions of “automatic” assimilation which meant that those Indigenous peoples who did live in cities were often over-looked (Pugliese 2005, 6-7).

Another strand of this discourse of erasure is the claim that Indigenous peoples “roamed” the land. Intended to disavow the notion of Indigenous title, it explains the assertion that “to the hereditary wanderers the desolate forests were valueless” (Gourlay 1896, 4). Tropes of Indigenous peoples as lacking any sense of territory were convenient, when alleged transience served as a legitimate excuse for their expropriation. However, parallel to these discourses of “hereditary wanderers”, state policies and practices focused on restricting the movement of Indigenous peoples and keeping them in designated spaces through the reserve and pass systems (Dickason 2006).

In addition, dominant discourses continue to validate the dispossession of Indigenous peoples by reproducing the *Indian Act* geography of selective state recognition. For instance, Hessel (1993, 1) lists ten Algonquin communities, nine on the Quebec side of the Ottawa River, or Kiji Sibi, and one in Ontario. While there is only one reserve community in Ontario, the Algonquins of Pikwakanagan, the federal and provincial governments now recognize nine other non-status Algonquin communities in Ontario (Ontario Ministry of Aboriginal Affairs n.d.). The provincial boundary that was imposed on Algonquin territory has no

⁷⁸ Jenkins (1996) is an exception in this regard.

relevance historically, but it has led to divisions with respect to land rights actions (CBC News 2011).

Popular and academic interest in urban Indigenous peoples increased throughout the 1970s (Peters 1998), but, ironically, Indigenous people came to be framed as the “most recent arrivals in Canadian cities” (Nagler 1973, 1, 63), transient strangers who are not at home in the city (Brody 1971; Dosman 1972; Krotz 1980).⁷⁹ Many Indigenous, primarily First Nations, persons migrated to cities from reserve communities and homelands in the 1950 and 1960s. However, other Indigenous people and entire communities became urban by virtue of being engulfed by expanding cities. For instance, there are several reserves within the Metro Vancouver city-region. In these cases, First Nation peoples were living there before the space became urban⁸⁰ – the city came to them, not vice versa. These Indigenous people can hardly be dismissed as “newcomers” to the city.⁸¹

In asserting that “the city involves a milieu for which he [sic] is not qualified. The city is the very Heart of the industrial ethic, and the location for the kind of employment for which the Indian feels in every way unqualified” (Brody 1971, 27), writers have constructed the city as “modern” and “industrial” in

⁷⁹ An interesting example with respect to the erasure of urban Indigenous peoples which also speaks to the role of private property in the displacement of Indigenous peoples is a 1977 brochure of the Regina Real Estate Association. It presents an ethnic breakdown of the city’s population, but does not list any Indigenous inhabitants, at a time when official estimates (which tend to be conservative) enumerated 20,766 Aboriginal people living in Regina, representing 13.7% of the city’s population (Krotz 1980, 38).

⁸⁰ The urban is not only considered a geographical unit, but also a specific system of social production.

⁸¹ Although large-scale Indigenous urbanization started in the 1960s, it would be misleading to suggest that First Nations and Metis peoples are “new” migrants to urban areas, because Indigenous peoples had been removed from emerging urban centers at turn of the twentieth century. Ignoring this prior displacement from urban areas reinforces a racialized dichotomy of urban and Indigenous geographies, which also conveniently overlooks that a number of reserves are adjacent to or within city limits, dismisses the continued use and ties to spaces that have become urban, and fails to acknowledge the interconnectedness of spaces through the movement of Aboriginal people (Peters 2004, Proulx 2006).

contradistinction to Indigenous peoples who are depicted as “in every way unqualified”. Due in part to essentialist settler notions of Indigeneity as incompatible with “civilization”, “progress”, and “modern life” with which city-life is generally associated, Indigenous people living in Canadian cities also came to be framed as a problem (Peters 1996, 1998). This is apparent in the persistent conflation of urban Indigeneity with extreme poverty.

Representing Indigenous peoples as a threat to the city, a recurring theme equates Indigenous peoples with existing or imminent ghettoization.⁸² Disregarding the structural forces that have marginalized Indigenous peoples, the Indigenous presence itself often came to be linked to the deterioration of inner cities (Peters 1998, 250). In 1972, Dosman (1972, 10) claimed that “the Indians’ move to the city is a case history of an urban slum-in-making” (see also Nagler 1973, 20). Brody (1971, 4) warns that “the swollen Indian skid row populations will be in danger of developing into squalid urban ghettos”. More recently, Cairns (2001, 111) attests to the “depressing reality of ghetto conditions... especially in several of the major cities in the prairie provinces”.

Yet while sociospatial stratification along racialized and classed lines has produced spaces of marginality to which many urban Indigenous people have been relegated (Peters 2003; Cardinal 2006; Cardinal and Adin 2005), not all Indigenous city-dwellers are poor (Wotherspoon 2003). In addition, as Groves (1999, 29-30) points out, “the social disadvantages and marginalization facing

⁸² Wacquant (1999, 1644-1645) defines ghettoization as “culturally uniform socio-spatial ensembles based on the forcible relegation of stigmatised populations to enclaves where these populations evolve group- and place-specific organisations that substitute for and duplicate the institutional framework of the broader society, if at an inferior and incomplete level”.

many Aboriginal people in urban areas is not, of course, unique to urban areas or uniquely caused by urbanity", but must be evaluated in the context of the historical and ongoing processes of dispossession and domination. Residential patterns of Indigenous peoples in cities vary greatly; overall Indigenous residents "may be more evenly distributed overall than some other ethnic groups" (Maxim, Keane and White 2003, 88).

The conflation of urban Indigeneity with extreme poverty also means that Indigenous people are only seen in certain contexts. In 1971, Hugh Brody wrote that "one sees [emphasis in original] very few Indians in the city outside skid row" (Brody 1971, 4). In fact, Indigenous people who live in other parts of the city or who have always lived in or just outside of cities were simply ignored. One of the participants interviewed for a research project that explored Aboriginal identity and community in Toronto explains that "the drunken Indian is ten feet tall, but a sober one is invisible. No one notices all the ones that they pass, that are on their way to work, on their way home, on their way to committees, whatever. No one notices those ones, but everybody notices the one that is drunk on the street" (cited in Proulx 2006, 414). A classed and racialized settler perception, to a large extent, determines who is visible as Aboriginal in the first place.

Tensions appear to exist between (earlier) assertions of an Indigenous inability to assimilate and the (more recent) claim that assimilation is an unavoidable effect of urban life.⁸³ Cairns (2001, 111) reinforces the latter notion by stating that "the Aboriginal future is within Canada, for both Aboriginal peoples living in cities and those living in organized communities". According to this logic,

⁸³ For further discussion, see RCAP 1996, 519; Andersen and Denis 2003.

Indigenous peoples living in cities do not form organized communities. Instead, they are conceptualized as atomized individuals, who are easily assimilated, if not already assimilated (Flanagan 2000; Flanagan 2001, 116). Flanagan (2000) altogether dismisses the concept of Indigeneity and the rights and entitlements that flow from this concept, claiming that “except for small numbers of older people living mostly in remote locations, aboriginal people now live very much like other Canadians” (Flanagan 2001, 116). The evidence cited in support of this assertion is weak and based on deeply Eurocentric notions of what it means to be Aboriginal. Drawing on discredited notions of civilizational development, Flanagan erases urban Indigenous peoples by claiming that their Indigenous difference does not exist or, in his estimation, is not “real”.

This is further illustrated by the statement made by Dosman that Indigenous peoples have always been present in Saskatoon, but he qualifies this observation by dismissing their sense of Indigeneity and their identities as Indigenous peoples, noting that “some Métis families had taken up residence in the city early in its century-old history, but they had long lost a consciousness of, and pride in, native ancestry” (Dosman 1972, 4). The predominant message is that to be urban is to “lose” one’s Indigeneity, particularly all of the collective aspects and rights associated with it.

The final report of the Royal Commission on Aboriginal Peoples (RCAP 1996) draws attention to urban issues, but avoids mention of communities; instead it talks about Aboriginal people in urban areas (see Andersen and Denis 2003). RCAP frames urban Indigeneity in problematic ways, because it privileges

a land-based model of nation at the expense of urban realities. Indigenous identities are strictly associated with a rural setting which, as Andersen and Denis (2003) have argued, is a conceptually convenient way for the Canadian government to dismiss the rights and entitlements of Indigenous peoples living in cities – and their nationhood. This is a further illustration of the binary at work here, which constructs urban Indigenous peoples as atomized individuals and Indigenous peoples who live in rural areas as belonging to organized communities.

Equating urbanization with assimilation is a convenient way for the settler state to avoid engagement with urban Indigenous peoples as peoples with inherent rights. This is part of a socio-spatial strategy aimed at displacing Indigenous claims to urban space, as well as collective access to self-determination and resources. In this sense, the following observation by Proulx (2006, 413) has significant political and economic implications:

Aboriginal peoples in cities still confront long-standing non-Aboriginal misconceptions or stereotypes that “authentic” Aboriginal peoples can only be found on reserves... where they live mystical and ecologically correct lives in the uncivilized, “natural” world. Aboriginal identity cannot be authentic in cities because it is impossible for Aboriginal urban dwellers to live this romantic and essentialized non-Aboriginal vision of Aboriginal peoples.

Indigenous persons and communities in cities have been erased by persistent settler claims that they are not “authentic” or “real” (Lawrence 2004; Proulx 2006, 413). The relative scarcity of academic writing on urban Indigenous realities may be due in part to this spatial imaginary.⁸⁴ Together with state

⁸⁴ Graham and Peters (2002, 16-17) identify four current themes ghettoization, mobility, cultural survival, and issues related to the provision of social services Indigenous perspectives have stressed the importance

policies, this form of displacement through narratives of erasure and containment has marginalized Indigenous peoples from the benefits of city-life and confined them to constructions of degenerate space (Razack 2002b).

CONCLUSION: DISPLACING THE SPATIAL LOGIC OF COLONIALITY

This sketch of representations of Indigenous peoples in relation to urban spaces is central to understanding the contemporary struggles of Indigenous peoples against the scalar void that has been produced through various technologies of power, including narratives of erasure. The reproduction of this scalar void is perhaps the most consistent feature of the writing on urban Indigenous peoples. That is, while the projects of the authors discussed above vary greatly – from the outright dismissal of the very notion of Indigeneity to appeals to improve the quality of life of Indigenous persons who reside in cities – the texts largely reproduce the erasure of Indigenous nations, geographies, and scales of governance.

These discourses thus illustrate the persistence of the fiction of terra nullius, and, as Edmonds notes (2010, 7), that cities “remain places of the most thoroughgoing extinguishment of Native title”. The suppressed historical geographies of settler cities are therefore central to the project of de-linking what are polysemic and highly contested urban spaces from the logic of coloniality.

According to Fanon (1967, 34-35), the racialized, colonized subject is treated as if “he [sic] has no culture, no civilization, no long historical past”, as “the eternal victim of an essence”. The aim of this chapter was to show that

of maintaining and enhancing cultural identities, as well as issues of visibility, racism, and self-determination (George 1992, RCAP 1996 Belanger et al 2003)

entrapment in this “crushing objecthood” (Fanon 1967, 109) is implicated in the “real” colonial project of displacement and dispossession. The dominant narrative that produced “European settlers as the bearers of civilization while simultaneously trapping Aboriginal people in the pre-modern” (Razack 2002a, 2) constructed the city as “new”, “modern”, “civilized”, and “innocent”. The settler city thus enabled settlers to imagine themselves as the original inhabitants and continues to bolster the territorialization of the settler nation. As the next two chapters demonstrate, this particular spatialization of Indigeneity and subjecthood in Canada continues to be reinforced through public policy and the law.

CHAPTER 4: THE URBAN ABORIGINAL POLICY NEXUS: A MULTI-SCALAR PERSPECTIVE

INTRODUCTION

The discussion of the urban Aboriginal policy nexus in this chapter situates multi-scalar settler state discourses and interventions within the wider trajectory of Indigenous-state relations in Canada. In fact, looking at the urban scale in isolation, without making the connection to policies in relation to Indigenous peoples more broadly, reproduces the scalar void. I argue that a fundamental reconfiguration of Indigenous-state relations is required to decolonize cities. This reconfiguration is needed to move past what Ladner and Dick (2008) identify as paradigm paralysis with respect to Aboriginal policy in Canada. Paradigm paralysis reflects the unwillingness of state agents to displace the logic of coloniality.

This chapter provides an overview of the larger policy frameworks in which urban Indigenous governance is embedded from a political economy perspective. The usefulness of a political economy approach to policy lies in its holistic and critical orientation. As Graefe (2007, 19) notes, “political economy’s concern with the interaction of economic, social, cultural, economic-political factors, its interest in the distribution of social power between actors, and its close attention to the question of ‘who benefits’, provides useful tools for understanding and explaining variations in policy across space and time”. In addition, this chapter reiterates a pluralist orientation which is also pivotal in the critical scale literature, as well as critical legal studies and political economy approaches. That is, rather than

conceptualizing Aboriginal policy as a neatly integrated, unified whole, this chapter fleshes out some of the tensions that bring the fragmented and contested nature of the urban Aboriginal policy nexus into view.

The urban Aboriginal policy nexus will be examined using a multi-scalar lens which sheds light on the composite constitution of political spaces, subjects, and identities. Rather than presenting a comprehensive history of policies related to Indigenous peoples in Canada, my focus is on extracting “policy storylines” (Fischer 2003, 86), in order to situate the discursive framings and ideological assumptions underlying public policy at and across multiple scales and over time. More specifically, I trace how the terrain of meaning making, as an essential part of politics (McKeen 2004, 22),⁸⁵ has shifted when liberal discourse was infused with and, to some extent, superseded by neoliberal rationalities and constructions of Indigenous subjects. This chapter thus delineates overlapping and competing settler state policy eras and rationales along the major themes of co-existence, segregation, assimilation, partnership, and marketization.

This chapter begins with a general outline of the contemporary urban Aboriginal policy nexus. This is followed by brief accounts of federal policies with regard to Indigenous peoples in cities, including the Urban Aboriginal Strategy (UAS). Then, I go on to examine Manitoba and the City of Winnipeg’s policy landscapes with respect to urban Indigenous peoples. Finally, I address how Ontario and the City of Ottawa have begun to engage Indigenous communities. It will become clear that policies at all scales are aimed primarily at economic

⁸⁵ As Fischer (2003, 13) points out, “basic to the politics of policy-making, then, must be an understanding of the discursive struggle to create and control systems of shared social meanings”.

participation. This discussion helps to contextualize the actually existing forms of Indigenous governance in Ottawa and Winnipeg which will be discussed in chapters seven and eight.

THE URBAN ABORIGINAL POLICY NEXUS

As mentioned above, urban Aboriginal programming and governance cannot be analyzed in isolation from the larger Aboriginal policy context and the interplay of multiple, often competing, scalar arrangements. The ‘urban Aboriginal’ category is problematic, because it suggests a stable, separate, and static population without accounting for the actual mobility of Indigenous, especially First Nations, peoples (Proulx 2006; Peters 2004; Cooke and Belanger 2006). The connections to land-based and home communities cannot be overstated, as the majority of urban Indigenous citizens retain close ties with their communities of origin (Urban Aboriginal Task Force 2007a; Environics Institute 2010). In a recent survey, 32 percent of Inuit and 28 percent of status First Nation participants reported that they plan to return to their home communities permanently, with another third of respondents considering it (Environics Institute 2010, 35). Drawing attention to the aspirations of Indigenous peoples in cities should in no way be construed as justifying the eradication of, or continued disinvestment in, land-based First Nation, Métis, and Inuit communities.

Thus far, federal and provincial governments have done poorly in taking urban First Nation, Inuit, and Métis realities into account and ensuring that programs and services are available regardless of place of residence. This persistent lack of coordination and collaboration has negatively affected the

quality of life of Indigenous people who live in cities. Much of this is due to an alleged lack of clarity with respect to jurisdictional roles and different interpretations of s. 91(24) of the Constitution. As pointed out by Allec (2005, 1), “the long standing conflict between the provincial and federal governments has negatively impacted First Nations peoples and has resulted in the patchwork of fragmented services, problems with coordinating programs, under-funding, inconsistencies, service gaps, and lack of integration”.

Provinces have generally insisted that the federal government should pay for services for persons registered under the *Indian Act* as well as other Indigenous people regardless of place of residence. The federal government has maintained that its primary responsibility is to fund programs and services for persons registered under the *Indian Act* and residing on-reserve. Jurisdictional wrangling between federal and provincial governments over fiscal responsibility for urban Aboriginal peoples has resulted in fractured, inconsistent, inadequate, or simply non-existent programming (RCAP 1996; Hanselmann 2003). This has been particularly difficult to navigate for urban First Nation citizens who “fall under and are affected by multiple jurisdictions that put many, often competing or contradictory, demands on them; this leads to uncertainty, inefficiency and confusion” (Rust 2007, 6).

Provincial governments generally do not provide Aboriginal-specific services, pointing to available mainstream services instead (Stokes et al. 2004; Abele and Prince 2002; Hanselmann and Gibbins 2003; RCAP 1996). When the Urban Aboriginal Strategy (UAS) was announced in 1998, Manitoba was the only

province “that would publicly identify Aboriginal policies and programs” (female, representative of INAC, Ottawa, October 22, 2008). However, despite the provinces’ general reluctance in a climate of reduced transfers from the federal government and the constitutional authority of the federal government, provinces have come to play an ever-increasing role in Aboriginal governance (Papillon 2007, 307).

In addition, municipal governments and urban planners have largely ignored Indigenous communities (Peters and Walker 2005). This is due in part to the political distance between local governments and First Nation peoples whose rights and treaties are substantiated at the federal scale (Walker 2008b, 23). In terms of the rights-based arguments, local governments are furthest away from Indigenous groups, but in terms of the needs of Indigenous residents, municipal governments are often closest. This creates a paradoxical situation in that “Canada’s urban governments are simultaneously closest to and farthest away from jurisdictional potency on urban Aboriginal matters” (Graham and Peters 2002, 9).

Overall, Aboriginal-municipal relations have been non-existent or fraught with tension, particularly in regard to land issues (Dust 1995; Tomiak 2008). As a participant commented, “I think there is always the tension with the municipalities across the country. You know, municipalities perceive First Nations as being in competition sometimes, and a drain on resources” (male, representative of national Aboriginal organization, Ottawa, October 23, 2008). Noting that the

reluctance to engage is also a political stance with respect to the “proper” scale of engagement, an interviewee explained the issue in the following way:

The federal government does not necessarily touch urban Aboriginal people in quite the same way. I mean obviously municipal government that's where the rubber hits the road. And the irony is that that's the one level of government a citizen, Aboriginal and non-Aboriginal, has a tendency to pay the least amount of attention to, despite the fact that they do have a direct daily impact on our lives. And certainly, from an Aboriginal perspective, I think it's safe to say if you're going to consider participating in the democratic process, you might be inclined to do it at the federal level, simply because that's where you know a lot of our rights emanate from is that relationship with the Crown through the federal government. At least for First Nations people, I think there is a sense that if they're participating in/ sometimes from a nation point of view, they're reluctant to do anything/ federally, but provincially or municipally, they may not participate simply because there might be a sense that they're selling out. And the irony is again you know as a citizen, if you're in the city, and I look at this with respect to my own life, you know, I own a house, I have a wife, I have children, we pay taxes and whether you hire a lawyer or you talk to an MP or an MPP, your town councilor or city councilor, they represent you. And you have every right and responsibility to go to that person and ask them to represent your interests and expect the best. You know a lot of people I think from the Aboriginal perspective don't go near them. And I think it's changing because people are just becoming better informed about rights, and responsibilities and expectations (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

While many urban Indigenous citizens look to their own (First Nation, Métis or Inuit) governments for political representation, Indigenous governing bodies have, for the most part, been unable to provide an adequate level of services for off-reserve or out-of-territory citizens. The inherent jurisdiction of Indigenous nations has been undermined by a funding environment that has often left First Nation governments in a position where they cannot provide an adequate level of services to citizens who reside on reserve, let alone those living away from their home communities. In 1996, the federal government placed a 2 percent funding

cap on core services for First Nations, without accounting for demographic growth and inflation (Assembly of First Nations 2009). It should be noted that, in many cases, there is a direct correlation between the lack of access to services in First Nation communities, such as specialized medical services, and the decision to move to urban centres.

Families forced to move to where services are located may find that access to employment, education, housing, social services, and social support networks can pose challenges. Allec (2005, 33) notes that when a family is in a situation where they need to access the provincial Income Assistance program, the Department of Indian and Northern Affairs Canada (INAC)⁸⁶ will not reimburse the province due to the family's off reserve status. In effect, what this means is that "jurisdictional ambiguity has allowed both levels of government to minimize respective responsibility for First Nations entitlement to health services" (Allec 2005, 17).

With an array of state and non-state actors involved in urban Aboriginal governance, it is crucial for the well-being of urban Indigenous persons and communities to reshape the relationships among municipal, provincial, federal and Aboriginal governments (Walker 2006; Newhouse 2003; Graham and Peters 2002). Cardinal (2006, 225) frames the problem in the following way:

Municipal, provincial and federal governments all are critical players in the quality of life of urban Aboriginal people, but serious confusion exists around each level of government's role and responsibilities which often leaves urban Aboriginal people ill-covered in terms of cultural, social and economic services. Furthermore, Aboriginal

⁸⁶ Note that the federal department responsible for Indigenous peoples was renamed. As of May 2011, the department is referred to as Aboriginal Affairs and Northern Development Canada (AANDC). Where interviewees and documents (prior to May 2011) reference the department, the old name will still be used.

people need to be actively involved in such discussions as an equal body, a fourth level of government, to examine roles and responsibilities of the urban Aboriginal community, with such issues as the devolution of services and urban Aboriginal governance.

The research literature identifies an urgent need for a more comprehensive continuum of care across jurisdictional divides and uncertainties (Allec 2005; Pitawik 2008; Graham and Peters 2002). However, as the discussion in chapters seven and eight illustrates, pan-Aboriginal solutions, as proposed by Cardinal above, and the downloading of programming may not be the solution favoured by all. Other ways of creating a continuum of services include the empowerment of host Indigenous nations and First Nation Tribal Councils, in order to strengthen connections between Indigenous governments and their citizens.

What I identify as a scalar void with regard to urban Indigenous peoples is, I argue, not the result of “serious confusion” so much as it reflects a deliberate colonial and more recently neoliberal strategy of disconnecting Indigenous peoples from their lands and nations in favour of a form of Canadian citizenship that centres around objectives of individual self-sufficiency and community responsibilization.

FEDERAL POLICIES: CONTINUITY AND CHANGE

This section outlines the trajectory of federal policies and programs for Indigenous peoples living in urban areas.⁸⁷ In outlining the main features of Canada’s Aboriginal policy framework, I stress the continuity of federal policy with regard to its adherence to a colonial paradigm, as all policies have shared a

⁸⁷ For a list of federal programs for urban Aboriginal people, see Standing Senate Committee on Aboriginal Peoples (2003), Appendix I.

deep commitment to the normativity of Canadian citizenship and the integrity of the nation-state (Howlett 1994).⁸⁸

Consolidated in the *Indian Act* of 1876, federal ‘Indian policy’ in Canada was driven by racist and paternalistic notions of Indigenous peoples as in need of being segregated from settler society and thus “protected” from “modern” society, until they could be “civilized” through an aggressive program of assimilation (Peters 2001b, 58; Tobias 1991). The overarching goal of state policies is perhaps most vividly expressed by Duncan Campbell Scott, an influential bureaucrat in the Department of Indian Affairs in the early 1900s, who stated that he wanted to “get rid of the Indian problem... Our objective is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question, and no Indian Department and that is the whole objective of this bill⁸⁹ (cited in Titley 1986, 50).

While the self-serving belief that Indigenous peoples were a “vanishing race” appeared to be widespread at the time, it became increasingly clear to administrators that Indigenous peoples would not disappear. Since the mid 1900s, Indigenous peoples have been the fastest growing population in Canada (Bohaker and Iacovetta 2009).

As previously noted, the growing Indigenous urbanization after the Second World War can be largely attributed to a shift in Canada’s Indian policy, from

⁸⁸ Abele, Graham and Maslove (1999) identify four paradigms in Aboriginal affairs: 1) the poverty paradigm which treats Aboriginal peoples as an economically disadvantaged minority; 2) the malcontents paradigm which asserts that Aboriginal are to blame for their plight because they developed a culture of complaint and victimization; 3) the unequal individual rights paradigm which proposed the extension of full individual citizenship rights as an avenue to equality; and 4) the land/ title paradigm which sees continued expropriation as the main contributor to Aboriginal peoples’ marginalization.

⁸⁹ Introduced in 1920, Bill 14 included forced enfranchisement (loss of status).

segregation to integration, coinciding also with the emergence of the Keynesian welfare state. The recommendations of the Special Joint Committee of the Senate and House of Commons (1946-48) and the Joint Committee of the Senate and House of Commons (1959-61) signal a shift in federal policy away from aggressive assimilation attempts⁹⁰ to a more integrationist program (Peters 2001b, 60). It was not until 1960 that First Nation persons registered under the *Indian Act* were able to vote in federal elections and, nominally, received Canadian citizenship. Yet, my argument is that the eradication of Indigenous peoples as peoples who possess collective rights and title by legislative, socio-economic, and other means has remained a persistent feature of state policies until the present.

From the Second World War until 1966, Indian Affairs was a branch of the Department of Citizenship and Immigration, and policies were modeled on those aimed at integrating immigrants. Bohaker and Iacovetta (2009) point out that policies constructed Indigenous peoples as immigrants in need of Canadianization programs. In the 1950s and 1960s, urbanization was widely heralded – e.g. in the 1966/7 Hawthorn report – as a solution to First Nations poverty and the systemic underdevelopment of reserves (Peters 2001b, 61). The Citizenship branch of the federal government launched an Indian Integration program in the mid 1950s, appointing placement officers to help with finding employment in cities. This, however, was not a large scale program. Rather, it

90 Examples are the residential school system (Chrisjohn and Young 2006) and compulsory enfranchisement (Lawrence 2003, 2004).

carefully selected approximately 1,000 clients in 1965/66. The program was phased out in the mid 1970s (Peters 2001b).

The Citizenship branch also began supporting Friendship Centres. Friendship Centres emerged as important urban Indigenous institutions in the 1950s, initially as a referral service. Seen as agents of integration by the federal government (see Lagassé cited in Peters 2001b:76), Friendship Centres, however, followed a very different logic based on self-determination and community-building, as will be discussed in chapter six.

The aim of these programs was to assimilate First Nation people by moving them off reserve and integration into a highly racialized, gendered, and classed labour market. The government thus used education and training programs to depopulate reserves (Bohaker and Iacovetta 2009, 444). Bohaker and Iacovetta (2009, 448) note that a

long-standing cornerstone of government policy towards status Indians specifically was to encourage relocation from reserve communities to urban centres. Such a policy was attractive for three reasons. First, income earned off-reserve is generally taxable, especially if the employee also lives off-reserve. Second, off-reserve employment was preferable to and easier than encouraging economic development on often isolated reserves. Third, off-reserve employment increased the likelihood that people would meet and marry non-status people and stay put in urban centres, and thus they (or their children) would no longer be the financial responsibility of the federal government.

Given the way state agents have “employed the spaces of Reserve and city to define different categories of Indians and different modes of administration” (Peters 2001b, 74) and given the way spatial distance has thus served to differentiate among Indigenous peoples, urbanization was seen as a strategy of

relieving the federal government of fiscal responsibility for First Nation peoples. As an interviewee explained, “if every First Nation person lived in a First Nation community and the federal government had to pay for all of them, it would go broke. I mean it worked very well for them” (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).

This agenda was spelled out in *The Statement of the Government of Canada on Indian Policy* of 1969, which came to be known as the *White Paper*. The *White Paper* proposed to abolish the legal category ‘Indian’, collective rights, and Aboriginal title. It further proposed to privatize reserve lands, dismantle the Department of Indian Affairs, and off-load responsibility to the provinces (Canada 1969). As such, the *White Paper* represented a wholesale rejection of the principle of Indigeneity and inherent and treaty rights. Consequently, it galvanized Indigenous leaders and served as the catalyst for a resurgent Indigenous rights movement (Cardinal 1999 [1969]; Turner 2006). Although the proposed changes were not implemented, the *White Paper* represents a pivotal moment in Indigenous-Canadian relations.

While the assimilationist spirit and liberal ideology of the *White Paper* have by no means disappeared, Indigenous peoples were not only successful in pressuring the government to rescind the *White Paper*, but also in securing constitutional recognition of their Aboriginal and treaty rights in 1982. This meant that Indigenous peoples could no longer be pushed aside on the public policy stage (Abele, Graham and Maslove 1999). As Ladner and Dick (2008) note, “like a phoenix rising out of the ashes of the fires of hell, Indigenous people and their

nations emerged from the 1960s in a transformative state of rebirth, resistance, cultural renaissance, quiet revolution, resurgence, and red explosion".

Much of the push for Indigenous rights that culminated in the recognition of Aboriginal rights in s. 35 of the *Constitution Act, 1982* was concentrated in cities. The growing political movement connected land-based issues and claims to urban spaces, as this is where Indigenous actors engaged governments. Seen in this way, the resurgence that began in the late 1960s traversed those and other scales, most notably by pressing claims in international forums (Ladner and Dick 2008; Niezen 2000, 2003).

An important change in federal policy that has occurred since the 1969 *White Paper* pertains to the way in which funds are spent and administered by Indian and Northern Affairs Canada (INAC). While in the late 1960s, federal spending was devoted to services and infrastructure, the vast majority of INAC's program dollars are currently tied up in contribution agreements with First Nation governments which administer the programs (Abele, Graham and Maslove 1999, 258). Until the late 1980s, the ability of First Nation communities to use discretion in spending funds transferred from Ottawa was very limited, as "these payments were rigidly controlled" (Abele, Graham and Maslove 1999, 282). Beginning in the 1990s, a new approach saw the proliferation of funding agreements which provided more leeway in terms of how funds are spent (Slowey 2008). These block grants are more in tune with First Nation self-government aspirations. However, the parameters of program delivery continue to be tightly controlled by Ottawa. Rather than indicating a paradigm shift, these new funding arrangements

illustrate neoliberal goals with respect to small government and the responsibilization of communities and techniques of governing at a distance.

With its final report published in 1996, the Royal Commission on Aboriginal Peoples (RCAP) represented a turning point with respect to urban Aboriginal peoples in that it identified an acute information and policy vacuum (RCAP 1996, 519). Although the treatment of urban Indigenous realities in the final report has been the subject of critique due to the narrow conceptualization of Aboriginal identity, nation, and self-government (Andersen and Denis 2003; Belanger et al. 2003), RCAP effectively put urban Aboriginal issues on the agenda of policy makers (Graham 1999). This is reflected in the federal government's official policy response, *Gathering Strength: Canada's Aboriginal Action Plan* (Indian and Northern Affairs Canada 1997). In it, the federal government broadened the scope of its policy, stating that "while it has a unique relationship with Inuit and First Nations communities, Canada recognizes that Métis, off-reserve and urban Aboriginal people face significant and growing challenges. As a result, many of the initiatives for renewal apply to all Aboriginal people without regard to their status or where they live" (Indian and Northern Affairs Canada 1997, 4).

Together with the Urban Aboriginal Strategy (UAS), *Gathering Strength* is indicative of a shift towards greater recognition and redistribution with respect to urban Aboriginal peoples (Privy Council Office 1998). In addition to demographic and socio-economic factors, this shift has also been induced by Indigenous activism, most notably litigation, as will be discussed in chapter five. The Prime Minister's Task Force on Urban Issues (Prime Minister's Caucus Task Force on

Urban Issues 2002) and 2004 Throne Speeches (Privy Council Office 2004a; 2004b) provide further evidence that since the release of RCAP's final report in 1996, urban Indigenous issues – and cities, more generally – have received more attention.

In addition, the term Aboriginal has become more prominent in relation to federal programs, with a centralization of Aboriginal programs. In 2004, the UAS, which was initiated under the Privy Council Office, moved, along with the Office of the Federal Interlocutor for Métis and Non-Status Indians (OFI), to the Department of Indian and Northern Affairs Canada (INAC), underscoring the shift to an 'Aboriginal' agenda, more inclusive of non-status First Nations, Inuit, and Métis peoples. More recently, this shift was formalized in the name change of the federal department, to Aboriginal Affairs and Northern Development Canada, in May 2011.

As noted by the interviewee below, the widening of the scope of federal responsibility and programs, however, has not necessarily entailed greater investments.

Since 2002, I mean there really hasn't been a lot of new programs that the federal government created for Aboriginal people specifically. However, there has been a bit of a shift in terms of existing programs and their allocation to Aboriginal people in cities. While there haven't been new programs, we have worked closely with other departments to make sure that existing programs respond more specifically to the needs of Aboriginal people in cities (female, representative of INAC, Ottawa, October 22, 2008).

While this shift is primarily owing to the changing demographic realities, particularly in Western Canada, where young and increasingly urban Indigenous populations constitute a significant portion of the overall population, it has not

meant significant investments that address the actual needs. The large number of urban First Nation residents is, to a large extent, also a direct result of federal policies related to the chronic under-funding of First Nation communities and the restrictive *Indian Act* regime of status and entitlement (Lawrence 2003, 2004; female, representative of national Aboriginal organization, Ottawa, June 5, 2009). Therefore, this shift should not be seen as constituting a reversal of the “old logic” of federal policy which sought to disconnect Indigenous peoples from their territories and nations. In fact, the discussion of the Urban Aboriginal Strategy in the next section will illustrate that a greater role for urban Aboriginal organizations in the delivery of services has not brought about a paradigm shift, but is indicative of the neoliberalization of state policies and practices.

THE URBAN ABORIGINAL STRATEGY

The Urban Aboriginal Strategy (UAS), announced in 1998, can be seen as a central manifestation of the shift in federal policy discussed in the previous section. As described by an interview participant, the UAS was initiated in 1997 by Minister Axworthy from Winnipeg, Minister Goodale from Regina, and Minister McClellan from Edmonton,

because they were looking at their constituencies and seeing that the number of Aboriginal people within the cities that they were representing were facing challenges. And yet, there was nothing that they could do from their perspectives, from a federal government/ so, they went forward and said look, this is what we see, is there anything that the Government of Canada can do address these issues? (female, representative of INAC, Ottawa, October 22, 2008)

It was decided, in keeping with the dominant spatialization of Indigenous peoples and rights, that the Office of the Federal Interlocutor for Métis and Non-

Status Indians (OFI) would be responsible for developing and implementing this initiative. With respect to the capacity to implement far-reaching changes, there were challenges related to the positionality of OFI within the administration. More specifically,

the OFI reported to the Federal Interlocutor for Métis and non-status Indians, but not really a full-fledged Cabinet position. Fortunately, what has happened was that the Federal Interlocutor was kind of always a secondary role attached to another Cabinet portfolio, so it tended to have senior Cabinet members be the Federal Interlocutor, but they didn't necessarily have the resources... attached to those responsibilities, so you have a Federal Interlocutor, but you don't have resources attached to it, either financial or human, and you don't have any responsibilities with teeth in them. So [it was] difficult in terms of playing a leadership role, because you can't necessarily bring the resources to bring others around the table (female, representative of INAC, Ottawa, October 22, 2008).

However, at this juncture, there appears to have been some momentum to address urban Aboriginal issues, as a response to the final report of the Royal Commission on Aboriginal Peoples was also in the works at this time. A working group established in 1997 came up with options for a federal strategy and presented those to Cabinet for consideration in December of the same year. At the Cabinet level, it was decided that the Government of Canada should take action on urban Aboriginal issues, "however, there was still a high degree of hesitancy to do anything that would imply that the Government of Canada is taking ownership" (female, representative of INAC, Ottawa, October 22, 2008). Concerns pertained to financial responsibility and the implications a strategy would have on the interpretation of s. 91(24). Although the UAS was announced in 1998, it remained a policy directive without dedicated funding until 2003.

The UAS was conceptualized as a mechanism to facilitate partnerships and enhanced coordination among federal, provincial, and municipal governments, and community organizations in order “to support projects that address local priorities” (Urban Aboriginal Strategy n.d.). These projects are supported through Multi-year Comprehensive Funding Arrangements (MCFA) or Comprehensive Funding Arrangements (CFA). Each UAS community creates a Community Committee, mandated to “partner with the private sector and all levels of government to accelerate planning, funding decisions and responses to urban Aboriginal issues. Each Community Committee is composed of a cross section of the Aboriginal community to ensure decisions reflect broad community concerns and priorities” (Urban Aboriginal Strategy n.d.). The UAS also encourages federal departments to increase horizontal collaboration, e.g. through harmonizing terms and conditions.

In 2003, only Census Metropolitan Areas – Vancouver, Edmonton, Calgary, Regina, Saskatoon, Winnipeg, Thunder Bay, and Toronto – were included under the UAS. With additional funding provided in 2004, the UAS was expanded to four additional cities: Prince Albert, Thompson, Prince George, and Lethbridge; these are all smaller cities with a high proportion of Aboriginal residents. CMAs receive \$1 million and smaller cities \$400,000 in annual funding from the federal government, with Thunder Bay falling in the middle with \$600,000. Ottawa, the latest addition to the program in 2007, is a second tier city based on the smaller share of Aboriginal residents (female, representative of INAC, Ottawa, October 22, 2008).

The UAS governance template provides two models, the Shared Delivery Model and the Community Entity Model. The latter involves the creation or designation of an entity which signs a contribution agreement with the Government of Canada and then manages the third party delivery of programs and services. The Shared Delivery Model entails the establishment of a common table which makes funding recommendations based on a RFP process (Indian and Northern Affairs Canada, UAS Backgrounder n.d.). In Winnipeg, the Aboriginal Partnership Committee has taken on the role of UAS community committee. In Ottawa, the UAS-Ottawa Steering Committee was created to make funding recommendations.⁹¹

In 2003, \$25 million were allocated for pilot projects in the eight designated cities. In 2004, an additional \$25 million was made available for the now 12 cities included under the UAS. In 2006, it was apparent that the UAS was leveraging funding from other levels of government and that the projects were having a positive impact, which resulted in a five-year renewal of the UAS and funding of \$69.5 million. In addition to increased funding, the so-called enhanced Urban Aboriginal Strategy also entailed the identification of three project priority areas: improving life skills; promoting job training, skills and entrepreneurship; and supporting Aboriginal women, children and families (Indian and Northern Affairs Canada, UAS Backgrounder n.d.). The stated aim of the enhanced UAS is “promote the self-reliance of — and increase life choices for — Aboriginal people in urban centres” (Urban Aboriginal Strategy n.d.). Neoliberal ideals of self-

⁹¹ It is important to note that federal departments review all project proposals, regardless of whether a Community Entity Model or a Shared Delivery Model has been chosen by the communities.

reliance and choice are central to how the initiative was conceptualized and rolled out, with a strong focus on marketization and entrepreneurship. The focus on families, especially children, has also been linked to neoliberal rationalities (McKeen 2004; McKeen and Porter 2003; Pulkingham and Ternowetsky 1997).

The UAS funding itself is not sufficient to meet the demand for Aboriginal programs in cities. Rather, the funds are considered strategic incentives to a) create relationships among Aboriginal organizations and governments, and b) to leverage money from other levels of government. For the refocused UAS, federal funding is provided on a shared (50:50) basis with provincial and municipal funding. As noted in the UAS Backgrounder,

the UAS has proven effective in leveraging monetary and in-kind contributions. To illustrate, between 2003-2006, the Government of Canada invested \$28.7M through the UAS, levered an additional \$9.6 M from other federal departments and an additional \$21.8M from partners outside of the federal arena (\$9.2M from provincial governments; \$1.6M from municipalities; \$4.2M from Aboriginal organizations and \$6.8M from other sources, non-profit sector, community foundations, private sector, etc) (Urban Aboriginal Strategy n.d.).

This quote illustrates that the federal government does not carry the main fiscal burden, and a number of interview participants questioned the leadership of the federal government in the context of the UAS, more generally. However, interview participants also acknowledged the utility of the convergence brought about by the UAS. As one interviewee commented,

I think what the Urban Aboriginal Strategy is excellent for is the ability to lever that kind of money. And it also creates strong relationships between Aboriginal organizations. It's an element that brings cohesiveness and a desire to focus on the problems that are at hand *together*. It's one person like myself fighting in the wilderness, but it's another when I have 6 or 7 colleagues at the table who have the

same voice, the same needs, and the same aspirations as I do. So I think that's a critical piece. Money, no, there's not enough there – but the other pieces are important (female, representative of Aboriginal service provider, Ottawa, October 27, 2008).

A more in-depth analysis of how the UAS has changed urban Indigenous governance in Winnipeg and Ottawa will be provided in chapter eight.

CLOSING THE GAP: MANITOBA AND URBAN ABORIGINAL PEOPLES

Aboriginal people in Winnipeg represent a vibrant, growing community with much to offer. Aboriginal people in Winnipeg want the same recognition, respect, trust and understanding as other cultural groups in the city. Aboriginal people also wish to maintain the entitlement of being Aboriginal that comes from the constitutional responsibilities of all governments and the historical, financial, treaty, and fiduciary responsibilities of the Federal Government (Manitoba Roundtable on Environment and Economy 1998, 5).

In the late 1990s, then-Premier Filmon stated that “no single issue is of more importance to the sustainability of our province in the new millennium than the well-being of our Aboriginal peoples. My government has recognized and is acting upon this challenge” (Manitoba Conservation 1999, 3). The Government of Manitoba began considering an Urban Aboriginal Strategy as part of a larger strategy for sustainable development. It was also informed by the *Aboriginal Justice Inquiry of Manitoba* which was created in 1988 with the mandate to “investigate, report and make recommendations respecting the relationship between the administration of justice and Aboriginal peoples of Manitoba, and to investigate all aspects of the deaths of Helen Betty Osborne and J.J. Harper”. Both of these killings took place in urban settings, in Winnipeg and The Pas. The commissioners, Associate Chief Justice Alvin Hamilton and Associate Chief Judge Murray Sinclair, found that the justice system in Manitoba was failing

Indigenous peoples on a massive scale (Hamilton and Sinclair 1991, 1). Core among their recommendations was to create an Aboriginal justice system. This recommendation, along with most of the other recommendations, has not been implemented.

Manitoba's Roundtable on Environment and Economy formed an Urban Aboriginal Strategy Subcommittee. The Manitoba Roundtable process involved a public consultation component consisting of six community workshops with over 1,000 participants. The Roundtable report emphasized "the need for individual and community participation and responsibility" and the importance "to motivate and reward self-reliance, initiative and participation in the community" (Manitoba Roundtable 1998, 22). Chief among its recommendations, the Manitoba Roundtable stressed the need to foster a self-reliant Aboriginal community "controlling its own destiny and empowering individuals and families as fundamental tenet to: creating more effective working relationships; providing better communication; improving consultation processes; and developing mutual trust, understanding and respect between Aboriginal people in Winnipeg and governments" (Manitoba Roundtable 1998, 26). Other recommendations centered on building partnerships, accountability, coordination, and youth. In their entirety, the recommendations reflect a strong neoliberal orientation and preference for downscaling responsibilities to the private and voluntary sectors through partnerships. A formalized provincial Urban Aboriginal Strategy has not materialized.

As noted in *Applying Manitoba's Policies for Aboriginal People Living in Winnipeg*, there was “a renewed recognition that new approaches involving partnerships with the Aboriginal community and other levels of government are necessary to make the substantial and significant impact required to ensure long terms solutions for the community’s sustainable development” (Manitoba Conservation 1999, 4). Discourses of partnership, empowerment and self-reliance are prevalent throughout the report, as in the following statement that “these policies are intended to foster and continue a new approach in community development that facilitates the building of partnerships between governments, non-government organizations and the community, the empowering of individuals, families, and a self-reliant and sustainable Aboriginal community controlling its own destiny” (Manitoba Conservation 1999, 4). Reiterating the mantra of better outcomes through partnerships, the neoliberal framing of the issues leaves little room to discuss these matters in terms of inherent rights, self-determination, and Indigenous nationhood.⁹²

The report also contained a critique of the lack of federal funding for off reserve First Nations people.⁹³ “Canada argues that it has no statutory obligation to off reserve residents. Manitoba and First Nations leaders disagree. The federal fiduciary obligations extend off reserve” (Manitoba Conservation 1999, 9). Facing increased expenditures because of the federal evasion of its fiscal responsibility,

⁹² The 1998 Manitoba policy on First Nation Government recognizes “forms of self-government on reserves”, but remains silent on off reserve issues other than to underscore that “Manitoba supports the concept of working in partnership with First Nation communities. The goal is to achieve partnerships that will mutually benefit both First Nation people and all Manitobans” (Manitoba Conservation 1999, 21).

⁹³ The on-reserve population in Winnipeg lives in 64 reserve communities, with those in closer proximity to Winnipeg having larger proportions of off reserve members (Rust 2007, 24).

Manitoba argued, predictably, that the Government of Canada needs to fulfill its obligations to First Nations peoples.

While there seemed to be some momentum for tackling urban Aboriginal issues towards the end of the Conservative government under Premier Gary Filmon (1988-1999), the NDP government under Premier Gary Doer (1999-2009) was largely inactive on the urban Aboriginal file (female, representative of Aboriginal service provider, Winnipeg, May 20, 2008). Under *Vision, Mission & Goals*, Manitoba Aboriginal and Northern Affairs listed the following as the first priority: 1) "Closing the gap between Aboriginal and northern residents and other Manitobans in the quality of life, specifically in the areas of education, health, housing, economic opportunities and employment" (Manitoba Aboriginal and Northern Affairs 2008, 1). Most of the initiatives and success stories related in the 2008 Annual Report deal with Northern communities (Manitoba Aboriginal and Northern Affairs 2008, 27-28). However, the Province is involved in a series of bilateral, trilateral and multi-lateral partnerships, e.g. with the federal government and the Aboriginal Council of Winnipeg, as well as the federal government and the Manitoba Métis Federation (Manitoba Aboriginal and Northern Affairs 2008, 35). As will be discussed further below, these partnerships supplement the initiatives under the federal Urban Aboriginal Strategy.

FIRST STEPS: THE CITY OF WINNIPEG'S ABORIGINAL STRATEGY

The City of Winnipeg has been at the forefront of municipal governments when it comes to Aboriginal initiatives, including *First Steps: Municipal Aboriginal Pathways* (MAP) in 2003, the *Winnipeg Partnership Agreement* in 2004,

Memoranda of Understanding with the Manitoba Métis Federation and the Assembly of Manitoba Chiefs (AMC) in 2005, and the Aboriginal Youth Strategy in 2008.⁹⁴ The City of Winnipeg also created a position of Aboriginal Community Resource Worker to liaise with Aboriginal residents, communities and the City of Winnipeg (female, representative of the City of Winnipeg, Winnipeg, May 30, 2008). Together these developments in the 2000s speak to the greater attention given to Indigenous residents who make up a significant portion of the city's overall population, particularly the youth population.

On the initiative of then-Mayor Glen Murray, the City of Winnipeg formulated a municipal Aboriginal strategy in 2003, which was adopted as a policy directive. *First Steps: Municipal Aboriginal Pathways* (MAP) was originally intended as the first of several steps (male, representative of the City of Winnipeg, Winnipeg, May 21, 2008). As acknowledged by an interview participant, there were, however, limits to how MAP could affect change due to the fact that services are centralized at the provincial scale in Manitoba. "We can't change the world here in a day, nor can we expect to do things that the feds and the province, that the province should be doing, but we can take our first steps of the consciousness raising" (male, representative of the City of Winnipeg, Winnipeg, May 21, 2008).

MAP was intended to align with the *20/20 Vision/ Plan Winnipeg*, the City's 2002 long-term policy plan (City of Winnipeg 2002). As noted in its introduction,

⁹⁴ Ontario and Manitoba differ with respect to the capacities and areas of jurisdiction that cities have. In the 1990s, a massive downloading of services occurred in Ontario. Given that cutbacks are felt most acutely at the municipal level and that the ability of the city to raise revenue is limited, the City of Ottawa has supported Aboriginal community building efforts mainly as a facilitator and through in-kind contributions. In Winnipeg, social services are delivered by the province and a central focus has been the participation of Aboriginal peoples in the city's labour force.

Plan Winnipeg was to serve as the foundation of all policy and planning of City Council.⁹⁵ *Plan Winnipeg* forecast labour force shortages within the next two decades (City of Winnipeg 2002, 6). It drew attention to the fact that one in four people entering the labour force are projected to be Aboriginal (City of Winnipeg 2002, 8). Among the six principles identified in *Plan Winnipeg*, principles four and six have a significant bearing on the politics of Aboriginal self-governance in Winnipeg:

4. Partnership and collaboration – working cooperatively with people, other governments, the not-for-profit sector, and the private sector. The intent is to leverage resources to maximum advantage and to provide the most effective and efficient services to citizens and businesses.
6. Local empowerment – encouraging citizens to shape decisions that affect their lives. This requires sharing decision-making processes through citizen engagement, promoting local ownership and control, fostering a strong local economy, and facilitating ongoing participation in local government (City of Winnipeg 2002, 10).

Neoliberal ideals of participation, partnerships, and empowerment appear to mesh well with Indigenous demands for control over programs and services and self-determination. However, as will be discussed in later chapters, fundamentally different logics and scale politics are driving the new collaborative arrangements that have emerged in Winnipeg and elsewhere.

The City's plan also recognized, albeit it selectively, "the rich and unique Aboriginal cultural presence in and around the Neeginan Development and supporting the revitalization of Main Street" (City of Winnipeg 2002, 13). The City's vision included the promotion of self-reliant Aboriginal communities by

- i) supporting the creation of links between The City of Winnipeg and Aboriginal communities to ensure appropriateness of services and to

⁹⁵ Section 583 of The City of Winnipeg Act makes consistency with Plan Winnipeg legally binding.

increase Aboriginal participation in City affairs; ii) identifying and pursuing joint ventures between the City and the private sector or non-governmental organizations that increase or enhance job opportunities and economic development for Aboriginal people in Winnipeg; and iii) increasing awareness among Winnipeggers and visitors about the richness of the city's Aboriginal cultural communities (City of Winnipeg 2002, 20).

MAP was created just as the federal government was rolling out the Urban Aboriginal Strategy. However, no communication or coordination seems to have taken place leading up to the identification of Winnipeg as a target city for the federal initiative. An interviewee working for the City of Winnipeg noted that "even though I did a fair amount of research, it wasn't until after the fact that it became apparent to me that the feds actually had a program... Why are you doing all this stuff without talking to your municipal government about what we can do together, how we can row in the same direction?" (male, representative of the City of Winnipeg, Winnipeg, May 21, 2008).

In early 2003, the federal, provincial and municipal governments signed a Memorandum of Understanding (MOU) to put in place a new urban development agreement. The MOU emphasized "a community development approach, one that welcomes input from and builds partnerships with community stakeholders" (United Way of Winnipeg 2004, 23). This MOU morphed into the Winnipeg Partnership Agreement (WPA) which was signed in May 2004.⁹⁶ Component I of the WPA is Aboriginal Participation (Winnipeg Partnership Agreement n.d.). While no new funding was made available, a common table was established to foster collaboration (male, representative of the City of Winnipeg, Winnipeg, May 21, 2008).

⁹⁶ For a list of projects, see Winnipeg Partnership Agreement (n.d.).

The City's 2005 *Diversity Report Card* noted that city staff "embraced Council's strategic document, *First Steps: Municipal Aboriginal Pathways...* We are very proud of the projects and activities that have been implemented this past year. They include: the Youth in Community Services Program, Aboriginal Awareness training, Aboriginal internships and building stronger partnerships with the Aboriginal community" (City of Winnipeg 2005, 1). Most of these initiatives were aimed at the City's workforce, in an effort to make it more representative of Winnipeg's population.⁹⁷

However, no significant or new resources were made available to implement the goals outlined in MAP.⁹⁸ Furthermore, although there was an element of consultation, there was no direct Aboriginal participation in the creation of MAP. Glen Murray's resignation as Mayor in 2004 was seen as a setback in that while the new Mayor Sam Katz took on the title as Secretary of Urban Aboriginal Affairs, he has not moved the Aboriginal file forward in a similarly comprehensive manner. Currently, and very much in line with neoliberal objectives of privatization and marketization, the emphasis of municipal (as well as provincial) engagement in Winnipeg appears to be exclusively on employment and training.

The City is involved in multi-scalar initiatives that emerged as a result of the WPA and the UAS. The nature of engagement seems to be limited to participating in common tables. In fact, these two initiatives draw on the same

⁹⁷ In 2005, the goal was for the percentage of Aboriginal people in the City's workforce to be at or above 7.8 percent. At the time, the Aboriginal people represented 5.8 percent of the municipal workforce (City of Winnipeg 2005, 10). Currently, with Census data indicating that at least 10 percent of the City's population are Aboriginal, the City's target can be expected to be adjusted accordingly.

⁹⁸ Only two paid internships for Aboriginal people were created in 2004 (City of Winnipeg 2005, 12). Another tangible result of MAP was a two-day Aboriginal Awareness Workshop (City of Winnipeg 2005, 17).

local steering committee composed of representatives of governments and Aboriginal organizations. “The Winnipeg Partnership Agreement and Canada’s Urban Aboriginal Strategy are a perfect match—they both emphasize the importance of finding local solutions to address local priorities” (Legislative Electronic Publications 2005). From the perspectives of Aboriginal organizations and communities, however, the match may not be as perfect, as will be explored in more detail in chapters seven and eight.

ONTARIO’S NEW APPROACH

The Government of Ontario first took note of Aboriginal people living in cities from 1978 to 1982, with a series of reports and research papers published in 1982. As a result of a 1978 discussion paper, *Strangers in our own land*, prepared by the Ontario Federation of Indian Friendship Centres, the Ontario Task Force on Native People in Urban Setting was established in June 1978 (Ontario Task Force on Native People in Urban Setting 1982). The goal of the Task Force was to identify the issues and needs of urban Indigenous peoples in Ontario and to provide the Provincial Cabinet with data and recommendations on how to improve the quality of life of ‘urban Natives’ (Ontario Task Force on Native People in Urban Setting 1982, i).

One of the major problems identified in the 1982 report was the difficulty of identifying the population, due to discrimination and racism, which had resulted in low rates of self-identification, with only an estimated 58 percent of Indigenous people in the province identifying as ‘Native’ (Ontario Task Force on Native People in Urban Setting 1982, 115).

At this time, Native Affairs in Ontario was highly decentralized, with the Attorney General responsible for the Native Affairs Secretariat, but line ministries responsible for programming and policies (Spiegel 1988, 102). As noted by Spiegel (1988, 106), “one of the first principles in our native affairs policy framework is support for the notion that aboriginal people should receive provincial programs on a non-discriminatory basis to meet their needs and to the extent that provincial legislation of general application also applies to them”. That is, Ontario’s focus was on improving service delivery for Indigenous peoples as “ordinary citizens”. Aboriginal and treaty rights were not part of the way the Province conceptualized Indigenous citizens. Indeed, the provincial governments avoided any semblance of assuming responsibility for Indigenous peoples as Indigenous peoples, as exemplified in the following disclaimer, “nothing in this paper should be construed to mean that Ontario is willing to allow the federal government to devolve both fiscal and constitutional responsibility on the province” (Spiegel 1988, 107).

With Aboriginal politics largely associated with the national scale and constitutional politics in the 1980s, there was not much movement on urban Aboriginal policy under the Conservative and then Liberal governments in Ontario. This changed when the NDP came to power in 1990. In August 1991, the Government of Ontario and First Nations representatives signed the *Statement of Political Relationship*. It recognized self-government as an inherent right and proposed to develop government-to-government relationships between Ontario and First Nations (Ontario Native Affairs Secretariat 1991, 1992). As

stated by the Native Affairs Secretariat, “by signing this political accord, Ontario became the first provincial government in Canada to recognize the inherent right of First Nations to be self-governing within the framework of the Canadian Constitution” (Ontario Native Affairs Secretariat 1992, 1). This was a significant shift, although one that implicated the federal government more, since this is the scale to which First Nations were looking for the substantiation of their rights, including the inherent right of self-government. However, it was not until four years later that the federal government announced its Inherent Right Policy which recognized the right to self-government as protected under section 35(1) of the *Constitution Act, 1982* (Indian and Northern Affairs Canada 1995).

The *Statement of Political Relationship* addressed the province’s relationship with First Nations, but did not establish the same kind of relationship with the Métis or non-status First Nation people in Ontario. However, ministries were urged “to work with Aboriginal people and associations to address off-reserve self-government and program concerns” (Ontario Native Affairs Secretariat 1992, 5). The Rae government established the Self-Government and Land Claims Task Force and the Aboriginal/ Ontario Government Roundtable process (Ontario Native Affairs Secretariat 1992, 15). Overall though, the *Statement* was not followed up with concrete measures to substantiate the inherent right to self-government and treaty relationships (Ipperwash Inquiry, Volume 2, 66).

In the area of services, however, important developments took place under the NDP government. The Aboriginal Healing and Wellness Strategy (AHWS), a

partnership between the Ontario government and 15 Aboriginal organizations and First Nations, was launched in 1994.⁹⁹ The AHWS was the result of province-wide consultations on ways to improve the delivery and access to Aboriginal-specific health and healing services. As one participant recounted,

it was under an NDP government where they understood very clearly that they were not advancing the health cause for Aboriginal people in the province. In fact, we were getting worse. Statistically, if you look at Aboriginal health and Aboriginal social development on or off reserve, there was a marked decrease in health and a skyrocketing of major chronic diseases like diabetes being one of them. There was just no improvement. They felt that if they do this consultation and found some other way of dealing with these issues that they might achieve success. So it was a very good policy move on their part. And in fact what they did was they put about \$35 million into a fund, and they developed a governance model that was appropriate for the time where there was the Federation of Friendship Centres, the Métis Nation of Ontario, the Native Women's Association of Ontario, multiple First Nations health authorities, some of the reserves wanted their own designation, so you had Six Nations and Akwesasne having independent seats at this governance table along with four ministries at that time – all able to vote (female, representative of Aboriginal service provider, Ottawa, October 27, 2008).

A significant shift to the right in the politics of the province occurred when the Conservative Harris government came to power in 1995, including drastic cuts to social programs, a punitive workfare regime, and “the rise of the shadow state” (Chouinard and Crooks 2008, 185). This shift was particularly pronounced with respect to the Aboriginal file.

The new Conservative government released its Aboriginal policy framework, entitled *The Aboriginal Policy Framework. Supporting Aboriginal Self-Reliance through Economic Development*, in March 1996. This policy framework represented a complete departure from the focus on self-government as an

⁹⁹ The McGuinty government renewed and increased funding for the AHWS for a third five-year term (Ontario Native Affairs Secretariat 2005, 25).

inherent right and the need to engage Indigenous partners in the development on new programs. Instead, the policy framework emphasized neoliberal goals of cost-efficient service delivery, marketization, and downloading. It was explicit in its market orientation, outlining “a new corporate approach to Aboriginal matters in Ontario” which was to accomplish the following:

- enable the government to address Aboriginal issues in a consistent, less costly and more effective manner;
- increase public involvement in Aboriginal matters that affect Ontarians; and
- minimize actions that could destabilize relations between Aboriginal and non-Aboriginal communities” (Ontario 1996, 1).

The overall thrust of the new policy framework was to “ensure that provincial policies, programs and services directed to Aboriginal people help create opportunities for employment and economic development, which will strengthen the self-reliance of Aboriginal communities” (Ontario 1996, 1). In a dramatic departure from the approach under Rae which had stressed the importance of government-to-government relations, the Harris government asserted the importance of “economic development for all Ontarians, and the reduction of social tensions through the equal treatment of all residents” (Ontario 1996, 1). Couched in this neoliberal rhetoric of equality was the populist notion that Aboriginal peoples enjoy special treatment and receive benefits above those received by non-Indigenous Ontarians. Given the socio-economic indicators, this stance represents a complete reversal of the facts.

The Conservative policy framework centered on notions of self-administration, responsibilization, and efficiency. The idea was that community development was “to reduce dependence on transfer payments and to facilitate

greater self-reliance and responsibility for community well-being" (Ontario 1996, 1). The policy framework was "to provide opportunities for the self-administration of programs by Aboriginal communities and organizations wherever this is feasible and cost effective" (Ontario 1996, 3). The neoliberal shift in conceptualizing Indigenous politics is encapsulated in the shift in terminology, from self-government to self-administration. Foreshadowing the developments in the 2000s, the policy framework suggested that coordinated collaboration among governments and the private sector "may realize even better results" (Ontario 1996, 2).

Under the Liberal McGuinty government which came to power in 2003, Ontario's *New Approach to Aboriginal Affairs. Prosperous and Healthy Communities Create A Better Future for Aboriginal Children and Youth* was characterized by a softening compared to the radically anti-Indigenous stance adopted by the Harris regime. Representing different moments of neoliberalization, this shift can be described as one from disinvestment to targeted investments, or from roll-back to roll-out neoliberalism (Peck and Tickell 2002). The *New Approach* remained consistent with neoliberal values and ideology, but it announced new investments in children and youth.

The focus on Aboriginal children and youth is congruent with neoliberal discourses that identify children as the only "legitimate" recipients of public investment (McKeen 2004; McKeen and Porter 2003; Pulkingham and Ternowetsky 1997). At the same time increased attention to this population is also a reflection of the evolving demographic realities, with Aboriginal youth

representing the fastest-growing segment of the Canadian population. More than 50 percent of all Aboriginal people in Ontario are under the age of 27 (Ontario Native Affairs Secretariat 2005, 9).

Consistent with its precursor, the emphasis of the *New Approach* is on partnerships, as illustrated in the following excerpt.

Ontario is charting a new course for a constructive, co-operative relationship with the Aboriginal peoples of Ontario – a relationship that is sustained by mutual respect and that leads to improved opportunities and a better future for Aboriginal children and youth. Our new approach calls for working with Aboriginal peoples to build this relationship and through it, develop productive partnerships, collaborate on key initiatives and achieve real progress on shared goals (Ontario Native Affairs Secretariat 2005, 1).

With respect to urban Aboriginal peoples, the *New Approach* stated that Ontario “pursues strategic partnerships with Canada related to this area” (Ontario Native Affairs Secretariat 2005, 28). Further, the *New Approach* also stressed partnership with other levels of government and Aboriginal organizations around the UAS, which launched pilot projects in Thunder Bay and Toronto in 2003.

In 2005, Ontario, together with Trent University, the Ontario Federation of Indian Friendship Centres, the Ontario Métis Aboriginal Association and the Ontario Native Women's Association, launched an Urban Aboriginal Task Force study in order to compile profiles of Aboriginal communities in several cities, including Ottawa (Urban Aboriginal Task Force 2007a, 2007b).

Another significant development, precipitated by the response of the Harris government to the reclamation of Ipperwash Provincial Park, was the release of the *Report of the Ipperwash Inquiry* in 2007. The Ipperwash Inquiry had been established to investigate the killing of Dudley George by an Ontario Provincial

Police officer on September 6, 1995 and to recommend measures to avoid state violence in similar circumstances in the future (Ipperwash Inquiry 2007, Volume 2, 1). The Ipperwash Report noted that “the fundamental conflict... is usually about land” (Ipperwash Inquiry 2007, Volume 2, 15). It also pointed to the inactivity of the federal government on Aboriginal issues in Ontario, noting that despite the fact that the province has the largest Aboriginal population, the federal government is least involved in Aboriginal affairs in Ontario (Ipperwash Inquiry 2007, Volume 2, 44).

Criticizing the inadequate ways in which both the provincial and federal governments have dealt with Indigenous issues, Commissioner Sidney B. Linden pointed out that,

Aboriginal issues need a higher profile, clearer focus, and more resources within the Ontario government. However, the need for improved capacity, coordination, and institutional supports is not restricted to the government itself. If Ontario is to make substantial progress on the Aboriginal issues outlined in this report, First Nations and Aboriginal peoples also require the resources and skills necessary to fulfill their responsibilities. I believe, therefore, that the provincial government must also commit to significantly improving capacity within First Nations (Ipperwash Inquiry 2007, Volume 2, 167).

Accordingly, the Commissioner recommended the creation of a stand alone Ministry of Aboriginal Affairs (Ipperwash Inquiry 2007, Volume 2, 167). As previously mentioned, the Ontario Native Affairs Secretariat was part of the Ministry of the Attorney General. More recently, the Ontario Secretariat for Aboriginal Affairs was a department within the Ministry of Natural Resources which is problematic given the persistent conflicts between Indigenous peoples and the Province around land, resource, and harvesting issues. For that reason,

Linden made the point that “a dedicated ministry would also eliminate what some see as the inherent conflict of interest arising from placing Aboriginal affairs in a larger ministry” (Ipperwash Inquiry 2007, Volume 2, 168). The Government of Ontario created the Ministry of Aboriginal Affairs shortly after the release of the *Ipperwash Report*.

In May 2008, the *New Relationship Fund* was announced (Ontario Ministry of Aboriginal Affairs 2008). First Nations communities and Métis organizations are eligible to apply for each component of the fund: Core Consultation Capacity, Enhanced Capacity, and Economic Development and Skills Training, while Inuit and other Aboriginal organizations in Ontario are eligible to apply only for the Enhanced Capacity and Economic Development and Skills Training components. This is indicative of an increase in provincial resources for Indigenous nations and organizations, but what has been driving this shift in policy appears to be related primarily to concerns over land and resource issues. As an interviewee pointed out, “what drives the Ontario government and has for the last couple of years is obviously land claims and policing conflicts, whether it was Ipperwash or Tyendinega, Caledonia, Sharbot Lake, up in Northwestern Ontario around the mining and the forestry. It’s largely been driven by confrontation” (male, representative of Aboriginal service provider, Ottawa, October 3, 2008). To be clear, while the provincial government has become more active on the Indigenous file, it has not done so in relation to urban areas.

KNOW YOUR SERVICES: THE CITY OF OTTAWA AND ABORIGINAL PEOPLES

The relationship between the Aboriginal community (or communities) and the City of Ottawa has changed significantly, beginning in the 1990s. In 1994, *The Silent Crisis*, a presentation by Indigenous community leaders to the Social Council drew attention to the significant Indigenous needs that remained unaddressed in Ottawa. Education campaigns appear to be a central aspect of the work that Aboriginal service agencies have had to carry out. As one participant noted, this eventually led to “a recognition that there were Aboriginal people living in the city and getting a couple of paragraphs into the 20/20 plan, the city’s 2020 plan” (female, representative of Aboriginal service provider, Ottawa, October 27, 2008).

In its 2003-2008 plan, the City of Ottawa committed to working with the federal government to support community economic development, implementing the Aboriginal Peoples Strategic Action Plan which includes provisions for Aboriginal participation in City governance, the “requirement to consult” with the Aboriginal community, awareness training for city staff, showcasing Aboriginal culture, and supporting a holistic approach to services (City of Ottawa 2003).

Currently, no Aboriginal-specific funding streams exist, but Aboriginal agencies are encouraged to apply for the City’s community funding and have been given logistical support and in-kind contributions. With respect to the municipal role in urban Aboriginal politics in Ottawa, one interviewee claimed that “at the end of the day, I think it’s been the lessons learned here, that it’s not

about money anymore, because the money, the pot runs dry. It's really about being more resourceful and really leveraging the opportunities and really tapping into strength of the community and really finding where the gaps are and addressing those gaps. Otherwise you're never going to move anywhere. It's not about money anymore" (female, representative of the City of Ottawa, Ottawa, September 3, 2008). The entrepreneurialism espoused here corresponds to broader neoliberal state strategies of responsibilization. It also illustrates the fiscal pressures on municipalities.

The City sponsored a survey, *Know Your Services*, "to find out what they knew of services that were available to them, Aboriginal service providers and non-Aboriginal service providers, and what are some of the priorities" (female, representative of the City of Ottawa, Ottawa, September 3, 2008). This survey was undertaken by the Aboriginal Working Committee, formed in March 2007, which is made up of representatives from the City of Ottawa – Community and Protective Services Department, United Way/ Centraide Ottawa, Ottawa Police Services, the Champlain Local Health Integration Network, Gignul Non-Profit Housing Corporation, Minwaashin Lodge Aboriginal Women's Support Centre, Odawa Native Friendship Centre, Tewegan Transition House, Wabano Centre for Aboriginal Health and the Ottawa Inuit Children's Centre. In addition to identifying gaps and priorities with regard to services, the Aboriginal Working Committee has also held a consultation forum, *Listening Circles*, in January 2008 to invite community input and improve relationships. However, this assessment

of needs has not led to sustained action at the municipal scale to address these needs.

CONCLUSION: LIMITATIONS AND POSSIBILITIES

A scaled analysis of policies with regard to urban Indigenous individuals and collectivities is well suited to flesh out the tensions and contradictions inherent in current political arrangements governing Indigenous peoples in Canadian cities. As it stands, the scalar void has exacerbated the marginalization experienced by many urban Indigenous individuals and communities. Erased within policy discourses at all scales are Indigenous voices asserting rights to self-determination and self-government – and the right to (be in) the city. However, the fissures apparent in the uneven web of policies and political arrangements have also created openings that Indigenous actors have appropriated to advance agendas which are not contained by the neoliberal rationality of state policies. As will be discussed further in the remaining chapters, fieldwork data from Ottawa and Winnipeg suggest that goals of self-determination and self-government are not abandoned, but pursued through a range of strategies, including scale-jumping and scale-bending.

This chapter outlined that while the federal Urban Aboriginal Strategy constitutes a departure of sorts from “Indian policy”, it reproduces an understanding of urban Indigenous peoples as less worthy of recognition, redistribution, and representation (Fraser 2008). It also reproduces a policy of disconnection where Indigenous people who live in cities are only captured by a

policy-lens that reinforces the notion that they are individuals in need of labour market and remedial programming – and without Indigenous rights.

The conclusion drawn from this discussion is that contemporary multi-scalar policy frameworks which are evolving in geographically and demographically contingent ways do not incorporate understandings of urban Indigenous communities as rights-bearing communities and of Indigenous citizens as citizens of Indigenous nations. While the Friendship Centre movement, which will be discussed in chapter six, has been instrumental in creating institutional space in cities, a greater role in the delivery of services has not translated into the political space required to fundamentally challenge the status quo of “increasingly complex tangled hierarchies” (Jessop 2000, 342). Firmly entrenched in Canadian public policy, the persistent erasure of Indigenous nations and the simultaneous non-Indigenous fiction of a static, inexorably traditional Indianness have lasting effects that are only beginning to be unraveled.

CHAPTER 5: CHALLENGING THE SPATIALIZATION OF INDIGENOUS RIGHTS IN CANADA

INTRODUCTION

In this chapter, I examine how Indigenous rights have been spatialized through the law. Indigeneity, as constructed under Canadian jurisprudence, is confined to the past and European estimations of authentic Indigeneity, and thus to spaces of marginality outside of cities. This analysis is informed by insights from critical legal studies¹⁰⁰, in particular, legal pluralism and Critical Race Theory. The latter is particularly useful in unmapping the racialized legal order in Canada which is also a spatial order. My aim is to show how settler legality has been central in the state project of undermining inherent Indigenous and treaty rights and spatially fixing limited rights, with cities and Indigenous collectivities in cities on the outside of these territorially bounded notions. This chapter thus adds a spatial dimension to critiques of the (temporally) frozen rights approach that dominates Canadian jurisprudence (Ladner and Dick 2008).

While the settler state has confined political expressions of Indigeneity to marginal spaces, Indigenous conceptualizations of rights, sovereignty, and title are much more expansive and form the basis for legal challenges which have begun to subvert the hegemonic spatialization of Indigenous rights in Canada. I discuss the *Corbiere*, *Powley*, and *Misquadis* cases as instances where the spatial limits imposed on Indigenous rights have been contested. These legal

¹⁰⁰ Critical legal studies has advanced frameworks for understanding the law in co-constitution with society. In particular, legal pluralism is useful here in offering a way to conceptualize the fragmented, contested, and entangled nature of different legal forms (De Sousa Santos 1987).

challenges contributed to opening up political space for urban Indigenous self-governance. However, the rights and aspirations of urban Indigenous individuals and collectivities, as well as the nations they belong to, remain marginalized within the Canadian judicial imagination. While there is reason to be sceptical when it comes to the courts as agents of change, the duty to consult may represent a vehicle for the inclusion of Indigenous peoples in decision-making and the reconfiguration of the spaces and scales of Indigenous rights.

WORKING THROUGH THE LAW TO OVERCOME THE LAW?

Since the courts opened up as an avenue to challenging the state for Indigenous peoples in the 1950s,¹⁰¹ legal struggles provided the impetus for significant policy changes, for instance in relation to First Nation land rights (Calder 1973; Delgamuukw 1997), compensation for First Nation and Inuit survivors of residential schools (Indian Residential Schools Settlement Agreement 2006), and First Nation citizenship (McIvor 2007/ 2009). At the same time, these legal victories have all, ultimately, affirmed Canadian sovereignty and Crown title. As Gordon (2010, 101) points out,

While the legal arena is typically presented by Canadian politicians, businesses, lawyers, the media and even some indigenous leaders as neutral ground where the rights and responsibilities of the parties entering it can be weighed in a fair way by learned and impartial officials, at the end of the day it is an institutional feature of a colonial state, arbitrating laws written by administrators and representatives of a colonial state, and ultimately presiding over and sanctifying an occupation of nations most of whom never ceded their sovereignty to Canada.

¹⁰¹ The Indian Act prevented First Nations from hiring lawyers to address their grievances related to their territories and the non-implementation of treaties.

There are clear limitations with respect to how settler law can function as a framework for advancing Indigenous self-determination (Howitt 2006, 50). As Coulthard comments (2007, 451), “even though the Court has secured an unprecedented degree of recognition for certain ‘cultural’ practices within the state, it has nonetheless repeatedly refused to challenge the racist origin of Canada’s assumed sovereign authority over Indigenous peoples and their territories”. Fundamentally, the legal process confines Indigenous rights, from the start, to those that are both legible and conforming to liberal doctrines (Borrows 2002; Monture-Angus 1999). Therefore, Canadian law ultimately and invariably subordinates Indigenous sovereignty to settler sovereignty.

This is a fundamental dilemma that Indigenous actors have to grapple with when employing rights discourse and using legal strategies to realize emancipatory aims. A central question is whether rights discourse can be appropriated to transcend the logic of coloniality and the demobilizing liberal logic of rights as individualistic. Blomley (1994b, 408) poses the question in the following way: “is rights discourse flexible enough to allow for a progressive extension and expansion, or is it irredeemably circumscribed by its liberal provenance?” He suggests that, in certain settings and at certain scales, rights can aid in moving liberatory and egalitarian agendas forward. In particular, he draws attention to the efficacy of “rights enframing” which provides “the means by which relations of subordination can be politicized” (Blomley 1994b, 417).

In their discussion of the transformative potential of the law, Brickey and Comack (1987, 114) also maintain that “the law should not be abandoned as an

arena of social struggle” – especially as one among several strategies. Highlighting struggles that have sought to work through law to replace the prevailing system of social relations (and legal order), Brickey and Comack (1987) argue that legal challenges can affect incremental changes which can have a significant impact over time, through politicizing and collectivizing those struggles.

Given that the rule of law is not only implicated in, but constitutive of colonialism, particularly through its creation and protection of private property and individual rights, it would be naïve to trust the law to remedy the very context it has created. However, while discounting settler law as an anti-colonial strategy is a theoretically valid argument, the legal arena, in practice, does provide avenues to affect change and improve the situation of Indigenous peoples, albeit in a more limited and incremental fashion. Legal challenges can precipitate political and economic changes that can pave the way for more fundamental challenges to the status quo. This is particularly pertinent in relation to cities where, according to the settler state, Indigenous peoples as rights-holding peoples do not exist.¹⁰²

Despite the law’s central role in the colonial project, framing demands for justice in the language of rights has provided avenues for Indigenous peoples to challenge the settler state and colonial domination, as mentioned above. In

¹⁰² The Daniels case, pursued by the Congress of Aboriginal Peoples, is an impending court challenge which may have a significant impact in that it seeks inclusion of non-status First Nation people under s 91 (24). To some extent, the 2007/ 2009 McIvor decisions, which forced the federal government to review the Indian Act’s registration rules, may also have ramifications for urban Indigenous communities and citizenship. Another significant case, filed in Federal Court in 2004, is the Kiviat case which addresses the rights of Inuit outside of Inuit homelands.

addition to serving as a catalyst of progressive change under domestic law, the efficacy of rights enframing is also illustrated by the long struggle to codify Indigenous rights in international law. The *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), which was adopted by the United Nations General Assembly in 2007, may provide an important legal mechanism and scalar strategy.¹⁰³ It is difficult to predict how the UNDRIP will change the terrain of Indigenous struggles in Canada in concrete terms, but it has already been taken up as an important strategy in the struggle for Indigenous rights.¹⁰⁴

SETTLER LAW AND THE SPATIALIZATION OF INDIGENOUS RIGHTS

This section describes how the logic of coloniality is inscribed in the legal system and constitutive of a spatial logic, operating in and through multiple scales. The colonial assertion of sovereignty through the rule of law is inextricably linked to the control of space through the spatialization and differentiation of rights. As Mbembe notes (2003, 25-26),

¹⁰³ The United Nations Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly on September 13, 2007, against the votes of Canada, New Zealand, Australia and the US. All four states have meanwhile reversed their position and endorsed the UNDRIP. The fact that the Government of Canada endorsed the UNDRIP on November 12, 2010 can be attributed to the advocacy of various Indigenous groups, such as petitions by Assembly of First Nations of Quebec and Labrador and advocacy days on Parliament Hill organized by the Assembly of First Nations in June and September 2010.

¹⁰⁴ For instance, in 2011, the Assembly of First Nations altered the template for AFN resolutions. Resolutions now reference the pertinent article of the UNDRIP as their first clause (AFN 2011). Furthermore, Aboriginal Affairs and Northern Development Canada released a *Canada – First Nations Joint Action Plan* in early June 2011, noting a shift in Canada's relationship with First Nations, "exemplified by the Prime Minister's historic apology to former students of Indian Residential Schools, the creation of the Truth and Reconciliation Commission, the launch of the Specific Claims Tribunal, and the endorsement of the United Nations Declaration on the Rights of Indigenous Peoples" (Aboriginal Affairs and Northern Development Canada 2011). Despite reference to the UNDRIP, the language of the joint action plan, including commitments to "strong partnerships", "transparent and fully accountable governance", "empowering the success of individuals through access to education and opportunity", and "creating conditions to accelerate economic development opportunities", does not signify a shift away from neoliberal values and state goals of marketization, devolution, and individualization.

Colonial occupation itself was a matter of seizing, delimiting, and asserting control over a physical geographical area—of writing on the ground a new set of social and spatial relations. The writing of new spatial relations (territorialization) was, ultimately, tantamount to the production of boundaries and hierarchies, zones and enclaves; the subversion of existing property arrangements; the classification of people according to different categories; resource extraction; and, finally, the manufacturing of a large reservoir of cultural imaginaries. These imaginaries gave meaning to the enactment of differential rights to differing categories of people for different purposes within the same space; in brief, the exercise of sovereignty. Space was therefore the raw material of sovereignty and the violence it carried with it. Sovereignty meant occupation, and occupation meant relegating the colonized into a third zone between subjecthood and objecthood.

Echoing Fanon's (1963) claim that the compartmentalization of space along racialized lines forms a central mechanism of colonial control, Mbembe also stresses the role of material and ideational boundary-making. Settler sovereignty in Canada has required the construction of a particular type of Indigenous subject and form of rights. In order to circumscribe Indigeneity in ways that served the purpose of re-settlement, a range of legal processes variably constructed Indigenous subjects as outside the law or as wards of the state, with rights restricted to spatio-temporal zones of exclusion (Thobani 2007).

Critical race scholars have challenged dominant doctrines of legal liberalism by drawing attention to the political nature and the historical constitution of normalized legal categories. Aylward (1999) notes that it is precisely the denial of its political nature than insulates the law (and the relations of power underlying it) from challenges and reinforces the status quo. More specifically, the conceptual foundations of the liberal construct of the law – such as the rule of law, formalism, neutrality, abstraction, and individual rights – have made it possible

for race and other relations of ruling to drop out of legal sight (Aylward 1999; Razack 1998).

As Harris (1993) notes, race and property are deeply interrelated categories in their exclusionary logics which have been produced and legitimized through the law. In relation to land in North America, it was only settlement of white settlers that would count as property under the law. She notes that “the origins of whiteness as property lie in the parallel systems of domination of Black and Native American peoples out of which were created racially contingent forms of property and property rights” (Harris 1993, 1714). Thus, the rule of law became the primary vehicle of colonization in North America, with its authority to define and control meanings which protect selected private interests.

By ignoring the material and ideological effects of racialization in the service of settler colonialism, the myth of the law’s objectivity and colour-blindness normalizes these effects and helps shield them from scrutiny. Claiming ‘racelessness’, the legal system in Canada reinforces the mythology of a nation without a history of colonialism and without a racialized social order.¹⁰⁵ At the same time, case law in Canada provides ample evidence of discrimination, e.g. in cases regarding the appropriation of Indigenous land, segregation and assimilation practices, restrictions on immigration from Asia, Africa and the Caribbean, and restrictions on voting rights, employment and civil liberties of racialized groups (Aylward 1999). In this way, the law has institutionalized and

¹⁰⁵ This mythology is also reproduced through state discourses. On September 25, 2009, Prime Minister Harper stated the following at the G20 summit in Pittsburgh: “We also have no history of colonialism. So we have all of the things that many people admire about the great powers but none of the things that threaten or bother them” (Reuters 2009).

continues to sustain a racialized social order while obscuring the violence of colonialism (Razack 2002; Thobani 2007; Aylward 1999).¹⁰⁶

With respect to Indigenous peoples, the rule of law has been a primary technology of power in the colonization process (Blomley 2004). The law came to embody the necessary fictions that have legitimized the theft of Indigenous lands, the displacement of Indigenous nations, and the suppression of their legal orders (Thobani 2007). In addition, state practices of policing and criminalization have been key strategies of regulating urban spaces (Hamilton and Sinclair 1991; Razack 2009; Edmonds 2010).¹⁰⁷

The resurgence of Indigenous rights discourses and the mainstreaming of concepts of self-determination and self-government after the 1969 *White Paper* led to advances in the political and legal arenas (Turner 2006). Those advances, however, have largely bypassed Indigenous peoples who reside in urban areas (Walker 2008a). Urban Indigenous citizens are forced to look to land-based communities as the source of their rights (Proulx 2003). In light of the demographic realities discussed in chapter two and the historical geographies of cities, how is it that Indigenous and treaty rights do not seem to apply in urban contexts?

¹⁰⁶ For an overview of how liberal conceptualizations of the law's "neutrality" have been activated in the service of white settler elites in Canada, see Aylward (1999).

¹⁰⁷ The Aboriginal Justice Inquiry of Manitoba notes problems of under- and over-policing as well as the overrepresentation of Indigenous peoples in the prison system (Hamilton and Sinclair 1991). The overrepresentation is greatest in the prairie provinces with, in some cases, up to 80% of the inmate population being Indigenous (Lafreniere, Fontaine and Comack 2005).

In order to explore this question, we need to examine the intersections of colonial regimes of legality, jurisdiction¹⁰⁸, and territoriality which have produced the scalar void that exists with respect to urban Indigenous peoples today. A relational conception of the relationship between territory and law is helpful in this regard (Brighenti 2006). The main problem is that the settler law frames Indigenous and treaty rights as territorial – based on state understandings of territory and boundaries. A more appropriate way to conceptualize these rights is as personal rights (female, representative of national Aboriginal organization, Ottawa, June 5, 2009). That is, Indigenous rights are attached to a person by virtue of their Indigeneity and Indigenous citizenship, not based on their place of residence.

In terms of what the right to self-determination means in cities, it matters greatly how urban Indigenous people are conceptualized – as organized communities, citizens of Indigenous nations, parties to treaty, communities of interest, or individuals. At present, the rights of Indigenous peoples in cities are largely ignored or tightly circumscribed. This is in contravention of the internationally recognized Indigenous right to self-determination which is not restricted to remote or rural areas. Article 3 of the UNDRIP states that “Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development” (United Nations 2007, 4).

¹⁰⁸ Jurisdiction here is understood as comprising territory, object, capacity, and mode of governance (Valverde 2008, 6)

The Standing Senate Committee on Aboriginal Peoples (2003, 22) acknowledged that “rights are portable and the authority of First Nation governments extends beyond reserve boundaries”. The Assembly of First Nations has long affirmed that the rights and interests of First Nation citizens should not be contained by the *Indian Act* geography of rights (AFN n.d.). The federal government, however, continues to reinforce the notion that the rights of urban Indigenous people only matter in relation to Canadian citizenship, not Indigenous citizenship. The underlying assumption has been that urban Indigenous people are “ordinary citizens” – without Indigenous rights (Peters 2006, 318). In this sense, as one interviewee pointed out, First Nation citizens are required “to check their citizenship at the door” when they decide, or circumstances force them, to leave reserve communities (female, representative of national Aboriginal organization, Ottawa, June 5, 2009).

Until the early 2000s, the federal government, using a restrictive reading of section 91(24) of the *Constitution Act, 1867*, largely limited its responsibilities to First Nation persons registered as Indians under the *Indian Act* and residing on reserve. This racialized and spatialized framework of entitlement is also reflected in funding priorities (House of Commons 2003, 6; see also Standing Senate Committee on Aboriginal Peoples 2003, 23).

Clearly, there are limits to how the state can be challenged based on settler legality which is not only premised on the suspension of Indigenous rights, but also the suppression of Indigenous systems of law, title, and sovereignty, more broadly (Monture-Angus 1999). Despite the inherently violent nature of the law in

Canada, litigation may present a tenable route to creating political arrangements that better reflect and respond to contemporary realities of growing and diverse urban Indigenous communities. This includes legal action with respect to the reclamation of land, as well as the re-assertion of political and symbolic space in cities.

CONTESTING THE (CITY) LIMITS OF INDIGENOUS RIGHTS

Indigenous peoples who live in cities have transgressed and subverted the legal boundaries imposed by the settler state and the cultural imaginaries that go along with it. In this section, I draw attention to contestations and how Indigenous actors have used the legal arena to challenge the state.

This section examines three of the most important court cases with regard to the rights of off-reserve First Nation citizens, Métis, and urban Indigenous people, respectively: the *Corbiere* (1999), *Powley* (2003), and *Misquadis* (2002/2003) cases. These legal challenges have not dissolved the legal and spatial boundaries marginalizing urban Indigenous individuals and communities, but they have problematized them. By challenging the dominant scale politics, these cases have created openings for ongoing struggles against the ways in which state agencies have spatialized Indigenous rights and governance.

In looking at these court cases, I flesh out how coloniality and resistance to it are always multi-scalar, inescapably local while networked with and across multiple scales, places, and territories. In the course of contesting the limits imposed by the state – limits on where Indigenous rights, particularly the right to self-determination, can be exercised, by whom, and how – Indigenous litigants

have demonstrated that city limits do not insulate the settler city from Indigenous assertions of inherent rights and reclamations of cities as Indigenous places. Aided by these court challenges, the settler projection of Indigeneity as inherently non-urban was significantly destabilized and subverted in the contexts of my two research sites, Ottawa and Winnipeg.

THE CORBIERE DECISION

In 1999, the Supreme Court of Canada (SCC) rendered the *Corbiere* decision which challenged the on-/ off-reserve binary created by the *Indian Act*.¹⁰⁹ The *Corbiere* decision established “Aboriginality-Residence” as a ground of discrimination under the *Charter of Rights and Freedoms*. The case, which was brought forward by John Corbiere and others on behalf of non-resident members of the Batchewana Band in Ontario, addressed the issue of participation of off-reserve band members in band elections.

Prior to *Corbiere*, section 77(1) of the *Indian Act*, in effect, excluded off-reserve band members from voting in band council elections by specifying that eligible voters are “ordinarily resident on the reserve”.¹¹⁰ The SCC found that “off-reserve Aboriginal band members can change their status to on-reserve Aboriginals only at great cost, if at all. The situation of off-reserve Aboriginal band members is therefore unique and immutable” (*Corbiere* 1999, 5). The exclusion of off-reserve citizens was therefore found to be in breach of section 15(1) of the *Charter* which guarantees equality rights, because “the complete denial to off-

¹⁰⁹ *Corbiere v. Canada (Minister of Indian and Northern Affairs)*, 1999. 2 SCR 203.

¹¹⁰ Further to the *Corbiere* decision, *Esquega v. Canada* (2009) also addressed the political rights of non-residents to run for band council elections. The Federal Court of Appeal held that subsection 75(1) of the *Indian Act* was in breach of section 15 of the *Charter of Rights of Freedoms*.

reserve members of the right to vote and participate in band governance treats them as less worthy and entitled, not on the merits of their situation, but simply because they live off-reserve" (Corbiere 1999, 21).

While the decision did not problematize the *Indian Act* more broadly, it did draw attention to the problematic nature of its geography of rights and the question of the portability of rights. That is, the *Corbiere* decision failed to transcend racist notions expressed in the *Indian Act*, insofar as the decision reproduces the definition of political rights for Indigenous peoples as based on a racist piece of legislation, rather than flowing from relationships with the land, treaties, Indigenous nationhood and sovereignty. The *Indian Act* regime, as noted in 2008 joint Assembly of First Nations-Indian and Northern Affairs Canada report, "only entrenches the 'racialization' of First Nation people rather than symbolizing the special constitutional relationship between First Nations and the Crown" (AFN-INAC 2008, 22).

Monture-Angus (1999, 146) notes a potentially troubling consequence of the *Corbiere* decision in that non-residents are placed in the position where they can make decisions that may be to the detriment of the community. However, it appears as though the democratic control of local residents has not been undermined by those living away from their home communities. As an interviewee pointed out, "people who are in urban centres don't have a lot of say over what happens on reserves, although they now can vote in most/ reserves will have a polling booth in urban centres. But really just having the vote doesn't give you a say, because they are here and the politics are there. I mean really

even if they vote, they're not getting a lot of say in what goes on" (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).

To be clear, *Corbiere* does not represent a paradigm shift. Nevertheless, *Corbiere* is important in that it paved the way for legal challenges that take on the Canadian state with regard to limits on Indigenous rights based on place of residence. By postulating "Aboriginality-residence" as a ground of discrimination analogous to those listed in s. 15 (1) of the *Charter of Rights and Freedoms*, the SCC established "a constant marker of potential legislative discrimination" (*Corbiere* 1999, 18). For instance, the reasoning in the *Misquadis* case drew on the precedent set by *Corbiere*. Clearly, the implications of the legal acknowledgment of discrimination based on location are significant in that the racialized spatial boundaries imposed on Indigenous rights by the Canadian state can now be challenged more effectively.

THE POWLEY DECISION

Until the inclusion of the Métis under s. 35 of the *Constitution Act, 1982* which recognizes and affirms "existing Aboriginal and treaty rights" – without defining those rights – there was very limited recognition of Métis rights. The Métis have been in a precarious situation, insofar as they are not considered to fall under s. 91(24). Both the federal and provincial governments have refused, and continue to refuse, to unequivocally assume responsibility for the Métis, other than as "ordinary citizens" (male, representative of provincial Métis organization, Ottawa, October 29, 2008). Prior to the *Powley* decision in 2003¹¹¹, Métis rights were

¹¹¹ *R. v. Powley*, 2003 2 S.C.R. 207, 2003 SCC 43.

undefined in Ontario, similar to the rights of Indigenous people not registered under the *Indian Act* which remain undefined as s. 35 rights.

In 1993, Steve Powley and his son were charged with possession of a moose they had shot out of season and without a license, just outside of Sault Ste Marie. They had attached a Métis membership card and a note to the animal that read “harvesting my meat for winter” (Teillet and Teillet 2006). Upon being charged, the Powleys pleaded not guilty and argued that, as Métis, they had an Aboriginal right to hunt that was unjustly infringed by Ontario game laws. In 1998, the Ontario Trial Court agreed with the Powleys and dismissed the charges, but the Crown appealed the decision. In January 2000, the Ontario Superior Court of Justice confirmed the trial decision and dismissed the Crown's appeal. The Crown appealed the decision to the Ontario Court of Appeal which, on February 23, 2001, unanimously upheld the earlier decisions and confirmed that the Powleys have an Aboriginal right to hunt as Métis under s. 35. The Crown then appealed to the Supreme Court of Canada (SCC).

On September 19, 2003, the SCC, in a unanimous judgment, rendered a decision that confirmed that the Powleys, as members of the Sault Ste Marie Métis community, have a Métis right to hunt which is protected by s. 35. The SCC further specified that this right belonged to the community as a “right to hunt in the traditional hunting grounds of that Métis community”.

The importance of the *Powley* decision lies not only in the recognition of Métis rights, but also in the identification of Métis rights-holders. The SCC outlined a test to identify Métis rights-holders based on self-identification,

ancestral connection to a historic Métis community, and community acceptance. As noted by the Standing Senate Committee on Aboriginal Peoples (2003, 23), “the recent Supreme Court of Canada decision in the case of *R. v. Powley* will have important implications for policy-makers and force outstanding Métis issues more vigorously onto the public policy agenda”.

Given the large number of Métis who live in urban areas, this decision has wider implications regarding urban Indigenous rights. An analogous ruling does not exist with respect to urban Indigenous communities, but, as an interviewee pointed out, many Métis communities in Ontario are, in fact, urban (male, representative of provincial Métis organization, Ottawa, October 29, 2008). Moreover, for many Métis, urbanization did not involve migration. Rather, non-Indigenous communities settled and grew into cities in locations of pre-existing Métis communities. Métis and their collective rights, particularly the right to self-determination, had been erased in Ontario prior to the SCC’s decision in *Powley*, but since 2003 the landscape of Métis politics in Ontario has been transformed as a result of the Métis assertion that they continue to exist as communities (and as part of a nation) with collective rights.

Powley has led to a comprehensive rescaling of Métis governance in Ontario, with the Métis Nation of Ontario (MNO) taking over greater governing responsibilities at the local, regional, and provincial scales. The following interview excerpt with a Métis leader illustrates how crucially connected the rights side is to issues of governance and the capacity of Indigenous nations and communities to be self-governing.

[*Powley*] basically says that the governments have the responsibility, they share responsibility to ensure that the Métis community continues to exist. So for us, that's a wonderful quote to have the Supreme Court of Canada say. And what the court picked up on/ governments have continued to even deny the existence of Métis, that we existed in our communities. That is what made it [possible], you know, for the general population to not see us. We're almost invisible people within our community and within the province. [There are] no support mechanisms for us. So the Supreme Court actually made that statement in the *Powley* decision, I'll just point that out in relation to our right of self-government and the fact that we do programs and services as an essential form of delivering governance... And the MNO did lead the charge on that. We brought forward the *Powley* case, as a test case, brought that all the way to the Supreme Court. We saw it as a vehicle to hopefully get more recognition for the Métis people and Métis nation with those constitutional rights. We're making improvements on the rights side, but also sometimes benefiting the social side, because if you didn't have the rights side, there will be more reluctance to deal with you on the social side. So the case was about moose harvesting, but it certainly also helped the social side agenda to have those constitutional rights. They are recognized in the constitution and now recognized in the courts, so that makes it harder for governments to not deal with you on the social side as well (male, representative of provincial Métis organization, Ottawa, October 29, 2008).

This interviewee further noted how the constitutional and legal recognition translated into the re-scaling of Métis governance in Ontario. Legal, political and social rights of Métis citizens are now more likely to be framed in relation to the Métis Nation. The MNO has formalized relationships with the federal and provincial governments which, as a result of the *Powley* decision, were more likely to recognize the legitimacy of Métis self-governance and fund Métis-specific program delivery.¹¹²

¹¹² It also meant that membership codes and registration became a central focus in order to identify individual rights-holders and those eligible for programs and services. Particularly the process of community acceptance is contested.

THE MISQUADIS DECISION

The *Misquadis* case (2002/ 2003) relied heavily on the precedent set by the *Corbiere* decision.¹¹³ At stake here were both community control over labour market programming and the power to define what or who constitutes a legitimate Aboriginal community for the purposes of receiving federal funding through Aboriginal Human Resource Development Agreements (AHRDAs). The *Misquadis* case illustrates the struggle of urban Indigenous peoples to be recognized as forming legitimate Aboriginal communities. As an interview participant recounted, “we went right to the Supreme Court and we won the right to organize ourselves as a community in Winnipeg” (female, representative of Aboriginal service provider, Winnipeg, May 15, 2008).

The stated purpose of the Aboriginal Human Resource Development Strategy was to give Indigenous communities more control over labour market training. On April 1, 1999, the Aboriginal Human Resource Development Strategy (AHRDS) was implemented and national accords were signed, originally, with the three national organizations representing the three groups of Aboriginal peoples recognized in section 35 of the *Constitution Act*, the Assembly of First Nations, the Métis National Council, and the then Inuit Tapirisat of Canada (since then renamed Inuit Tapiriit Kanatami). Human Resources Development Canada (HRDC) refused to enter into agreements with rural non-band (non-status) communities and those covering cities. In these cases, HDRC instead opted for a Request for

¹¹³ *Ardoch Algonquin First Nation v. Canada (Attorney General) (T.D.)*, 2002 FCT 1058, 2003 2 F.C. 350.

Proposals (RFP) process which contravenes the stated purpose of the program, namely to increase local control.

With respect to Aboriginal people living in Winnipeg, HDRC entered into an Aboriginal Human Resource Development Agreement (AHRDA) with the Assembly of Manitoba Chiefs (AMC) and the Manitoba Metis Federation (MMF), with the expectation that these two political organizations serve all Aboriginal people in the province. The Aboriginal Council of Winnipeg (ACW),¹¹⁴ an organization created to represent all Indigenous people living in Winnipeg, was denied as an AHRDA holder, even though the AHRDS contains an urban/ off-reserve component. The reason HDRC gave for the exclusion of the ACW was that political representation of the urban Indigenous peoples in Winnipeg was contested. It boiled down to the question of which organizations were seen as legitimate representative organizations.

This question has implications for the type of community that can be enhanced through this program. And it is a question that is significantly determined by state practices. As noted by one interviewee, “I wish that the Aboriginal Council had more voice than it does. It has a very tiny budget, it’s had

¹¹⁴ The Aboriginal Council of Winnipeg was incorporated in 1990, forming out of the merger of two organizations, the Urban Indian Association and the Winnipeg Council of Treaty and Status Indians (Wuttunee 2004, 65). “The mission of the Aboriginal Council of Winnipeg is to be a strong political voice working towards a unified and cohesive urban Aboriginal community of Winnipeg; to be an advocate on behalf of the Aboriginal community of Winnipeg”. The vision statement of the ACW is “to support a self-sufficient, healthy, vibrant urban Aboriginal community, where families and children are ensured a good quality of life, through equal opportunity and choice so that Aboriginal people are a part of all things – a distinct presence throughout Winnipeg. The ACW advocates in a number of areas. It recognizes the diversity of the Aboriginal community, and the need to protect this diversity in all areas of concern as expressed by the community. The new portfolio structure for key priorities will enable the ACW to better organize its actions. The Board has identified the following priorities as outlined in the Work Plan: Culture, Heritage, Language and Arts; Economic Development, Community Development, Education, Training and Employment; Housing and Homelessness; Families: Women, Men, Youth and Seniors; Health, Wellness and Recreation; Justice and Human Rights” (ACW n.d.).

very little in staffing, and of course it depends on the federal and provincial governments for funding. So you can't say too much, too fast, or you get your funding cut. I think there is so much opportunity for the Aboriginal Council though" (female, representative of Aboriginal service provider, Winnipeg, May 20, 2008).

HDRC opted for an open Request for Proposals (RFP) process, meaning that HDRC would decide who was best suited to deliver labour market training for Indigenous people in Winnipeg, and how. The Centre for Aboriginal Human Resource Development (CAHRD) won the RFP process. However, CAHRD and the ACW, partner organizations of the Aboriginal Centre of Winnipeg Inc., felt that a RFP process was not appropriate. They maintained that a separate AHRDA was needed in order to serve the urban Indigenous community in Winnipeg.

Winnipeg was not the only place where the AHRDA process was challenged. In Ontario, the Ardoch Algonquin First Nation, a rural non-status Algonquin community near Ottawa, was initially denied funding. Representatives of the Ardoch Algonquin First Nation and other complainants, including a representative of the Aboriginal Council of Winnipeg, then sued Human Resources Development Canada (HRDC) over exclusionary practices related to the identification of AHRDA holders.

The Federal Court of Canada ruled that HRDC's exclusion of these urban and rural Indigenous communities was not justified and that the failure to recognize these communities as distinct and legitimate communities constituted

a violation of human dignity. Based on the reasoning in *Corbiere*, the Federal Court of Canada ruled that the Department failed to recognize that the litigants live in communities worthy of recognition. Judge Lemieux noted that “disadvantages have been exacerbated by continuing unfair treatment perpetuated by the stereotype that they are “less aboriginal”, with the result that they are generally treated as being less worthy of recognition, and viewed as being disorganized and less accountable than other aboriginal peoples” (Misquadis 2003 [95]). Commenting on the case, the Ontario Federation of Indian Friendship Centres (2007, 2) notes that “the claim that Aboriginal, or even First Nation, communities exist only where there are reserves endorses the artificial and colonial nature of the reserve system as one that legitimately defines the community-building capacity of Aboriginal people”.

As a result of the ruling, there are now three Aboriginal Human Resource Development Agreement (AHRDA) holders in the Winnipeg region: the Assembly of Manitoba Chiefs through First Peoples Development Inc, a service agency, the Manitoba Métis Federation, and the Centre for Aboriginal Human Resource Development, all serving their respective communities and implementing programming that reflects the unique needs of those communities – First Nations, Métis, and CAHRD has a pan-Aboriginal mandate. As an interview participant pointed out this ensured better coverage, “every Aboriginal person in Winnipeg... who’s looking for a job training program, has two different ways through which they can apply. They can go to the urban or they can go to the

Métis or First Nation [organizations]" (male, representative of federal Aboriginal service provider, Winnipeg, May 26, 2008).

While the liberal rights paradigm is ultimately incompatible with Indigenous rights and the right to the city which are collectivist in orientation, the *Misquadis* case illustrates that pursuing a rights agenda under settler law can help foster more Indigenous control over decision-making and the allocation of resources in cities. The rights agenda is closely connected to changes in governance, policy, and practices, albeit not in a uni-directional fashion. These interrelationships will be further highlighted in the next section which looks at the impacts that the *Corbiere*, *Misquadis*, and *Powley* decisions have had on specific Indigenous communities and urban Indigenous self-determination, more generally. What is at stake is here is how the law imagines, represents, and distorts Indigenous peoples and their rights.

IMPACTS ON INDIGENOUS GOVERNANCE

As Silvern (1999) demonstrates, Indigenous rights litigation is an important tool in the struggles to contest and reconfigure scales and the power relations they organize. The legal challenges described above have contributed to the rescaling of urban Indigenous governance in Ottawa and Winnipeg in several ways.

First, reserve boundaries are increasingly challenged and transcended by First Nation governments. A trend, which is more pronounced in Winnipeg than Ottawa, has been for First Nation governments to extend their reach into the city, based on inherent jurisdictions and Indigenous scales of governance. First

Nations and Tribal Councils are increasingly providing programs and services for their urban citizens. *Corbiere* was credited with having given impetus to these developments by several interviewees. As pointed out by one interviewee, “there’s certainly a trend on First Nations to extend services into urban areas. So you have urban reserves or tribal council offices in Northern Ontario, most of them. So you see an extension of their kind of presence into the urban areas, more in a concrete manner” (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

Second, *Powley* has had profound implications for Métis self-government in Ontario where most Métis communities are urban (male, representative of provincial Métis organization, Ottawa, October 29, 2008). Previously, the only funding available was tied to the delivery of services, program dollars. Post-*Powley*, the Métis Nation of Ontario (MNO) has been receiving funding in support of capacity-building and governance. In November 2008, the MNO signed a framework agreement with Ontario which stipulates that the parties “negotiate a mutually agreeable multi-year arrangement to provide core operational funding to the MNO” (Ontario - Métis Nation of Ontario 2008:2). An interview participant and representative of the MNO drew a clear connection between the recognition of Métis rights in *Powley*, increased representation of Métis through Métis self-governance, and the expansion of Métis-specific services (male, representative of provincial Métis organization, Ottawa, October 29, 2008).

Third, the *Misquadis* decision has had a positive impact on the community-building capacity of the urban Indigenous community in Winnipeg. The Centre for

Aboriginal Human Resource Development (CAHRD), which is affiliated with the Aboriginal Council of Winnipeg, became an Aboriginal Human Resource Development Agreement (AHRDA) holder for Winnipeg, alongside the First Nations and Métis AHRDAs. This means that CAHRD is in a position where the organization can be accountable to the community it serves, and not, as is the case with the RFP process, primarily to the government department distributing the funding. As the *Misquadis* case clearly demonstrated, control over community programming and how Aboriginal-specific dollars are spent is a crucial aspect of urban Indigenous self-determination. However, this does not mean that this automatically pertains to all urban areas in Canada. It seems that while *Misquadis* drew attention to this issue, it has not encouraged a fundamental rethinking of the federal government's practice with regard to the eligibility of AHRDA holders. As a participant noted,

After we won the court case, [we assumed] this would be the same across the country. But the way that the federal government dealt with the decision was [to deal with] these three appellants, it dealt with Toronto, it dealt with Winnipeg and it dealt with Vancouver. So, Ottawa, we have to bring a similar case to *Misquadis* forward for those rights and then do it in Thunder Bay, they have to do it Kenora, they have to do it in Edmonton, they have to do it Calgary... The renewal of AHRDAs is coming up, so they have an opportunity to fix this. And one of the things that we're considering doing is/ there's a/ whatever happens post 2009, if it's similar to what it is today, we may in fact do a class action suit on behalf of a number of communities saying our urban institutional development has been shunted by this. So, we'd use section 15 which is what *Misquadis* was about, inequality, residency as a grounds for discrimination. It could be a failure of the duty to consult... which is a really forestry, natural resource decision, but there are other applications that we can do (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

In fact, the duty to consult (and accommodate) may serve as a more effective lever to ensure that the Aboriginal and treaty rights of Indigenous peoples residing in cities are no longer ignored. The emerging discourse around the Crown's duty to consult, which was established as a legal principle in the Supreme Court of Canada's *Haida*, *Taku River*, and *Mikisew* decisions, is gaining momentum as a strategic direction in which to take grievances arising from the discrimination of urban Indigenous citizens. The current judicial interpretation of the duty to consult is limited and fraught with the fundamental problems of pursuing justice under settler law (Gordon 2010, 98), but, applied to urban Indigenous peoples, it could provide a legal avenue to advance collective rights claims of urban Indigenous peoples.

THE DUTY TO CONSULT

The duty to consult speaks to the principle of the honour of the Crown which is invariably at stake in dealings with Indigenous peoples. As Ladner and Dick (2008) note, while this principle protects Aboriginal and treaty rights, it has not substantively changed the positionality of Indigenous peoples in Canadian law. Despite this limitation, the duty to consult and to accommodate holds potential to incrementally change the dynamics of urban Indigenous governance.

In 2004, the Supreme of Court of Canada ruled in the *Haida* decision that the Government has the duty to consult Aboriginal peoples and accommodate Aboriginal interests in situations where Aboriginal and treaty rights may be adversely affected by government decisions (*Haida* 2004). The duty to consult does not only arise from the fiduciary responsibility of the Crown in contexts

where treaty rights are violated (Mikisew 2005), but also in situations of “unproven” rights, as a matter of the honour of the Crown (Haida 2004, 3-4).

The mere existence of this duty to consult and accommodate, however, does not ensure that Aboriginal interests will prevail. Governments are legally obligated to consult in good faith, but not to reach agreement (Haida 2004; Taku River 2004). As it stands, the duty to consult merely provides a procedural opening to halt unilateral decision-making by Governments (and only indirectly those by third parties).

While the cases which have given rise to its definition centered on issues related to Aboriginal title, interests in the land, and resources, the duty to consult, within a broader interpretation of this legal principle, could also be utilized to further the rights of urban Indigenous peoples. There are two primary ways in which the duty to consult could affect the collective rights and governance of urban Indigenous citizens. The first is in relation to First Nation communities, Métis settlements, and Inuit homelands; Indigenous citizens who live away from home territories are also affected by government decisions that encroach on their Aboriginal and treaty rights, e.g. deplete natural resources, destroy habitat, and so on (NAFC 2009). The second has larger implications for the legal geographies of Indigeneity in Canada; if urban Indigenous communities are recognized as rights-bearing communities, they would need to be consulted and accommodated with respect to any decisions that directly impinge on their Indigenous and treaty rights (even if those are yet “unproven”) (Morellato 2008).

A case can be made that governance rights are subject to remedy prior to their formal recognition. In other words, even in the absence of the recognition of the right to self-determination and self-government, the Government could be legally bound to consult and accommodate urban Indigenous peoples. At the core of this question is the definition of Indigenous rights in Canadian law as territorial, personal, or both (NAFC 2009, 7).¹¹⁵

CONCLUSION: RETHINKING INDIGENITY, CITIES, AND CITIZENSHIP

The contemporary topography of Indigenous rights continues to close down political possibilities in (and beyond) cities. Urban Indigenous communities have made gains in terms of state recognition, access to resources, and decision-making power, but Indigenous organizations and institutions are still severely constrained by settler state structures and practices.

Rights have served as an important basis of mobilization and resistance for urban Indigenous peoples. The *Corbiere*, *Powley*, and *Misquadis* cases represent successful legal challenges; nevertheless, litigation, as a strategy for Indigenous liberation, is fraught with problems and contradictions. Liberal rights theory, and the content and process of Canadian law, is forced upon Indigenous

¹¹⁵ The three fundamental questions that need to be addressed are summarized in a NAFC report (2009, 14) “1 What approval mechanisms should be put in place when seeking to accommodate the rights of urban First Nation citizens? [] 2 What other rights might be open for accommodation? [] 3 Could urban Aboriginal communities be right bearing communities distinct from First Nation or Métis communities?” The last question has the most far-reaching ramifications. If Indigenous people living in cities are conceptualized as members of organized, rights-bearing local communities, a fundamental rethinking of the relationships between Indigeneity, cities, and citizenship is required. An illustration is provided in relation to the Inuit community in Ottawa by Archibald and Crnkovich (2000, 39), who note that “there is a cohesive Inuit community in the Ottawa area. If the Ontario government were to designate it as a “native community”, then the door would be open for organizations like Tungasuvvingat Inuit to design and deliver social programs similar to those delivered by First Nations in Ontario, such as child welfare. This move alone has the potential of addressing a wider range of issues and problems because the responsibility and decision-making would be in Inuit hands”

litigants to the exclusion of Indigenous understandings of their rights, responsibilities, and relationships with the land and the settler state (Monture-Angus 1999, 117, 129; Borrows 2002). Indigenous peoples are thus at an automatic disadvantage in a legal arena that operates exclusively on non-Indigenous terms. As Monture-Angus (1999, 52) observes, "it is not because Aboriginal people have faith in the Courts that legal action is commenced. It is generally because the people have no other perceived way of protecting their rights".

Litigation also comes with significant risks in that it is extremely resource- and time-intensive. With the elimination of the Court Challenges Program and caps on core funding, Indigenous organizations may not be able to raise the funds necessary to pursue legal action which has uncertain outcomes. An interviewee also noted that litigation tends to close off space for dialogue with governments and participation in policy development (female, representative of national Aboriginal organization, Ottawa, June 5, 2009).

Formed by heterogeneous networks, with multiple roots and routes, urban Indigenous communities, to some extent, defy the existing legal typology of the state. Urban Indigenous governance and citizenship cannot be considered in complete isolation from spaces outside of cities. In most cases, connections to Indigenous nations and land-based communities are part of the equation when it comes to urban Indigenous citizenship. Therefore, actualizing Indigenous rights in cities, especially the right to self-government, needs to be conceptualized as part of a larger transformation of the law and Indigenous-state relations.

CHAPTER 6: INDIGENOUS GEOGRAPHIES OF RESISTANCE AND THE RIGHT TO THE CITY

INTRODUCTION

In this chapter, I examine the ways in which Indigenous peoples have been resisting the dominant spatial order through projects of re-territorialization and place-making. I show that Indigenous peoples are asserting the right to the city in Ottawa and Winnipeg by mobilizing around transformative agendas that hinge on the right to the city, which Harvey (2008, 23) describes as “the freedom to make and remake our cities and ourselves”. By unmapping settler cities and highlighting Indigenous geographies of resistance, this chapter demonstrates that cities are sites of struggle over Indigenous peoples’ access to rights, representation, property, and urban space itself.

Drawing primarily on interviews with key informants in Ottawa and Winnipeg, this chapter illustrates how Indigenous peoples are seeking to destabilize the settler city by asserting symbolic space, reclaiming physical space, and carving out political space. I argue that the alternative discourses, histories, and geographies, on which these assertions of space are based, open up possibilities for envisioning a new urban politics, along the lines of the right to the city (Lefebvre 1996; Harvey 2008). This concept advances demands for social justice by stressing the need for marginalized populations to appropriate and re-structure social, political, and physical spaces in (and beyond) the city (Gilbert and Dikeç 2008).

First, I highlight Indigenous counter-discourses to the settler construction of Indigeneity as non-urban. Then, the analysis moves to the examination of four case studies that illustrate urban Indigenous place-making: 1) the Algonquin Land Claim; 2) the Aboriginal Centre of Winnipeg; 3) the proposed urban reserve and First Nations Governance House and Service Centre in Winnipeg; and 4) the Friendship Centre Movement.

INDIGENOUS STRUGGLES AND THE RIGHT TO THE CITY

In addition to Indigenous discourses which have stressed self-determination as an inherent right, the notion of the right to the city offers a normative framework for urban-focused research that captures the demands and aspirations of Indigenous peoples on their own terms, as well as in a broader context of social struggle. In Lefebvre's words, “[t]he *right to the city* cannot be conceived of as a simple visiting right or as a return to traditional cities. It can only be formulated as a transformed and renewed *right to urban life*” (Lefebvre 1996:158; emphasis in original). Lefebvre conceptualized the right to city as “a cry and a demand” (Lefebvre 1996:158) for social justice, entailing not only the appropriation of existing, but also the fundamental re-structuring of social, political, and physical spaces by marginalized populations (Gilbert and Dikeç 2008).

Indigenous collectivities have asserted the right to the city in various ways, often extending beyond city limits and effectively contesting the territorialization and scales imposed by the state. Thus, Indigenous resistance to an array of socio-spatialities produced by colonialism, capitalism, and neoliberalization underscores, as Purcell suggests (2002:103), that the right to the city, in practice,

translates into a “multi-facetted politics of scale”. Purcell (2002, 101-102) further notes that the right to the city advances “the need to restructure the power relations that underlie the production of urban space, fundamentally shifting control away from capital and the state and toward urban inhabitants”.

Particularly relevant is that this restructuring is not restricted to the urban scale, but, in an increasingly urban world, encompasses the right to appropriate and reorganize the entire social system of production (Lefebvre 1996; Dikeç and Gilbert 2002, 65). As Soja (2010:6) explains, “in the present age of accelerating globalization the urban condition has extended its influence to all areas: rural, suburban, metropolitan, exurban, even wilderness, parkland, desert, tundra, and rain forest”. Within a multi-scalar view, therefore, the right to the city denotes struggles for spatial justice, more broadly (Soja 2010).

Given the centrality of cities in capitalist systems of accumulation, the right to the city is essentially aimed at structural changes concerning the ways in which cities are re-produced (Harvey 2008), including their racialized foundations. The right to the city therefore has implications for Indigenous peoples wherever they reside, as urban growth in Canada has been fuelled by the dispossession of Indigenous peoples.¹¹⁶

Similar to Indigenous rights, the right to the city also transcends the individualistic, liberal trajectory of juridical rights (Mayer 2009:367; Marcuse 2009:192-193).¹¹⁷ And whereas, in mainstream discourses, the right to city is

¹¹⁶ See Harvey (2003) and Gordon (2006, 2010) for further discussion on accumulation by dispossession.

¹¹⁷ Its transformation into a legal right is problematic given the pitfalls of rights discourse (Mayer 2009, 239). However, the right to the city has (at least nominally) been codified in law. Fernandes (2007)

often framed as, above all, a vehicle for inclusion (Mayer 2009; see Brown and Kristiansen 2008), it must be conceptualized in tandem with the right to difference, as Lefebvre (1996:34) stressed (see also Dikeç and Gilbert 2002:71; Gilbert and Dikeç 2008). With respect to Indigenous peoples, difference forms the basis of efforts to decolonize social relations and spatial structures and to remake the real and imagined geographies of what is now Canada.

Furthermore, Lefebvre emphasized the importance of full participation in what he refers to as the oeuvre of the city. For Lefebvre, social justice requires *autogestion*, or collective, radically democratic self-management, a notion that resonates with Indigenous struggles for self-determination. Although in its original formulation, the processes of class struggle are highlighted, the concept clearly lends itself to being stretched to include multiple, intersecting forms of exclusions. Although Indigenous interview participants did not frame their struggles in these terms, I argue that the right to the city is a useful way to think about the aspirations of Indigenous peoples to transform urban geographies and institutions. More specifically, the usefulness of the concept lies in its fundamental challenge to the status quo and its capacity to generate alliances and solidarity across places and scales. In the remainder of this section, I outline points of convergence that underscore the utility of the right to the city as an analytical and practical tool in Indigenous struggles to transform cities in Canada.¹¹⁸

provides a discussion of its legal construction in the 2001 *City Statute* adopted in Brazil, as well as the proposed *World Charter of the Right to the City*.

¹¹⁸ Purcell cautions against the over-use of the right to city as a catchphrase which is often evoked, but notoriously left underdeveloped, both politically and theoretically (Purcell 2002, 99; see also Brown and

SPACES OF RESISTANCE: “IT’S LIKE WE’RE COMING HOME”

Indigenous peoples have always transgressed the boundaries imposed by the state and “engaged in a virtually constant micropolitics of resistance” (Harris 2004, 179-180; see also Lawrence 2004).¹¹⁹ This politics of resistance contests the racialized entitlement to urban space (Shaw 2007, 175), and thereby the very foundation of the settler city. This has included forms of resistance that have sought “to occupy, deploy, and create alternative spatialities from those defined through oppression and exploitation” (Pile 1997, 3). While Indigenous resistance entails a wide range of practices, discourses, initiatives, movements, organizations and institutions, most significant perhaps is the fact that Indigenous peoples continued to live in or moved, and in some instances returned, to cities (Lawrence 2004; Harris 2002; Anderson and Jacobs 1997, 19). Moreover, Indigenous peoples have reclaimed cities as Indigenous places (Borrows 2002; Peters 2006; Tsawwassen First Nation 2007).

What emerged very clearly from the interviews in Ottawa and Winnipeg is that contemporary struggles over Indigenous rights in and to the city are not only about geography, but also fundamentally about (competing versions of) history (Blomley 2004, 108). In fact, these struggles are simultaneously about space, time, scale, boundaries, property regimes, and the meanings that are inscribed in them. That is, these struggles are by no means confined to the urban scale. They are multi-scalar and, to some extent, confound the physical and representational

Kristiansen 2008, 15). Indeed, there has been little research that details how the right to city might translate into policies, or even what exactly it entails (Purcell 2002).

¹¹⁹ Here, the focus is resistance that is anchored in institutions, as opposed the everyday resistance displayed through a range of tactics.

boundaries of the city. In effect, these struggles come down to challenges to the very nature of the settler city itself, as highlighted in the following excerpt from an interview with a community leader in Ottawa:

The irony is that... major cities, towns, villages in this country were urban areas for Aboriginal peoples for thousands of years. I mean Ottawa, this was a major trading intersection, because of the rivers. And Toronto, Montreal, Winnipeg, all the major cities, they were all urban areas that, you know, *it's like we're coming home*. And we just don't have a tendency to necessarily think that way, but again, they were our urban areas, and they still are (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

In a similar way, a Métis leader asserted the continuity of Métis urbanness by drawing attention to the historical geographies of cities in Ontario:

I think for many people when they hear the term urban Aboriginal, what's implied by virtue of what they know about First Nations is people have now moved into urban settings and they're transient... Whereas for Métis it's different, it doesn't reflect us... So if you look at the make up of Sault Saint Marie as an example which plays itself out many times across Ontario and Canada, very often you see communities that currently exist established on these Métis communities. Those original people, their descendants are still there. And so again in the case of Sault Saint Marie that historical community existed there, and the contemporary community continues to exist today and people in the contemporary community have a direct connection to the historic community. So the conflict of an urban community, the way the language is used doesn't recognize those historical communities and the towns and cities that Ontario now has are, in fact, in many cases historic Métis communities that grew up around them (male, representative of provincial Métis organization, Ottawa, October 29, 2008).

These two quotes exemplify a counter-discourse which re-asserts cities as Indigenous places by collapsing the false binary between Indigeneity and the urban. Contesting the urban/ rural divide plays an important role here. This is further illustrated in the following statement by a representative of a national

Aboriginal organization in Ottawa who problematizes taken-for-granted ways of thinking about Indigenous citizenship in relation to place:

We didn't have notions of outsiders defining who's a member of our community, who's a member of our nation. And prior to contact, according to our traditions, we would have adoption plans and adoption ways of bringing outsiders from different nations entirely, whether they were Mohawk or non-native, or whatever, into our community. And they become us. They're not us with an asterisk. They're not half of us, or quarter of us, or eighth of us, they are us. And I think we moved away from that historically, with the Indian Act and all those kinds of processes. But what I find is happening in urban areas is people are coming back to this notion of community. People say what community are you from, and I say, I'm from Ottawa. No, really, where are you from? OK, I'm from [name of First Nation]. That's a common thing in the Aboriginal community. But I think there's this growing sense of an urban identity. I'm from Ottawa. I think there's this myth that Aboriginal people come from reserves and Métis settlements and Inuit homelands to cities and that's how we come here. That's how we have, but at the same time there's multiple generational people being born urban. That's their only experience. Whether you're status or not, you'll never have the interaction back, home First Nation, Métis settlement or Inuit homeland. And in particular the city of Vancouver has a thriving Aboriginal community, and I know you focused on Winnipeg and Ottawa. Winnipeg has some of that as well, Ottawa a little bit less so. You see this urban identity emerge which is new and distinct I think. You know, I hate to put too much emphasis on it right now, because I don't think it would stand tremendous scrutiny, in terms of whether these urban identities are outside of status/ non-status, but I think it's a trend and we're seeing it across the country (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

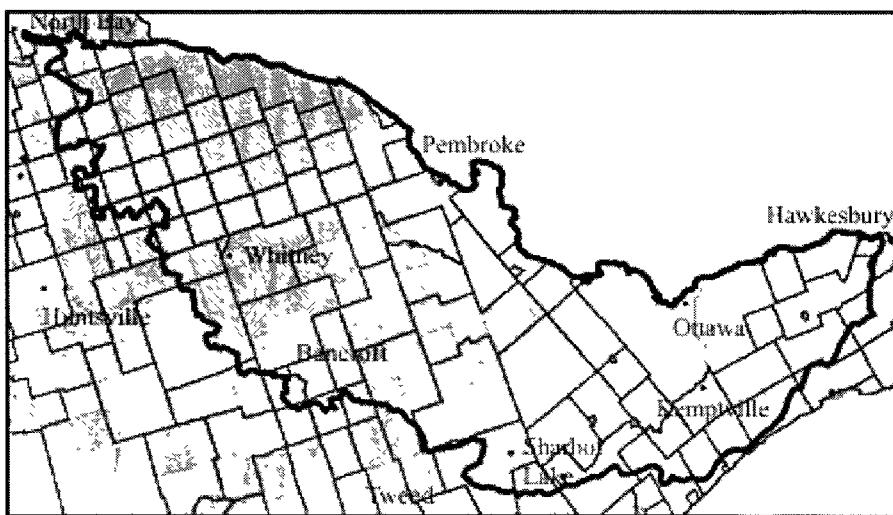
These discourses are also linked to institutional developments and material ways of reclaiming cities. Arguably, the most powerful way in which Indigenous peoples are reclaiming cities is through land claims and place-making projects. By bringing territoriality into the equation, Indigenous peoples have problematized entrenched settler notions of cities as inherently non-Indigenous spaces. However, it remains to be seen if transformations, such as urban

reserves, will translate into effective resistance against colonialism and neoliberalization.

THE ALGONQUIN LAND CLAIM: UNSETTLING THE CAPITAL

In this section, I sketch the history of the Algonquin people's struggle to maintain their relationships with their territories, with a particular focus on the Algonquin land claim. A potential settlement agreement could affect urban Indigenous realities and governance in Ottawa, as the City of Ottawa is located on unceded Algonquin territory.

MAP 1: Algonquin Land Claim¹²⁰



The Algonquin land claim covers an area of 36,000 square kilometers on the Ontario side of the Ottawa River. Due to the provincial boundary which was superimposed in Algonquin territory, Algonquin communities in Quebec are not part of this process. This exclusion is actively contested by the Kitigan Zibi Anishinabeg Nation, located near Maniwaki, Quebec. At a press conference on

¹²⁰ <http://wwwaboriginalaffairs.gov.on.ca/english/negotiate/alonquin/map.asp>.

June 8, 2011, Chief Gilbert Whiteduck pointed out that his community is “vigorously protesting our exclusion from discussion addressing Aboriginal title and rights within our ancestral territory” (CBC News 2011).

Of the claim area, approximately 59 per cent is privately-held patented land, 21 per cent of the land mass is within Algonquin Park, 16 per cent is land held by Ontario as public lands and by provincial Crown Corporations, and 4 per cent is federal Crown land. The claim area includes most of Algonquin Park, as well as the National Capital Region, including Parliament Hill. This, according to Lynn Gehl (2005, 3), means that “the Algonquin will always have more power than money can buy simply by stating, ‘Parliament Hill is unsurrendered Algonquin land’”.

The Algonquin never surrendered their territory by treaty, sale, or conquest. Algonquin petitions to remove settlers from their lands and to have their title recognized began in 1772 (Steckley and Cummins 2007). According to Richardson (1993, 93), however, these appeals were ignored and “by 1836, the government decided that the Algonquin claims had been ‘fully settled and adjusted’ (although this was demonstrably untrue), and a few years later began to describe the Algonquin claim as ‘perfectly novel’”.

Algonquin territory was “surrendered” to the Crown by the Mississauga in the Bay of Quinte region in 1822.¹²¹ As Hessel (1993, 69-70) notes, “the Missisaugas, of course, had never seen the land they “sold”, although the

¹²¹ Huitema (2000) provides detailed histories of land transfers and their impact on Algonquins in Ontario: the Crawford Purchase of 1783, the Rideau Purchase of 1829-1822, and the Williams Treaty of 1923.

surrender document stated that they were 'inhabiting and claiming the said tract'. There is no evidence of Missisauga occupancy in the Ottawa Valley at any time".

On the Ontario side of the Ottawa River, five heads of families petitioned for land in 1857. The setting aside of land for the Golden Lake Band of Indians and what would become the only Algonquin reserve in Ontario, near the town of Golden Lake, was approved in 1864 (Hessel 1993, 72). Without prior consultation or consent of the Algonquin people, Algonquin Park was created in 1893. After the creation of the park, officials used hunting regulations to restrict Algonquin access to Park land (Steckley and Cummins 2007).

The Algonquin of Pikwàkanagàn (formerly Golden Lake Band of Indians) set in motion the ongoing land claims process in 1983 when they presented their claim to title to the Government of Canada and, in 1985, to the Government of Ontario. It was not until 1991 and 1992 that the land claim was accepted by the provincial and federal governments, respectively.¹²² In 1994, the three parties to the negotiations signed a Framework for Negotiations Agreement, outlining shared objectives.¹²³

¹²² See Alfred (2005) for a critique of the comprehensive land claims process

¹²³ The Statement of Shared Objectives initially agreed upon by the three parties in 1994 was intended to ease some of the tensions that arose when negotiations began in 1991. This was after the so-called Oka crisis had put Indigenous land rights issues on the national agenda and portrayed Indigenous peoples as violent and lawless (Kalant 2004). Some media reports created the false impression that everyone who lived in the land claim area would be expropriated. Furthermore, the interim agreement included harvesting rights, with the first harvesting agreement created in 1991, which garnered hostile reactions by non-Indigenous residents in the region. There also appeared to be considerable anxiety pertaining to the future use of Algonquin Park. For instance, columnist Joey Slinger, wrote an article alarming his readership to the fact that the "Province [was] selling off our Algonquin Park Birthright" (Toronto Star 1991). An Ad Hoc Committee to Save Algonquin Park was formed in response to the land claim and its members predicted the development of Park land and violent confrontations between the Algonquin and settlers. These fears turned out to be completely unfounded (Steckley and Cummins 2007). Algonquin negotiators have consistently stressed that their interest is to have unoccupied Crown land returned to their control (Tanakiwin n.d.). Consistent with the federal land claims policy, private property was not subject to the negotiations. Recent media attention has focused on proposed development of land subject to the

The Algonquin of Pikwàkanagàn, the only federally recognized Algonquin community in Ontario, were joined by other Algonquin communities located in Eastern Ontario where there has been a persistent lack of state recognition (Steckley and Cummins 2007). Among the Algonquin in Ontario, only a minority are registered as status Indians under the *Indian Act*. With Pikwàkanagàn being the only reserve community in Ontario, the majority of Algonquin live off-reserve and in communities that are not federally recognized.¹²⁴ Its recognition as a claim of the Algonquin nation in Ontario in 2000 speaks to the struggles of nine non-status Algonquin communities to be represented and included in the trilateral land claims process (Steckley and Cummins 2007; Lawrence 2009; Gehl 2005).¹²⁵ The Framework for Negotiations and the Statement of Shared

Algonquin land claim For instance, a proposed residential eco-district development in the location of the former Canadian Forces Base Rockcliffe was put on hold after the Algonquin of Ontario intervened in the sale of the land, because they had not been consulted on the matter (Cook 2007) More recently, the City of Ottawa has been more proactive, securing a deal with the Algonquin of Ontario when plans for a light rail project were discussed

¹²⁴ Contemporary divisions around status/ non-status are the result of colonization and do not reflect Indigenous ways of identifying and constructing community Examining pictographs on the Great Peace of Montreal, Bohaker (2006) draws attention to the complexity of Indigenous political organization and Anishnaabe collective identity in the early 1700s She notes that “[t]hrough exploration of these different streams of evidence produced in the century preceding the signing of the Great Peace of Montreal, it becomes clear that Anishnaabe peoples had an entirely different method for organizing their sociopolitical world than the Europeans they encountered A crucial component of this world, as expressed through mindoodemag, centered on kin” (Bohaker 2006, 31) These different ways of sociopolitical organization are also reflected in different forms of land tenure Bohaker (2006, 43) points out that “though Anishnaabe peoples recognized and respected the rights of specific groups to particular places and resources, degrees of access and claims to those places and resources were mediated through kinship networks and alliances Furthermore collective identities were grounded not in continuous possession, occupation, and defense of a tightly bounded geographic space, but in shared descent from other-than human progenitors, in spiritual practices, and in origin stories”

¹²⁵ In 2003, the Algonquin of Pikwàkanagan, representing band members, and the Algonquin Nation Tribal Council, representing non-status Algonquin, agreed on a negotiation structure which includes the Chief and Council of Pikwàkanagan and one representative from each of the nine eligible Algonquin communities, Antoine, Ardoch, Bancroft, Bonnechere, Greater Golden Lake, Mattawa/North Bay, Ottawa, Sharbot Lake and Whitney (Steckley and Cummins 2007) The nature of this arrangement, however, perpetuates the division between the reserve community on one hand, and the nine non-status communities on the other This is also illustrated in the way in which the hunting agreements differentiate between members of Pikwakanagan and the nine communities (Gehl 2005)

Objectives were reaffirmed in 2006 (Steckley and Cummins 2007). However, the negotiations have not yet led to the signing of a settlement agreement.

In early 2008, the Algonquin of Ontario released *A Draft Economic Development Plan* outlining the goals and proposed changes related to the successful implementation of a land claim settlement agreement. Stating that "the Economic Development Plan will set out the necessary requirements for the survival and prosperity of the Algonquin people and culture in Ontario" (Tanakiwin n.d.), one of the criteria with respect to the selection of lands is "to ensure the survival of the Algonquins by providing high profile and historically meaningful locations for the establishment of "signature" projects that will support and enhance the rejuvenation of Algonquin history and culture" (Tanakiwin n.d.). Ottawa will be a prime location for these signature projects. As an interviewee pointed out, negotiations have taken place with the City of Ottawa to increase the Algonquin presence in public space and the life of the city, more generally.

There are hopes that there would be some recognition of Algonquins in the Ottawa area and we have met with Ottawa City Council members and staff and there have been some discussion around the recognition of Algonquins and some role, maybe an employment centre within the Ottawa area... We're looking at some kind of facility to serve people who live in Ottawa or the Ottawa area, for members, and other people of Algonquin descent that may be beneficiaries. We'd be looking at programs and services... There should be something in Ottawa for the members. There was some plan of a centre, not just a Friendship Centre, but something like a service centre. There's little I can say at this point, but I'm sure there should be and there will be something in Ottawa... we are going to negotiate some properties for housing, economic development, for people in the Ottawa area (male, representative of First Nation, Ottawa, January 6, 2009).

Although the claims process is highly contested, because it is on settler state terms and inevitably results in surrender of Aboriginal title (Lawrence 2009),¹²⁶ a settlement of the Algonquin land claim could potentially entail the reclamation of property and institutional and public space in Ottawa.

THE ABORIGINAL CENTRE OF WINNIPEG: “MORE THAN A BUILDING”

Another important aspect of Indigenous place-making in cities is the creation of institutional spaces. The Aboriginal Centre of Winnipeg grew out the philosophy of the Neeginan project, an unsuccessful proposal to create an Aboriginal village and service centre in Winnipeg in 1970 (Bileski 2006). In December 1992, the Aboriginal Centre of Winnipeg Incorporated (ACWI) purchased the Canadian Pacific Railway Station based on the premise that “all ACWI member organizations needed proper space to deliver their services effectively and efficiently” (Bileski 2006, 1).

After the restoration process was completed in 1998, the Aboriginal Centre became home to a wide range of community organizations and service providers. One of the rationales for the Centre was to increase inter-agency collaboration and to pool resources (female, representative of Aboriginal service provider, Winnipeg, May 15, 2008). Furthermore, the founders anticipated that “the Centre

¹²⁶ As Alfred (2005, 111) notes, modern treaty making has not challenged problematic Settler assumptions and state doctrines related to Crown title. He explains that “all land claims in Canada, including those at issue in the BC Treaty Process, arise from the mistaken premise that Canada owns the land it is situated on. In fact, where Indigenous people have not surrendered ownership, legal title to ‘Crown’ land does not exist—it is a fiction of Canadian (colonial) law. To assert the validity of Crown title to land that the Indigenous population has not surrendered by treaty is to accept the racist assumptions of earlier centuries, when European interests were automatically given priority over the rights of supposedly ‘uncivilized’ Indigenous peoples. Those who do not accept the idea that Indigenous people own all of their traditional territory unless it was surrendered by treaty are either ignorant of the historical reality or racists who ignore that reality in order to impose a hierarchy of rights based on ‘conquest’” (Alfred 1999, 120).

would provide the Aboriginal community with a source of pride and equity, and make the Aboriginal community a stakeholder in the future of Winnipeg" (cited in Bileski 2006, 6). As a representative of the Aboriginal Centre explains,

The mandate of the Aboriginal Centre is to rent, lease space to the Aboriginal community. So, we're really just a building... A space for us to do our business which may be anything, employment, training, development... The role of the Aboriginal Centre, again, was, like I said, to provide space and training, really space. But the Aboriginal Centre has really become more than that, than just a building. It's kind of a focal point in the city. I mean you hear a lot/ a taxi driver will tell that someone will come off the reserve and say I want to go to the Centre, to the Aboriginal Centre... I think that we're a good example of an Aboriginal organization that was able to pull together enough resources to buy something for themselves that makes them independent. The Aboriginal Centre gets no government funding. We are totally self-sustained (female, representative of Aboriginal service provider, Winnipeg, May 15, 2008).

The importance of owning property and building equity in the community was also stressed by other interview participants, who were largely critical of notions of an urban reserve as a way to assert space for the urban Aboriginal community. An interview participant explained that,

this is not an urban reserve and I don't think it ever would be. It's better. And the reason it's better is because we own it. It's real economic development... we can lease it, we can rent it, we can share it, we can do whatever we want with it, it's ours, it belongs to us, whereas reserve land never does. Secondly, it's all-inclusive. Anybody can come here. It's just based on the business model we set up. It's not exclusive of anybody, like we have new Canadians that come here, we have/ everybody is welcome here. So really rich and it's an amazing history in that this was the first place that new Canadians, immigrants shook hands with Canada. So this centre was one of the most amazing things that ever happened to our community (female, representative of Aboriginal service provider, Winnipeg, May 20, 2008).

The Centre for Aboriginal Human Resource Development (CAHRD) is the largest tenant, currently accounting for almost three quarters of the rent that the

Aboriginal Centre generates. CAHRD has been expanding significantly, with buildings purchased on adjacent properties and a housing project on the horizon. Together the organizations housed in the Aboriginal Centre are one of the largest employers of Aboriginal peoples in Winnipeg, with 137 Aboriginal employees in May 2008 (female, representative of Aboriginal service provider, Winnipeg, May 15, 2008).

MAP 2: Select Organizations in Winnipeg (North Main/ Higgins)



The Aboriginal Centre has transformed the North Main Street/ Higgins Street area and has given the Aboriginal community in Winnipeg a flagship place-making project which is expanding and linking up with other projects in the area. The proposed addition of housing units adjacent to the Centre will add to the benefits for Aboriginal residents, as well as the revitalization of the area,

more generally. In combination with the headquarters of the Manitoba Métis Federation (MMF) and Thunderbird House, a cultural centre, across from the Aboriginal Centre, it has created a strong Aboriginal presence in downtown Winnipeg. For the Aboriginal organizations housed in the Centre, it has created a degree of autonomy and self-determination that had not existed prior to the creation of the Aboriginal Centre of Winnipeg (female, representative of Aboriginal service provider, Winnipeg, May 15, 2008; female, representative of Aboriginal service provider, Winnipeg, May 20, 2008).

PLANNING AN URBAN RESERVE IN WINNIPEG

Land issues are central and cannot be ignored in cities insofar as land remains a major focus of self-determination and Indigenous politics more generally (Graham 1999, 388). In urban settings, the lack of a land base has been used as one of the key arguments to refute the application of the concept of self-government. However, the strategic denial of land rights and title in cities has met with Indigenous resistance. It should be noted that both Ottawa and Winnipeg are subject to disputes over title to land.¹²⁷

One of the ways in which urban space has been reclaimed is through the creation of urban reserves. In contrast to “ordinary reserves” which were created to confine and segregate First Nations peoples on small and scattered pieces of land held in trust by the Crown, urban reserves are created at the request of First Nations. Therefore, the concept of an urban reserve, although clearly rooted in

¹²⁷ See discussion of Algonquin land claim above. In February 2011, the Supreme Court of Canada agreed to hear the Manitoba Metis Federation land claim, based on the non-fulfillment of land promised under the Manitoba Act of 1870 (Manitoba Metis Federation 2011).

Indigenous-Canadian relations, constitutes a reversal insofar as it is a process initiated by Indigenous leaders to reclaim settler spaces (Gertler 1999). As noted by Barron and Garcea (1999, 45), “the idea of urban reserves is deeply rooted in First Nations’ political will to survive, and it is reinforced by social, economic, and demographic trends both in the Indian community and in society at large”.

According to Indian and Northern Affairs Canada, there are now more than 120 urban reserves across Canada (Indian and Northern Affairs Canada 2008b). A number of reserves have always been adjacent to or within city limits (Graham and Peters 2002, 6). At the centre of the discussion in this section are new urban reserves which have come into existence as a result of the Additions to Reserves (ATR) policy and Treaty Land Entitlement (TLE) agreements (Indian and Northern Affairs Canada 2008b; n.d.).

First Nations can use TLE cash settlements to buy land from willing sellers and can then request reserve status for this property through the ATR process, which tends to be long and onerous. A successful designation of a property as an urban reserve requires that the First Nation deal with any third party interests, including municipal interests. The creation of a Municipal Servicing Agreement is obligatory and requires that First Nations pay fees for services in lieu of property taxes; these agreements also stipulate that municipal bylaws, building codes, and zoning regulations apply. In this sense, even though urban reserves to some extent collapse the settler boundaries that contained Indigeneity in “zones of exclusion”, settler spatial discipline is nevertheless maintained. These reclaimed

spaces remain tightly controlled by state parameters of land use and economic development.

New urban reserves are generally not residential. Rather, “urban reserves serve as springboards into the mainstream economy” (Indian and Northern Affairs Canada 2008b). These urban economic development projects do not only benefit First Nation communities, but also generate significant economic advantages for municipalities in the form of service fees, employment, revitalization, etc. Urban reserves as economic development platforms have been particularly successful in Saskatchewan where the first reserve of this type came into existence in 1988 (Barron and Garcea 1999). The creation of urban reserves is closely connected to shifts under neoliberalism and its emphasis on urban entrepreneurialism. With the primary focus on economic development, urban reserves are not necessarily mechanisms to address self-determination and self-government directly. Further, Métis, non-status First Nation people and Inuit may benefit from employment and services, but not from the revenues generated from urban reserves.

In Winnipeg, the proposal for an urban reserve came about as a result of a \$16-million specific claim settlement, which enabled the Long Plain First Nation to purchase a 14,864-square-metre property near Polo Park, an industrial area at the outskirts of the city in June 2006, for \$1.1 million. In November of 2008, the Long Plain First Nation voted to approve the Addition-to-Reserve process. This only leaves the Municipal Development and Services Agreement as the last

hurdle before the land will be turned into a reserve and construction of the proposed First Nation Governance House and Service Centre can begin.

The First Nation Governance House and Service Centre is envisioned as hub for economic activities, as well services and governance. It will be run in partnership by the Assembly of Manitoba Chiefs (AMC) and the Long Plain First Nation. The Grand Chief of the AMC, Ron Evans, sees this as a fundamental step in the direction of First Nations self-governance and is cited as noting that “we are on the verge of making history... We will have a house of government for our Manitoba First Nations, a physical embodiment of First Nations government” (Central Plains Leader-Herald 2008).

Initially, the idea of an urban reserve in Winnipeg was not well received. As an interviewee explained, the concept of an urban reserve was not well understood and there was significant resistance to the idea; “the concern was about some kind of ghettoization, the imagery of what a reserve looks like and the ghettoization of communities in an urban reserve” (male, representative of the City of Winnipeg, Winnipeg, May 21, 2008). Much of the opposition was thus based on the assumption that urban reserves are residential in nature and the conflation of Indigenous peoples with poverty. The interview participant went on to note that “actually, they’re a vehicle for considerable investment in Winnipeg; it creates jobs, it creates property taxes, all kinds of good stuff” (male, representative of the City of Winnipeg, Winnipeg, May 21, 2008). Yet, in order to evade resistance and anticipated “Not In My Back Yard” (NIMBY) conflicts, “the language of urban reserve” was consciously avoided in Municipal Aboriginal

Pathways, the City of Winnipeg's Aboriginal Strategy document, "only because of the baggage and perception associated with it" (male, representative of the City of Winnipeg, Winnipeg, May 21, 2008).

Today, the City is "very supportive of the development zones for treaty land entitlements", as a representative of the City noted (male, representative of the City of Winnipeg, Winnipeg, May 22, 2008). Reframing them as "development zones" also speaks to how the schism between reserves and cities is maintained. The example of Saskatoon was influential in convincing councilors and the Mayor to get on board and support the creation of an urban reserve, especially when "no one would even know" that it is First Nations land.

I've seen how it works in other cities. When I was there recently, in Saskatoon, I visited down there and I talked to the people and the truth is if you're just driving by, you would have no idea that it was an economic development zone or urban reserve. It just was like any other commercial development. No one would even know. And I think it's very positive (male, representative of the City of Winnipeg, Winnipeg, May 22, 2008).

As noted above, the proposed urban reserve – as an economic development project – appears to fit comfortably with the neoliberal agenda of the City government. Given how support is contingent on the urban reserve looking and behaving "like any other commercial development" and in light of existing new urban reserves, it is questionable whether the proposed project will contribute to a fundamental reconfiguration of social, political, and spatial relations between urban First Nations peoples and the state in Winnipeg.

While urban reserves can reinstitute a degree of autonomy with respect to economic self-sufficiency, questions related to self-determination and freedom

from dominant economic development models remain. Hence, Gertler (1999, 266) points out that “compared with other potential initiatives in self-government, urban reserves may be viewed by governments as relatively innocuous in that they focus on economic development initiatives for specific bands or councils rather than on generating new alliances to challenge the status quo more broadly or frontally”. It remains to be seen how the proposed First Nation Governance House and Service Centre will transform the lives of Indigenous people in the city.

THE FRIENDSHIP CENTRE MOVEMENT

We are the original urban Aboriginal strategy, Friendship Centres. We are the original notion of self-determination (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

Friendship Centres and, as a collective voice, the Friendship Centre Movement have pushed an agenda of Indigenous self-determination, capacity building, and culturally appropriate service delivery in cities since the 1950s. At the forefront of making institutional space in cities, these agencies continue to be a major force in community building (Newhouse 2003).

The first Friendship Centre, the Indian and Métis Friendship Centre, opened its doors in Winnipeg in 1959, initially functioning as a transition centre (male, representative of Aboriginal service provider, Winnipeg, May 22, 2008). The Friendship Centre then became a “kind of the incubator or spawning ground for the 40 or 50 organizations that we have today. A lot of the activism came from individuals who started at the Friendship Centre” (female, representative of provincial Aboriginal organization, Winnipeg, May 16, 2008).

In Ottawa, the Odawa Native Friendship Centre began its operation in 1975.

While Winnipeg's was among the first wave of Friendship Centres, Ottawa's Friendship Centre came into being at a time when the Friendship Centre Movement had consolidated, with the creation of the National Association of Friendship Centres, a representative body at the national level, and core funding through the Migrating Native Peoples Program.

The National Association of Friendship Centres (NAFC) was incorporated in 1972, "developed by regional bodies and local Friendship Centres looking for national level support for their programs" (male, representative of national Aboriginal organization, Ottawa, October 23, 2008). In the same year, the Migrating Native Peoples Program was launched. It provided core funding to Friendship Centres. In 1983, the NAFC negotiated an enriched Native Friendship Centre Program which became the Aboriginal Friendship Centre Program in 1988. In 1996, the administration of the Aboriginal Friendship Centre Program was downloaded to the NAFC. The NAFC notes that this marks a "new era in Aboriginal-Government relations and, to this day, suggests a unique relationship with the Government of Canada. It notably demonstrated a commitment on behalf of the government to increase the capacity and sustainability of Aboriginal organizations" (National Association of Friendship Centres n.d.). This shift is also indicative of a broader rescaling of responsibilities under neoliberalism, with the downwards scaling of responsibilities to Aboriginal organizations, as well as other levels of government.

The Aboriginal Friendship Centre Program has an annual budget of \$16.1 million. This represents the core funding for 116 of the 118 Friendship Centres. Some of the money also goes to regional bodies which, on provincial or territorial basis, provide training and supports for Friendship Centres (male, representative of national Aboriginal organization, Ottawa, October 23, 2008). In addition, the NAFC administers funding through the Urban Multipurpose Aboriginal Youth Centre Initiative (\$10.8 million per year) and Young Canada Works (\$1.3 million a year) (NAFC n.d.).

The bulk of the funding, however, comes from other funding sources and revenue from fundraising activities. Currently, the 118 Friendship Centres "have about \$115 million in revenue that's spent on the ground throughout the country", as one interviewee explained. He went on to note that "it's a large network. We interact with provincial governments. About a third of our money is federal, about a third is provincial and a third is other – municipal, First Nations, foundations, those kinds of things" (male, representative of national Aboriginal organization, Ottawa, October 23, 2008). The greatest share of support comes from provincial and territorial governments (NAFC 2008, 1). The funding from provincial/territorial and federal sources, however, is not enough to maintain services in the face of ever-increasing demand. Self-generated revenue, for instance from bingo nights, has been essential in supplementing the funding that the Winnipeg Friendship Centre receives (male, representative of Aboriginal service provider, Winnipeg, May 22, 2008). An interviewee commented that "our Centres in Manitoba have realized that government funding is not the end all be all. That's

the bottom line. So, we have diversified our funding sufficiently, well enough that we have the equity and we have the equity in our communities" (female, representative of provincial Aboriginal organization, Winnipeg, May 16, 2008).

Friendship Centres represent the vanguard of urban Aboriginal service delivery. Similar to other urban Aboriginal agencies, however, Friendship Centres continue to be perceived through a "lens of deficiency and erosion" (Newhouse 2003, 251). Friendship Centres, like most Aboriginal service agencies operating in cities, have adopted an inclusive strategy (Newhouse 2003; Proulx 2003; Silver 2006). As an interviewee in Winnipeg explained, "essentially any person that comes through the door at the Friendship Centre, we want to match them with what they need ... We try to match people with the resources that we think they might need" (male, representative of Aboriginal service provider, Winnipeg, May 22, 2008).

Central to community development strategies as pursued by Friendship Centres and urban Aboriginal organizations, more generally, is the promotion of Aboriginal culture and the delivery of culturally appropriate services (Silver 2006).¹²⁸ This focus on social services, however, has also come to represent a fault line with respect to how community is conceptualized. As noted by an interview participant in Ottawa, "there's a tension in communities across the

¹²⁸ As noted by the National Association of Friendship Centres (n.d.), "Friendship Centres offer a variety of programs and services in a culturally appropriate manner, practising an open-door policy where anyone, regardless of race, religion, income or nationality can access programs. Visitors to Friendship Centres can often find access to cultural programs, education and training, employment counselling, health programs, children and youth programs, recreation programs and economic development. Friendship Centres also offer language training, entrepreneurial training, skills development, computer training, work site placements, nutrition programs, healing circles, alcohol and drug counseling, summer camps, day care centres, youth peer counseling, youth drop in centres, organized sports and leagues, wilderness training and facility rentals. Many Centres also have arts and crafts shops and organize pow wows and other events throughout the year."

country as to whether or not they're there to serve the most dispossessed or whether to be a community centre, which is a kind of middle class Indian approach where you celebrate culture, know yourself" (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

One of the challenges that interview participants identified was the multi-scalar policy environment, the lack of inter-scalar coordination and the political nature of these dynamics.

So when we're trying to organize the types of programs our clients require, we have to deal with multiple jurisdictions. So that's one challenge. And lately, it has become very political. First Nations organizations and chiefs and councils say we represent our people no matter where they live. They may or may not. Some do very well, some do it less well. But that frequently results in a competition for resources or that doesn't always help the relationships and how we work together to serve the same people frankly. And we're not competing for clients. We try not to compete for dollars. We try to work in a collaborative relationship, but it's difficult sometimes for sure, so how the dynamics change, I think they will change in those regards.... And the type of policy engagement is changing as well. It's not just community based surveys and responses, we're actually trying to take the lead more in setting a policy and research agendas, by either targeted calls for proposals and papers and we chair an international policy leadership conference. And we're trying to develop policy infrastructure with SSHRC and with others to raise the level of debate generally in the area, so I think the business has changed in all those regards. We're trying to influence decision makers by telling the media and the public about the importance of urban challenges and ultimately having an appropriate response to it (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

In 2006, the NACF and the Assembly of First Nations (AFN) signed a Memorandum of Understanding, identifying the AFN as the representative organization for First Nations citizens and the NAFC as the service delivery agency for urban First Nations citizens. In June 2009, the NAFC hosted three of

the five candidates running for National Chief at the first Candidates Forum on urban First Nation issues at the Odawa Friendship Centre in Ottawa. This can be seen as part of a larger movement to overcome the divisions imposed by the state and to re-map First Nation identities and politics in Canada.

The network of Friendship Centres has been at the forefront of advancing the discourse on urban Indigenous issues. As reiterated by an interviewee in Ottawa, Friendship Centres

were the first notions of self-determination. These programs were not created by the government. These programs were created by Aboriginal people looking for a place, a safe place in the city... Eventually there was a critical mass developed so people were coming to those Centres and they would get little contracts to do referrals. And then they got bigger, and then they got some of the services set up... It's not a government-led or government-driven operation. Now today we have a tremendous relationship with the federal government that helps facilitate that. It has become more involved than it has been on the outset (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

This interview excerpt further illustrates how crucial place-making and institution-building are in the sense of providing the foundation for Indigenous actors to further self-determination in cities.

CONCLUSION: UNSETTLING CITIES

In addition to Indigenous discourses which have stressed the right to self-determination as an inherent right, the notion of the right to the city offers a normative framework for urban-focused research that captures the demands and aspirations of Indigenous peoples on their own terms, as well as in a broader context of social struggle. Seen in this way, Indigenous collectivities have asserted the right to the city in various ways, often transcending city limits and

effectively contesting these and other boundaries imposed by the settler state (Howitt 2009).

Indigenous peoples have been deterritorialized and displaced by colonialism and capitalism (Harris 2004). The right to fully participate in the life of the city and to shape its future continues to be constructed as an inherently non-Indigenous prerogative. In this way, struggles to substantiate an Indigenous right to the city not only represent profound contestations of city spaces across Canada, but also challenge the very idea and foundation of the settler city itself.

As the case studies of Indigenous place-making have illustrated, appropriating city-space represents an effective subversion of the settler project which is inscribed in its built, political, and cultural environment. Decolonization, here, is about asserting the right to the city as a basis for more just political arrangements. As the next two chapters illustrate, these struggles are centrally about scale and crystallizing new scales of governance in the context of the contested politics of Indigenous governance and local neoliberalisms.

CHAPTER 7: LOCAL NEOLIBERALISMS AND CONSTRAINTS ON INDIGENOUS SELF-DETERMINATION IN WINNIPEG AND OTTAWA

INTRODUCTION

In addition to the reclamations of city space discussed in the previous chapter, Indigenous peoples are also asserting space through the transformation of governing institutions. This chapter discusses actually existing forms of governance and constraints on Indigenous self-determination in Winnipeg and Ottawa. Given that the scalar void continues to contribute to the marginalization of urban Indigenous populations, it is argued that policy makers and researchers need to give more attention to urban Indigenous governance.

Changes in urban governance consistent with local neoliberalisms, most notably the downloading of programming responsibility and the proliferation of partnerships, have presented important openings for Indigenous organizations and collective action at multiple scales, in that they provided resources and institutional space to determine and pursue community priorities. However, while Indigenous agencies are delivering an increasing range of programs and services, they are severely constrained in their capacity to respond to the needs and political aspirations of local communities by state practices related to funding, jurisdiction, and political representation.

The impacts of neoliberal policies and practices on Indigenous voluntary organizations are not unique; they pertain to the third sector, more generally. In her work on shadow state formation, Wolch (1990, 206-7) describes the negative

effects of increased competition for resources, contractual relationships and monitoring, and increased state surveillance and control on advocacy, participation, and the autonomy of voluntary organizations to pursue self-determined agendas. In light of processes that seem to stifle activism and to limit the political imagination of what is possible, especially through the pressure to deliver services rather than advocate for systemic change, these processes have led some scholars and practitioners to be highly sceptical of the transformative potential of the voluntary sector (INCITE! 2007).

This chapter begins with a discussion of urban Aboriginal governance and self-government as a framework for looking at different Indigenous projects related to urban Indigenous self-determination. In particular, I distinguish between nation-building and community-building projects which have different implications with respect to how place, scale, territory and networks are conceptualized and articulated. Then, I briefly discuss the contexts of local neoliberalisms in Ottawa and Winnipeg. Finally, I explore three major constraints on urban Indigenous organizing and self-determination: 1) funding; 2) access; and 3) representation. These constraints will further elucidate the confluence of colonial and neoliberal strategies of erasure and containment discussed in previous chapters.

URBAN ABORIGINAL GOVERNANCE AND SELF-GOVERNMENT

In this section, the focus is on how governance, self-determination, and self-government have been conceptualized and operationalized in relation to urban Indigenous peoples. At times, these terms appear to be used interchangeably in

the literature, but it is important to distinguish between these concepts and to note the implications that each has for urban Indigenous peoples.

While government is generally understood to be an institutional entity, governance is defined as a process of decision-making and “the art of steering societies and organizations” involving various actors, including but not restricted to governments (Plumptre and Graham 1999, 2-3). The governmentality literature has broadened our understanding of governing, as the conduct of conduct, which involves “any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape conduct by working through the desires, aspirations, interests, and beliefs of various actors, for definite but shifting ends and with a diverse set of relatively unpredictable consequences, effects and outcomes” (Dean 2010, 18). The advantage of this approach is that it can provide a more complete account of how power operates through “activated” individuals and “responsibilized” communities.

Urban Aboriginal governance, more specifically, can be understood to include the “institutions, services and political arrangements dedicated to meeting and representing the needs and interests of the urban Aboriginal population” (Graham 1999, 378). However, the data presented as part of this dissertation raises serious questions concerning the degree to which current governance arrangements actually meet and represent these needs and interests.

Since urban Aboriginal governance includes an array of state and non-state actors, collaborative relationships are of central importance. Yet, as numerous

authors have noted, it is crucial for the well-being of urban Aboriginal communities to reshape the relationships with municipal, provincial, federal and Aboriginal governments and to clearly define roles and responsibilities (Cardinal 2006; Graham and Peters 2002; Walker 2006; Todd 2001, 2003). However, the manner in which these relationships, roles, and responsibilities are to be reshaped remains open to contestation.

While several authors stress the need for a renewed intergovernmentalism to fight poverty (Hanselmann and Gibbins 2003; Cardinal 2006), other authors have insisted that urban Aboriginal governance needs to encompass more than the improved delivery of services through multi-scalar cooperation (Walker 2005; Christie 2003). The transformative pressure on intergovernmental relations will only translate into enhanced opportunities for Indigenous self-determination, if political space opens up based on inherent and treaty rights.

At the most fundamental level, self-determination is about the right to define the community. Therefore Beck's observation is an important one; he notes that self-determination "in relation to an urban Indian community... means that community's ability to define itself and its needs and its ability to advocate for itself in the larger society under its own terms. It implies the development of a voice through which all of these things can be done" (Beck 2002, 118). This is reiterated in the following quote from an interview participant in Winnipeg who asserts that Indigenous people want to participate in the local economy as *Indigenous people*.

The Aboriginal community wants to participate fully in the economy of the city, the same level and the same manner other citizens do, but

without losing our identity. I wrote that down, just because I wanted to remember, because it's true, we don't want to get lost, like, lost in the system. Aboriginal people still want to know themselves as Aboriginal people (female, representative of Aboriginal service provider, Winnipeg, May 15, 2008).

While self-government can be implemented as a consequence of treaties, comprehensive land claims, legislative, constitutional and/ or administrative changes (Durst 2000), any of these options would require a fundamental rethinking of urban Indigenous governance. Although not incompatible with the dominant neoliberal paradigm of community development, community would have to be imagined differently.

Further, the “proper” interscalar arrangement, or scalar fix, will vary across space, nations, and networks. From the perspective of land-based First Nations, urban self-government and self-determination are seen as part of the re-scaling of the territorial reach of First Nation governments and the creation of satellite institutions (male, representative of First Nation, Ottawa, January 6, 2009). Another, perhaps complementary alternative would be to have more control over existing services, described by one interviewee, in the form of “an agreement with the city to make these services appropriate and practical for Aboriginal people or more accessible, I guess, because they [Aboriginal people] may not feel that they are part of the local government or administration” (male, representative of First Nation, Ottawa, January 6, 2009).

In its final report, the Royal Commission on Aboriginal Peoples (RCAP) identified several models of urban Aboriginal self-government, distinguishing nation-based, territorial and status-blind, institutionally based approaches. The

“community of interest” model championed by RCAP relies on a web of institutions controlled by the local Aboriginal community (RCAP 1996). Currently, community control is conceptualized as the participation of Aboriginal service agencies in inter-scalar arrangements. One of the problems with this approach is the contested role of service agencies as representatives of community and the contested nature of community itself.

In terms of territorial models, an urban land base (ranging from notions of the neighbourhood model to urban reserves) and the expansion of control from land-based communities outside of the city (the extra-territorial and host nation models) are the two main variants. Here, access to membership is status-driven (RCAP 1996; Wherrett and Brown 1992). From this brief discussion, it is clear that, in light of diverse circumstances and political agendas, there can be no one-size-fits-all solution.

As previously mentioned, self-determination, an internationally recognized right, is not restricted to remote or rural areas.¹²⁹ Article 4 of the *United Nations Declaration on the Rights of Indigenous Peoples* specifies that “Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions” (United Nations 2007, 4). Self-determination and self-government – as its institutional expression – are thus closely connected.

Self-determination has been central to the philosophies of Aboriginal organizations in cities. Several interview participants commented that self-

¹²⁹ See discussion in chapter five.

determination is a reality in the sense that “we started these institutions, government hasn’t. Friendship Centres are the grandfathers of many, particularly in Winnipeg, probably in Ottawa as well, really started the other institutions. They started small projects in the Friendship Centres and then they got too big and moved on their own... And for us that is self-determination” (male, representative of national Aboriginal organization, Ottawa, October 23, 2008). What this means in terms of governing institutions has remained vague in many of the interviews with key informants in Ottawa and Winnipeg. This question, however, is not restricted to the urban scale.

While self-government was recognized by the federal government as an existing Aboriginal right under s. 35 of the *Constitution Act* (Indian and Northern Affairs Canada 1995), a clear-cut definition of self-government appears to be lacking. As Belanger and Newhouse (2004, 133-134) attest, “in the year 2004 we seem no closer to defining what self-government is let alone what its place within the Canadian political super-structures is”.¹³⁰ This lack of clarity is even more pronounced in urban areas, where despite an increased interest in urban Indigenous issues, a focus on self-government is lacking (Peters 2003, 40).

A reason for the absence of sustained engagement with the notion of urban Aboriginal self-government is that it challenges the dominant political imaginary of “indigeneity-as-absence” (Howitt 2006, 52). Urban Aboriginal self-government is considered an unwieldy political arrangement for three main reasons: 1) the

¹³⁰ Belanger and Newhouse (2004) further note that the academic literature is largely focused on legal and constitutional issues, rather than examining the nuts and bolts of self-government and developing possible models

heterogeneity of urban Indigenous populations; 2) its association with territory; and 3) issues of jurisdiction and the related matter of financial responsibility.

First, urban Indigenous populations are heterogeneous. As mentioned previously, the ‘urban Aboriginal’ category as the basis for defining community for First Nations, Métis, and Inuit peoples who reside in urban areas is limited. The multi-national composition of urban Aboriginal communities has made claiming collective Indigenous rights more challenging (Groves 1999). In addition, different legal categorizations imposed and normalized by the state continue to complicate the notion of urban Indigenous citizenship (Lawrence 2004). Urban First Nations, Métis, and Inuit citizens are constructed as a hierarchy of subjects who interface with governments in different ways. At present, access to self-government is tightly circumscribed by state practices related to legal status, geographical location, and resourcing – and most importantly the fundamental tenets of settler colonialism which have yet to be confronted in a serious manner by state actors.

Second, the lack of a land base¹³¹ has been used as a key argument to refute the application of the concept of self-government to Indigenous communities in cities. However, land-based Indigenous communities are increasingly assuming responsibility for off-reserve or out of territory citizens. While the small but growing literature on urban Aboriginal realities appears to suggest that there is consensus among practitioners that urban Aboriginal self-government will likely be urban-focused and pan-Aboriginal (Aboriginal Council of Winnipeg 1998; Wherrett and Brown 1992; Peters 2003), this is, in fact, highly contested.

¹³¹ Apart from a relatively small number of reserves located in cities.

Different notions of self-government and different definitions of community coexist in Winnipeg and, perhaps to a lesser extent, in Ottawa, reflecting differences around goals of Indigenous nation-building on the one hand and community-building on the other. While not mutually exclusive, these two projects rely on fundamentally different (scalar) logics. As an interview participant explained, the extension of First Nations models of urban self-government, while highly desirable for some, would also entail problems related to definitions of First Nation citizenship.

What does self-government look like in urban areas is a bit of a different question because I think there is more an extension of First Nation notions of jurisdiction which excludes Métis and Inuit, frankly. But First Nation notions of self-government come into these communities and I think they have a role, if you look at Saskatoon, I think you can notice an interesting perspective where the Saskatoon Tribal Council really believes they provide services for everyone, it doesn't matter who you are, but you can't vote in their system, you can't influence their policies and politics. It's a bit of a gamble, a bit of a risk. I think long-term urban institutions are going to be doing self-government for themselves and they will come to some relationship eventually with these other institutions. I mean other political institutions, First Nations, Métis. It's going to be difficult (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

Third, jurisdictional boundaries pose a major challenge. As discussed earlier, Indigenous citizens who reside in urban areas have been treated as “the ball in a game of jurisdictional ping pong” in public policy (Graham and Peters 2002, 12). Nevertheless, as has been suggested elsewhere (Institute on Governance 2005, 16), settler state assertions of jurisdiction as per section 91(24) may not be the primary issue here; rather, the question of financial liability and minimizing expenditures appear to be critical.

A community worker in Ottawa pointed out that “jurisdictional issues are always used as an excuse in an urban environment. Are they real? I don’t think so. I think it’s just that policy people like to blame everybody else but themselves for not being on top of the issue and that is fundamentally the issue” (female, representative of Aboriginal service provider, Ottawa, October 27, 2008). As another interview participant insisted, it is of crucial importance to find a sustainable solution to this evasion of fiscal responsibility. “What we need is specific regional interaction with the provinces, because we have to figure out this jurisdictional issue, 91(24), 91(25), who funds what when and who’s responsible for urban Aboriginal? We need to figure that out” (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

Several interviewees pointed out that urban Aboriginal self-governance may be a more appropriate concept than self-government, noting that,

self-governance, it is bigger than just the political... because it's not self-government, that's a difference... Self-governance to me is the right to determine your own destiny, in a way that works for you and the people that you're serving. It doesn't necessarily mean government bureaucracies and that. I mean to the politicians it does, but down at the street level it's our right to have services that meet our needs, that are operated from a philosophy that works with the people that we work with (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).

While self-government is conventionally associated with separate institutions, self-government in cities would require collaboration and participation in state institutions. Actually existing arrangements have been described as “inferior forms of self-government” (Ladner and Dick 2008), or as forms of “self-administration” (Alfred 2005; Green 2003), because the ability to implement

policies that fundamentally challenge the status quo of delegated powers and colonial rationalities continues to be severely restricted. The limitations on Indigenous autonomy have led some scholars to the assessment that current versions of “self-government” function as a neo-colonial form of subordination (Alfred 1999; 2005; Green 2003; Ladner 2003). As noted by Monture-Angus (1999, 29),

self-government that only allows Aboriginal people to assume some but not all powers of Aboriginal governance actually operates to further imbed destructive colonial relationships in our communities, all the time under the guise of offering real change and hope. Accepting such a limited form of governance continues into the future the false belief of Aboriginal inferiority, and through such solutions the confinement of Aboriginal nations continues.

These tensions and the confinement of Indigenous nations and decision-making power are important themes throughout this chapter. In urban settings, the choices of Indigenous actors are severely constrained by the state. Yet, I argue that Indigenous projects of self-governance are not inevitably complicit in subverting the project of self-determination. Granted that choices are not made under conditions that are conducive to Indigenous paradigms of nationhood and sovereignty, the struggles for Indigenous self-determination in Winnipeg and Ottawa provide powerful evidence that Indigenous actors are able to shape and re-work relationships with state actors.

NEGOTIATING NEOLIBERALISMS IN WINNIPEG AND OTTAWA

Under the neoliberal regimes in Winnipeg and Ottawa, Indigenous organizations are faced with severe constraints that negatively affect their capacities to be self-governing. This section outlines some of the major challenges, relating to funding

arrangements, financial sustainability, capacity-building, priority-setting, access, political representation, institutional completeness, and coordination. As will be discussed below, a number of these challenges are Indigenous-specific (or colonialism-specific). However, many challenges are not unique to Indigenous organizations, but pertain to the voluntary sector, more generally. The downward fiscal pressures associated with neoliberal restructuring has, furthermore, also put Canadian cities under increasing stress, with less funding available for a higher output in services (Graham et al. 1998; Bradford 2002).

Local neoliberalisms and new inter-scalar arrangements in Winnipeg and Ottawa have provided opportunities for urban Indigenous organizations and individuals to gain greater control over services. A politico-juridical vacuum, however, continues to exist, because these collaborative relationships have failed to create sufficient space for Indigenous self-determination and community-based governing institutions that adequately address social, economic, political and cultural priorities.

The Urban Aboriginal Strategy, in particular, has shifted the focus of engagement from self-government to self-governance – that is, away from rights-based arguments to needs-based claims that mesh with neoliberal urban governance and social investment paradigms (Walker 2008a, 187, 2006). Indigenous service agencies have increasingly been incorporated into a form of shadow state. Wolch (1990, xvi) defines the shadow state as “a para-state apparatus comprised of multiple voluntary sector organizations, administered outside of traditional democratic politics and charged with major collective service

responsibilities previously shouldered by the public sector, yet remaining in the purview of state control”.

Since the term was coined in the late 1980s, the shadow state has increased greatly in importance. The term captures the changing relationships between state agencies, civil society organizations, and the private sector, in that the role of non-state actors in the delivery of services has greatly increased.¹³²

As Trudeau notes (2008, 671),

offloading responsibility for service delivery to nonprofits has been supported by the political right and left because it ostensibly fosters a leaner state apparatus and it enables the development of services that are responsive to local communities' preferences and circumstances. At the same time, nonprofits are under mandate to monitor service performance, enforce eligibility requirements and implement sanctions.

It is precisely through these technologies of governing at a distance that the ability of voluntary sector organizations to pursue their own objectives is compromised. In this sense, “the transformation of the voluntary sector into a shadow state apparatus could ultimately shackle its potential to create progressive social change” (Wolch 1990, 15).

The recalibration of governing responsibilities among different sectors has expanded the spheres of the private and voluntary sectors, opening up space for greater Aboriginal community involvement in the delivery of services. This has led to a greater range of programs and services, and, most importantly, to an increase in culturally appropriate services delivered by agencies run by Indigenous people. At the same time, however, state agendas continue to be pursued via contracting relationships which “subject organizations to procedural

¹³² For an overview and critique of the literature on the shadow state, see Trudeau (2008).

rules, auditing practices, and narrowly defined agendas for service provision" (Trudeau 2008, 674). The rules and responsibilities contained in contracts for services, as well as the financial dependency on state funding, can constrain activities that are not consistent with state agendas. Further, it is problematic that "responsibility is transferred without resources" (Walker 2008a, 192), or real decision-making power. In short, neoliberal urban governance practices have not provided urban Aboriginal community organizations with a meaningful degree of decision-making power, autonomy, and resources (Walker 2008a, 2006; Durst 2000).

However, partnerships also offer possibilities to enhance the agendas of non-profit organizations. These relationships have become increasingly complex in the period of roll-out neoliberalism and are best viewed in terms of multiple directionalities (Trudeau 2008). In fact, there is a range of possibilities when it comes to the effects of partnerships between the state and non-profit organizations. It is useful to think of these processes as inherently contradictory. As suggested by Trudeau (2008, 675), Aboriginal service agencies may best be conceptualized as liminal spaces

through which state influence and regulation may be extended, inflected, and/ or resisted ... By invoking a notion of liminality, I am suggesting that nonprofit organizations occupy an interstitial position between the institutions that provide funding (and regulations about how such funding may be used) and the social groups that look to the organizations for assistance and/ or public representation.

In the remainder of this chapter, I highlight some of the constraints that interviewees identified with respect to urban Indigenous self-determination and self-governance. Although the local contexts are different, the same constraints

appear to be at work in Winnipeg and Ottawa. Urban Indigenous communities in these cities face common challenges around the intertwined issues of 1) funding, 2) access and jurisdiction, and 3) representation.

FUNDING ARRANGEMENTS AND GOVERNMENT AT A DISTANCE

The lack of equitable, stable, and long-term funding for Aboriginal services, as well as burdensome reporting requirements for an increasing number of funders, constrain the ability of Aboriginal agencies to design and implement programming that reflects the needs and priorities of the communities they are serving. Forced to focus on acquiring short-term funding and fulfilling reporting requirements, community-based organizations in Ottawa and Winnipeg have not been able to focus resources on strategic planning and developing long-term goals as much as would be necessary for sustainable community-building.

One of the main problems that interviewees identified was the significant decrease in core funding. As an interview participant noted, “nobody funds the core. Whereas 20, 25 years ago, not-for-profits generally got their core funding from somewhere, some government department, the core/ that doesn’t happen now. You bring on a project as a sponsor, because that is how it works, but whoever is the funder thinks that the sponsor has all these resources, so they pay just for the minimum” (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).¹³³

¹³³ See Scott 2003 for a more detailed discussion.

In the absence of sufficient core funding, many agencies have to rely on project-based funding. Project-based funding, however, is not a stable source of funding and insufficient to cover overhead costs. As one interviewee explained,

the thing is that most of the funders, they don't allow any administrative support in there. For example, say you have some big initiative coming down on let's say recreation ... that's a government initiative that's coming down our way and they want all these organizations to do these programs and everything. What they don't take into consideration is that a lot of the admin costs, building costs that go along with providing the program are actually carried by the organization. So I think more funding should be there to support the organization to do what they want (female, representative of local Aboriginal service provider, Ottawa, September 5, 2008).

As noted above, this severely restricts the ability of organizations to "do what they want". In addition, dependency on volatile project funding – often pilot funding – has meant that, in some cases, successful programs could not continue.

Furthermore, this dynamic has exacerbated a trend where scarce resources are spent on accountability and reporting requirements, as well as on securing continued funding. A community worker in Ottawa explained that "everyone has different funding requirements, everybody has different reports, and so you're asked to look for different funding sources, then you're spending all this time writing reports" (female, representative of Inuit service provider, Ottawa, August 20, 2008). This puts additional strain on staff and keeps community workers from what they perceive to be their main role, services for their community. An interviewee in Winnipeg summarized the problem in the following way: "Many dollars that should be available for the community are tied up in the administration side, and auditing and management side. And even the

organization itself gets caught up in more reports, less services to the community. If you're spending half of your day writing reports, it means you only have half a day to deliver the services you're supposed to deliver" (male, representative of Aboriginal service provider, Winnipeg, May 28, 2008).

Currently, agencies have to "project chase" and apply for program dollars as they become available. One interview participant commented that "you're not going to get that need filled until the government decides there's a need there and the funding comes along. So we chase the funding and we modify whatever needs we have to see if they can fit into whatever criteria that funding has identified. So we chase the money basically" (female, representative of local Aboriginal service provider, Ottawa, September 5, 2008). The priorities are thus unilaterally set by government agencies that fund programs and do not reflect the specific circumstances and priorities of Indigenous communities. As a crucial aspect of self-determination, the current process of identifying and prioritizing needs is a source of contention in urban Indigenous communities.¹³⁴

An interviewee noted that the Urban Aboriginal Strategy in Winnipeg is beginning to address this issue through different community consultation modules (male, representative of INAC, Winnipeg, January 9, 2009). Yet, as another interview participant in Winnipeg pointed out, consensus is often difficult to achieve; "you have a meeting to identify what the priorities are and whoever the most people that are there are, that's what you identify as the priority... and it has to do with who's there and it has to do with the fact that they [governments] decide themselves. They [governments] decided who is going to be on there. So

¹³⁴ As discussed in chapter two, this also ties into epistemological questions related to the community.

it's more or less the provincial and federal government" (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008). There is a perception that governments continue to direct the decision-making process by virtue of selecting who is represented at meetings and funding tables, and who is consulted.

An integral part of the "economization of the social" (Rose 1999, 141), these processes of the responsibilization as "partners" go hand in hand with processes of control that limit the capacities of civil society actors to implement far-reaching changes. On unequal footing regarding resources and staff levels compared to the governments they partner with, Aboriginal voluntary sector organizations are nevertheless expected to (and want to) contribute to the policy planning process and engage in political advocacy on behalf of their constituencies – on top of fulfilling their roles as service providers.

Meeting these expectations can often only be accomplished at the expense of staff. As a community worker pointed out, "there's more and more expectation put on these organizations that are serving Aboriginal needs, because they're so intense and so big and scary" (female, representative of Inuit service provider, Ottawa, August 20, 2008). The interviewee further noted that "Aboriginal organizations are so passionate about serving our populations – because we tend to come from community – that we go out and we do it. And then a lot of organizations don't work to the same intensity, because the connection is not always there, and that we have to take on more. This is what it feels like to me – without the support to do that" (female, representative of Inuit service provider,

Ottawa, August 20, 2008). In short, Indigenous organizations (and Indigenous governments, for that matter) are called upon to do more, for more people, with less funding (female, representative of national Aboriginal organization, Ottawa, June 5, 2009).

The issue of capacity-building, or lack thereof, was identified as a serious concern. Closely connected to the nature of funding arrangements and the low levels of funding for Aboriginal agencies is the difficulty to retain qualified staff and train new staff. Continuity can be a challenge for organizations that do not have a stable and secure funding base. An interviewee in Ottawa shared her observation with respect to employees at the Friendship Centre, who "get scooped by government, they get scooped by big industry, because Friendship Centres do not have the resources to pay a lot for our staff. There is very few of us across Canada, you know, that have been around for as many years" (female, representative of provincial Aboriginal organization, Winnipeg, May 16, 2008). In addition, the lack of training dollars was seen as threatening the momentum and continuity in leadership in both cities. In Ottawa, an interview participant noted that

in order to keep that leadership going you have to make sure that you're not draining the people who are doing it, that their work is valued. And you value it by funding it and then you sustain it through training dollars, and that there is a plan to train other people. You don't want to have/ so there is five or six key people and when we're all gone, what happens? What's your sustainability plan? And nobody is funding those things (female, representative of Inuit service provider, Ottawa, August 20, 2008).

In the 2000s, funding sources for urban Aboriginal service providers have diversified as a result of changing inter-scalar arrangements. An interviewee observed that,

the bulk of the funding is really changing. It used to be when you looked at Aboriginal issues that the bulk of the funding came federally, and that is starting to change and also that's changing because charitable organizations and local and provincial organizations are all starting to see that they have a responsibility to people living within their communities and that one of the areas of growth according to Stats Canada we're seeing is being recognized is urban Aboriginal populations (female, representative of Inuit service provider, Ottawa, August 20, 2008).

The increase in "local funding" is also fuelled by charitable organizations, such as the United Way and Trillium, which have realized that their level of engagement with local Aboriginal populations was disproportionate to both the population and level of needs in Ottawa and Winnipeg (female, representative of Inuit service provider, Ottawa, August 20, 2008; United Way of Winnipeg 2004).

As discussed above, the diversification of funding sources has also meant that agencies have to build and maintain relationships, and satisfy accountability requirements, with a larger range of funders. In addition, however, Aboriginal agencies also need to address the needs and goals of the communities they are serving. This is difficult under the current conditions, as explained by an interviewee in Ottawa.

So we're doing service provision, plus now we're doing this work which is really important, to engage and communicate with all these different groups, but it's very taxing. And yet every time we go looking for core funding, oh no, there's none of that available, only program dollars. Well that's great, we want that to go to the community, but if we're not facilitating change, then the policies aren't going to change. And that takes time and effort and manpower, and it takes us out of our office. For years there used to be core funding out there and now

there's no core funding and it's all program dollars, no administrative dollars. We're all suffering from that now. So we're called upon to do more, and yet we don't have access to those dollars (female, representative of Inuit service provider, Ottawa, August 20, 2008).

Without sufficient core funding, Aboriginal agencies cannot use program funds according to how they prioritize needs. A community worker in Winnipeg explains that "it's really unfortunate because with funding silos, it's not like we can take money from one program to support another, because we can't" (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008). Interview participants agreed that making core and block funding available through multi-year agreements, harmonizing terms and conditions across government departments, and allocating an equitable amount of Aboriginal-specific dollars to Aboriginal agencies and governments (rather than mainstream agencies) would constitute more sustainable approaches to urban Indigenous self-determination.

Further, any funding allocated to Indigenous peoples who live in urban areas must not contribute to the further under-funding of First Nation governments and the marginalization of reserve populations (female, representative of national Aboriginal organization, Ottawa, June 5, 2009; International Expert Group Meeting on Urban Indigenous Peoples and Migration 2007, 13). All interview participants agreed that new funding was required to address Indigenous needs in cities. However, when new funding streams do become available, the competition for program dollars tends to be intense. For instance, when Health Canada created two funding streams, diabetes and HIV/

AIDS, specifically targeted at urban Aboriginal health, an interviewee recounted that

that's for the entire country. So I compete against hundreds and hundreds of other projects that are competing for the same money. And maybe only 47, maybe 52 get funded, so you have to be pretty darn good or be creative enough to develop something pretty good. And again that's for two years at a time. So, you may get renewed, you may not get renewed. There's a real, massive instability in an organization, when at any give time you could lose 40 percent of your programming in one shot at the end of the fiscal year, because there's no more funds in those programs (female, representative of Aboriginal service provider, Ottawa, October 27, 2008).

In fact, the climate of inter-agency competition was identified as a major issue by Indigenous interview participants. Some referred to it as an adversarial system, noting that current funding practices are divisive and hinder much needed coordination and collaboration among Aboriginal agencies, because "there's only a limited number of dollars to go around and everyone fights for that same pot all the time" (male, representative of Aboriginal service provider, Winnipeg, May 22, 2008; see also Aboriginal Council of Winnipeg 1998). This is clearly counter-productive from a community-building standpoint, as an interviewee in Ottawa pointed out. "As soon as we start fighting with each other, who gets screwed in that exercise? It's always the community – always" (male, representative of Aboriginal service provider, Ottawa, October 3, 2008). These dynamics appear to be more pronounced in Winnipeg where a larger, more mature Aboriginal service infrastructure exists, and regional political organizations, such as the Assembly of Manitoba Chiefs (AMC) and the Manitoba Metis Federation (MMF), have a stronger voice.

Among interviewees, there was a perception that this is a deliberate state strategy of divide and conquer, as the following interview excerpt illustrates:

That is how it has been set up though. I'm pretty sure/ I personally think it's very conscious on the government level/ if you keep them fighting/ because there is always such a need out there for resources, we see our people homeless, with addiction, we see all of the worst circumstances, so the need is so great, so you're constantly trying to get more resources to meet those needs. But there are no more extra resources coming in, so you are forced to compete. They call it compete, but it's like you're fighting over it. It's like a dog with a bone. If you have four dogs and only put three bones in there, it's going to be survival of the fittest which is really not a good way to do things. But that's the way it's been set up, because frankly if governments had to support all of the needs of the community, they would really have to look at how they spend their money now (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).

This competitive funding framework which has been normalized by the state pertains to the third sector, more generally, and Aboriginal organizations also find themselves in competition with non-Aboriginal service providers for program dollars. However, the funding for Aboriginal-specific services is often less than for comparable mainstream services, with the base core funding for health services below par in relation to mainstream community health centres (female, representative of Aboriginal service provider, Ottawa, October 27, 2008). This is despite the fact that the catchment area is much larger for Aboriginal-specific health service providers in Ottawa and Winnipeg, catering to Indigenous residents in the entire city regions, including surrounding rural areas. While this disparity appears to be widely acknowledged, nothing has been done to redistribute funding to create more equitable arrangements.

Together, these features of contemporary funding arrangements considerably undermine Indigenous control over programming (Proulx 2003). As noted by Silver (2006), this form of fiscal control and dependence constitutes a form of political containment that may prevent mobilization for more far-reaching and sustainable solutions. While culturally appropriate services have proven to work better for Indigenous clients, it is often precisely the cultural components and anything that diverges from conventional service delivery models which are cut back in situations of fiscal constraint. As an interviewee in Winnipeg explained,

our whole organization is based on the integration of traditional and contemporary resources. Unfortunately, the first thing that usually gets cut out of programs is the cultural content. I mean not the everyday stuff, but the things like for example in all of our programs we like to take constituents out to retreats where we have an elder, you do sweats, and the elder does teachings, about three or four times a year. Now we're lucky, if we can do it once (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).

The observations related by interviewees are echoed in the literature that looks at voluntary sector organizations under neoliberalism. Chouinard and Crooks (2008) confirm that the shift from core funding to short-term project-based funding presents a host of challenges for third sector organizations, including volatility, staff turnover, and loss of infrastructure. Being forced to diversify sources of funding only intensifies these dynamics and the difficulty to formulate and implement long-term strategic plans. Here, contribution agreements provide a mechanism for governments to retain power and control, while off-loading a significant portion of the costs associated with delivering programming.

Therefore, the neoliberal obsession with accountability and performance measures is a central element of down-scaling responsibilities through contract relationships, as a “central mechanism for governing at a distance” (Rose 1999, 154). Rather than disappear, the role of the state changes, consistent with what Rose (1999, 154) refers to as an “audit society” and with a logic of quantitative calculation.

ACCESS AND JURISDICTION

The main problem is the question of jurisdiction, because the federal government claims it has jurisdiction for Indians living on reserve and Inuit people across Canada while the Métis people, the non-status Indian population and even status Indians who live off reserve should be a provincial jurisdiction. I don't know a premier who has accepted the notion of the federal government yet, because that's basically... the game that is being played. And the majority of Aboriginal people don't have proper access to the programs and services that are being funded for their purposes because of this issue of jurisdiction (male, representative of national Aboriginal organization, Ottawa, September 25, 2008).

The interview excerpt above illustrates that the scalar void continues to marginalize Indigenous peoples in cities, treating them as if they did not exist, at least not as Indigenous rights-holders. State classifications thus exclude large numbers of Indigenous people from access to rights, resources, self-government, and territory (Lawrence 2003, 2004). This is illustrated by a comment from an interviewee in Winnipeg; “they're the ones that set up this whole adversarial system, by saying that there are certain classes of Aboriginal people” (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008). Notions of Indigenous entitlement based on settler jurisdictions have engineered a divisive framework of Aboriginality that obstructs collective struggles for self-

determination and creates complex configurations of inequality for urban Aboriginal peoples (Graham and Peters 2002, 14; Silver 2006; Aboriginal Council of Winnipeg 1998).

All interview participants noted that individual and collective access to appropriate programs and services can be difficult. A community worker in Winnipeg explained that “people seem to think, because Aboriginal people live in an urban setting that they have all of this access to all of these services. Well, proximity doesn’t lead to access... I mean just because they live here doesn’t mean that, for example, they have five bucks for a bus, 2.50 to get there and 2.50 to get back. Most of the resources are not located where the majority of Aboriginal people live” (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008). So, while the impression created in mainstream discourses is that the solution to a poor level of service is for Indigenous people, particularly First Nation people, to move to the city where the services are assumed to be readily available, this is simply not the case. Legal and social positionality and geographical location greatly affect access to culturally relevant services.

The majority of Aboriginal service providers in Winnipeg and Ottawa operate under an inclusive, status-blind mandate, but tensions exist with respect to the degree of inclusiveness of the Aboriginal category. As an interviewee working for a Métis organization in Winnipeg pointed out, “in most people’s minds, Aboriginal means First Nations” (male, representative of Métis service provider, Winnipeg, May 14, 2008). A similar discourse of challenging the homogenization of

Indigenous peoples under the Aboriginal label has also been put forward by Inuit organizations (Tungasuvvingat Inuit 2005; ITK 2004a, 2004b, 2004c, 2004d). Inuit and Métis organizations, such as the Inuit Tapiriit Kanatami (ITK), Tungasuvvingat Inuit (TI), the Métis Nation of Ontario (MNO), and the Manitoba Métis Federation (MMF), have argued for separate funding streams in order to deliver identity-specific services, based on constitutional rights and recognition under s. 35 of the Constitution.

While the status-blind approach is promoted as the most cost-effective mode of service delivery for Indigenous peoples in cities (Hanselmann 2003; RCAP 1996; House of Commons 2003; Senate 2003), it does not address the actual diversity of Indigenous identities and cultural specificities. Therefore, the notion of equitable access, as suggested by Graham and Peters (2002, 26), is much better suited to take actual differences into account without reproducing historical inequalities among Indigenous groups.¹³⁵

An example illustrating the marginalization of Métis-specific concerns is the level of Métis representation on the Aboriginal Partnership Committee, which is the 18-member committee in Winnipeg that allocates UAS funding. The MMF has one seat at the funding table although about 60 percent of the Aboriginal population identify as Métis. The pan-Aboriginal approach to RFP processes is similar in Ontario. As an interviewee pointed out, “we always tend to be outvoted

¹³⁵ The Aboriginal Human Resource Development Strategy (AHRDS) in Winnipeg is perhaps an example of how equitable access can be implemented, with three Aboriginal Human Resource Development Agreement holders delivering labour training programs that reflect the needs of their communities, First Nations, Métis, and urban Aboriginal peoples, respectively (female, representative of Aboriginal service provider, Winnipeg, May 15, 2008, male, representative of federal Aboriginal service provider, Winnipeg, May 26, 2008, male, representative of provincial Métis political organization, Winnipeg, May 27, 2008)

in these types of forums and they've proven time and time and time again that Métis don't get their share, their proportional share of funding. We're about 30 percent of the Aboriginal population, and using the Aboriginal strategy as an example, we get something around 2.5 percent of the funding" (male, representative of provincial Métis organization, Ottawa, October 29, 2008). This dynamic has exacerbated conflicts, especially those between elected leadership and service agencies, between identity-specific, rights-based approaches and pan-Aboriginal, needs-based approaches (Native Council of Canada 1993, 27).

In Ottawa, Inuit organizations have stressed the need for Inuit-specific services. The position of urban Inuit community organizations across Canada is that a "pan-Aboriginal approach in services and programs is simply not working" (Tungasuvvingat Inuit 2005, 7). It is felt to be "a short form for First Nations: thus causing Inuit to continue to be treated as First Nations in program delivery" (Tungasuvvingat Inuit 2005, 7). Due to the relatively small numbers of Inuit in urban settings, "they are frequently given a very small portion of Aboriginal funds" (Tungasuvvingat Inuit 2005, 7). Moreover where specific funding streams exist, land-based communities tend to be privileged in the sense that, as one interviewee noted, "there are dollars that are set aside federally for Inuit-specific, but those dollars are going to the regions. There hasn't been a pot of money carved out that is Inuit-specific for urban" (female, representative of Inuit service provider, Ottawa, August 20, 2008).

For Métis and Inuit organizations as well as First Nation governments, the dominant pan-Aboriginal funding and governance mechanism is not the preferred

option. Bilateral or trilateral mechanisms are felt to be more appropriate in order to deliver identity-based services (male, representative of provincial Métis organization, Ottawa, October 29, 2008). Assertions of Indigenous nationhood, as illustrated in the excerpt below, play an important role in advancing governance solutions based on an entirely different politics of scale, one that privileges Indigenous scales of governance.

OK we can put money into the Friendship Centre and everybody/ they serve everybody. And what that does is/ the Friendship Centres don't deal, don't have culturally specific programs and services for Métis. You know, they tend to treat us all as First Nations. And [when Métis are] forced to go to that venue for services, then they're not getting their own Métis culture, promoted, identified and continuing. They're actually being blended in with the First Nations culture which dilutes Métis culture. So it's not right/ again if you see yourself as a people with the right of self-government and the right to continue as a people, you should be able to administer and deliver your own programs and services that are culturally relevant, so that your own culture is being able to be maintained, promoted and identified. So this whole approach to governance seems to be often to take and promote you know an urban Aboriginal strategy, you know, we'll put some money into this pot and everybody can be served out of that one pot. This has not been helpful at all to the Métis nation. In a sense it takes away or weakens our ability to continue to promote and identify ourselves as distinct people (male, representative of provincial Métis organization, Ottawa, October 29, 2008).

This rights-based approach does not mesh easily with the needs-based, pan-Aboriginal logic (and dominant RFP process) under which many local, community-based organizations operate. However, there are also concerns with respect to the inclusiveness of rights-based approaches. For instance, the National Association of Friendship Centres (NAFC) critiqued rights-based discourses as not inclusive enough.

NAFC¹³⁶ would prefer that the discussion centred more around 'needs'. This may not be as politically exciting or as persuasive as the rights-based approach, but it is what is needed to ensure that all are included. The NAFC operates on a status-blind basis, is pan-Aboriginal, and focuses on needs. In practice, some Friendship Centers in the West are run largely by Métis people; in the North, by Inuit; and elsewhere, by First Nations; but all are welcome. So far the NAFC has not had great success in advocating a needs-based approach to Aboriginal issues. But there is tremendous need for homeless services, and to deal with kids who have dropped out of school. Talk about 'rights' will not solve these problems (Institute on Governance 2005, 9).

Several of the interviewees voiced similar concerns regarding possible exclusions and potential procedural problems associated with a rights discourse that is exclusively tied to a land base. As an interviewee in Ottawa commented, "Kelowna [the Kelowna Accord] was all about having Métis-specific housing, Métis-specific education, Métis-specific health, First Nations, etc, etc. and we were at the table, but we were being outnumbered, because we were saying in terms of health, it doesn't matter if you're Indian, status Indian, a non-status Indian, an Inuit, or a Métis, if somebody is sick then they need a service" (male, representative of national Aboriginal organization, Ottawa, September 25, 2008).

Discourses on urban Aboriginal governance thus sharply diverge around the issue of needs framed around a pan-Aboriginal paradigm on the one hand and rights framed around the constitutional recognition of First Nations, Métis, and Inuit on the other. Neoliberal policies and practices, as exemplified in the federal Urban Aboriginal Strategy, have reinforced the perception that these two ways of conceptualizing urban Indigenous governance are incompatible. By favouring an

¹³⁶ The National Association of Friendship Centres has been a persistent advocate for Friendship Centres and urban Aboriginal services, more generally. As one of the interview participants in Ottawa asserted, "I would say of all the organizations, they would be by far the strongest voice out there for urban Aboriginal services, period" (female, representative of Aboriginal service provider, Ottawa, October 27, 2008).

individualizing, needs-based logic, as one that does not fundamentally question the regime of settler policy and legality, the state has been able to deflect challenges based on Indigenous and treaty rights, title, and sovereignty. It is important to note, at this point, that addressing needs within a rights-based framework appears to produce better outcomes, as longitudinal research into the relationship between Indigenous community well-being and self-determination in the United States suggests (Cornell and Kalt 1992; Cornell 2006).

There appears to be a perception that the recognition of Aboriginal rights – and entitlements based on Aboriginal rights – are subject to a zero-sum logic. However, this is not inevitably the case, but contingent on policy choices that reproduce colonial understandings through a neoliberal framework of economization and individualization. The rights-based approach could be rolled out in an inclusive manner, regardless of settler state classifications and place or residence (AFN-INAC 2008, 14). This would require a profound rescaling of Indigenous governance and rights in Canada. A significant barrier, identified by an interviewee in Winnipeg, is that “it’s just that with rights go money, right. Rights factor down into how much it’s going to cost governments” (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008). In order for Métis, Inuit, and First Nation governments, either individually or at the regional level, to be in a position to provide services for all of their citizens would require a significant redistribution of resources – and a redrawing of jurisdictional boundaries in line with inherent, constitutionally recognized rights.

Currently, the program dollars earmarked for First Nations and Inuit are generally not available for services in urban areas. "But the thing is that for example our organization we do not get any money from the federal government, health dollars that are earmarked for First Nations people. None of that comes to the urban centres. Now even for our organization I mean it would be safe to say that a minimum of 75 percent of our constituents are First Nation. So there's a big gap" (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008). Program dollars generally do not follow Indigenous citizens into cities. In this sense, the "big gap" referenced by the interviewee above, or scalar void, has served to minimize the fiscal responsibility of the settler state, particularly the federal government.

Indigenous service agencies have been struggling to address the scalar void, but as the following quote illustrates, there are competing, and often conflicting, agendas that rely on different conceptualizations of how communities and nations are constituted.

The other tension, I'm not sure I mentioned this in the beginning, is relations with the other Aboriginal political groups, Assembly of First Nations, Métis National Council, ITK, the Inuit group, saying this is our jurisdiction. So sometimes urban Aboriginal people get pulled and drawn from three federal, three Canadian levels of jurisdiction and then Aboriginal jurisdictions, status, non-status, Métis, Inuit. It is very political being an urban Aboriginal person. And there's a lot of elements, challenges to it (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

The political nature of these processes is obscured by settler discourses and public policy that continue to disavow the presence of Indigenous peoples in cities, as citizens other than those constructed by neoliberal settler citizenship.

This systematic depoliticization of urban Indigeneity by the settler state also speaks to the challenges and contestations in relation to political representation which will be explored in the next section.

POLITICAL REPRESENTATION: FOR WHOM, BY WHOM?

A crucial dimension of Indigenous citizenship is the actualization of political rights. As a participant in Ottawa commented, “we haven’t had the same political representation in urban areas”, but this appears to be changing, “because we are now developing a critical mass, an economy of scale where you have a number of people that might want their rights politically expressed” (male, representative of Aboriginal service provider, Ottawa, October 3, 2008). The diversity of groups and interests, however, may preclude a unified political voice. Wuttenee (2004, 55) notes that,

The political element is less clear regarding urban-based Aboriginal peoples. Historically, status Indians living off reserve have had their legal ties to benefits broken. In that vacuum the Aboriginal Council of Winnipeg was formed to meet the needs of Aboriginal peoples in Winnipeg. Over time its mandate has become less clear, and program dollars may be available to Manitoba Métis Federation and the Assembly of Manitoba Chiefs as their communities move to accept responsibility for the needs of all their members, no matter where they reside. This puts three organizations in direct competition for dollars and urban-based constituency. The inevitable conflict is evident.

This problematic was articulated astutely by interview participants. In Winnipeg an interviewee commented that “all of these organizations are now at play in the urban setting saying ‘we represent’” (male, representative of Aboriginal organization, Winnipeg, May 20, 2008). In Ottawa an interviewee explained that,

politically, we're very fractured in an urban area and there's no way to develop a homogenous form of governance that's Cree-based, or Mohawk-based, or Ojibway-based in Ottawa. It's going to be a mixture of cultural influences and traditional practices, if that kind of leadership emerges and also if there's a desire on the part of the community to be politically represented. And the irony in an urban setting is that you've got all these political organizations that are all claiming to represent/ oh no, if you're Métis, I represent you in the City of Ottawa; if you're First Nation, I represent you through the AFN; or Inuit through the ITK. And the reality is, if they have that mandate, did you ask the community member, do I have a mandate to represent your political interest? And that's kind of a grey area in terms of how those political rights and responsibilities are being expressed. But I think over time, just as the urban communities grow and mature and may begin to have specific wants and desires about representation. That's going to change, but it's not/ there's a lot of reasons why it's not happening and there is a lot of reason why it is happening (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

Political voice for urban Indigenous peoples is highly contested. Many look to their home communities and First Nations organizations to represent their interests. An interviewee participant in Winnipeg reflected on this in the following way:

urban governance [pause] I don't know how to describe it except to say that there are a lot of good people with good skills that have the ability to make a difference for the Aboriginal population, but it's so fractured and there are so many factions. And different organizations have purported to represent the Aboriginal population. I guess the one organization is the Aboriginal Council of Winnipeg. I'm not a member and mainly because you have to be a member of the organization to exercise your right to vote for who ever the representatives are going to be. And I'm First Nation. So, I have the Assembly of Manitoba Chiefs, which is the political voice for all First Nations in Manitoba. My band is a member of that organization (male, representative of Aboriginal service provider, Winnipeg, May 28, 2008).

While they provide important spaces for political mobilization across Canada, Friendship Centres do not claim to represent urban Indigenous peoples.

As a participant in Winnipeg explained, "Friendship Centres are service-based. We do not claim to be representative. We do not act in a representative manner. We work in service. We do advocacy, we do assistance, we do empowerment" (female, representative of provincial Aboriginal organization, Winnipeg, May 16, 2008). In fact, political advocacy is constrained by funding mechanisms that exacerbate the distinction between service and advocacy organizations, with only a maximum of 10% of funding that can be spent of advocacy.¹³⁷

In Winnipeg, the issue of representation appears to have at times rendered decision-making contentious. As noted in the previous section, Métis-specific issues and initiatives are marginalized within the Aboriginal Partnership Committee (APC), despite the fact that 60 percent of Indigenous people in Winnipeg identify as Métis. A community worker in Winnipeg clarified that "there's a lot of tension over who represents who in the city.. I mean because I'm a service provider, so as much as possible I stay out of the political end of it, because if you get involved in the political end, then your organization is going to feel the flak out there. So you're better off to stay out of the politics, because you can't mix the two" (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).

The perception that "you can't mix the two" stems from the centrifugal dynamics of the current arrangements which sees the state pitting Indigenous governments, political organizations, and community-based service providers

¹³⁷ There is also a scalar dimension here, as organizations mandated to represent Indigenous peoples and do political advocacy tend to be provincial or national in scope. Local, community-level organizations, such as the ACW, face a legitimacy crisis in this regard. The national organization purporting to represent urban Indigenous peoples, the Congress of Aboriginal Peoples (CAP), does not appear to have a significant regional or grassroots presence, according to the vast majority of interview participants.

against each other in the competition for the same pool of resources. As Allec (2005, 78) notes in the context of Winnipeg, "a recurring message is that politics and service delivery do not mix. Therefore, it is a necessary challenge to separate the political realm from administration of services at the community level". Interviewees tended to agree with the following comment by an interviewee in Winnipeg who asserted that "the reason for having a distinct political advocacy voice is because program and service agencies really shouldn't play that role" (male, representative of Aboriginal organization, Winnipeg, May 20, 2008).

However, political organizations in Winnipeg, where the headquarters of provincial/ regional organizations are located, are striving to play a greater role in urban governance and the delivery of services (male, representative of INAC, Winnipeg, January 9, 2009). Yet, since they operate on a rights-based logic with demands that funding be allocated on a per capita basis, their demands do not fit smoothly with the prevailing needs-based logic. Again, this also ties into competing ways in which communities are imagined and by whom and competing objectives of community-building and nation-building.

Due to the continued impacts of the scalar void and the erasure of Indigenous rights, service agencies often end up being the most vociferous advocates for the needs of their clients. One interviewee described this in the following way, "we don't represent people, but we do advocacy. We do everything else, but say we represent people. And I go to battle with an unfair social worker or an unfair court worker for one of the clients that I'm working with.

I'm representing the needs of that client. I'm not politically representing them, but I'm certainly representing their needs" (female, representative of provincial Aboriginal organization, Winnipeg, May 16, 2008). An interviewee in Ottawa noted that she "can't think of anybody that really speaks on our behalf which why it is really good that they got that UAS thing going now, because then organizations can come together and talk about common issues" (female, representative of local Aboriginal service provider, Ottawa, September 5, 2008).

In light of the precarious financial situation of organizations in the Aboriginal voluntary sector and a maximum of 10 percent of resources that can be devoted to advocacy, it is safe to assume that most agencies cannot afford to allocate significant resources to sustained political campaigns. Furthermore, organizations may simply not want to be perceived as "too political" given that their criticism would inevitably be directed at actual and potential funders (Silver 2006, 166).

Although governments tend to downplay the political nature of common funding tables under the Urban Aboriginal Strategy and stress the focus on services, the reality is that the Aboriginal voluntary sector and Aboriginal-specific service provision are deeply political in nature. An interviewee in Winnipeg expressed the contradictory framings – the depoliticizing discourse of the state and the political reality of Indigenous actors – in the following statement: "To me, you can't politicize service. Service cannot be politicized. Whether it is education, or health, or employment, you cannot assign based on someone's political beliefs, but within Winnipeg it is a very political place" (female, representative of

provincial Aboriginal organization, Winnipeg, May 16, 2008). As such, it is impossible for actors to divorce themselves from the politics of urban Aboriginal governance networks. As another interviewee put it, “it’s a political game we’re all forced to be part of”, adding that “we stay out of politics per se, but you know what, you can’t be in our community without being part of politics. And whether you’re a front-line worker or a policy-maker, you’re still trying to influence the reality for our community” (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).

In Ottawa, this problematic was dealt with by not including political organizations on the UAS steering committee. A founding member of the Ottawa Aboriginal Coalition (OAC), the organization which was instrumental in the designation of Ottawa as a UAS site, explained that the members of the OAC “to the best of our abilities have tried to keep the big P politics off the table. What are the community priorities? Put them on the middle of the table and we focus on those” (male, representative of Aboriginal service provider, Ottawa, October 3, 2008). With the prevalence of national organizations and discourses in the capital, those involved in planning and administering the UAS for Ottawa clearly indicated that the governance of the urban Aboriginal community in Ottawa was to be decidedly local in nature and focused on services. The distanciation from rights-based Indigenous politics was clearly articulated as a focus on “community priorities and not political positions and constitutional positions” (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

In this sense, the neoliberal framing of urban Indigenous governance as apolitical is a deeply political move to contain Indigenous rights discourses which constitute a more serious threat to the status quo and settler hegemony. For instance, the Manitoba Métis Federation (MMF) and the Métis Nation of Ontario (MNO) are governing institutions, combining the roles of political organizations as well as service providers. An interviewee clarified that,

if you're a government and you believe that we have the right of self-government which we do, then that entails looking after your citizens, your people in their entirety. So you can't segregate yourself and say we'll only deal with their rights, or governance stuff, or that we're always going to deal with the programs and services. There is a connection between the two (male, representative of provincial Métis organization, Ottawa, October 29, 2008).

The erasure of the political rights of Indigenous peoples in cities is sustained by the convergence of urban Aboriginal governance around the normativity of neoliberal citizenship of community responsibilization and individual marketization. Depoliticization, in addition to jurisdictional boundaries and contractual funding relationships, thus plays a central role in regulating the right to the (be in) the city.

CONCLUSION: COMPETING SOVEREIGNTIES AND SCALAR STRATEGIES

This chapter has shown that Indigenous rights to self-determination and self-government continue to be marginalized in cities. The inter-scalar arrangements that have emerged in Winnipeg and Ottawa over the last decade see a range of Aboriginal and state actors collaborate on an agenda largely focused on services. To be clear, there is a great and increasing demand for culturally appropriate services; Indigenous organizations are responding to the needs they

see in their communities, particularly needs related to high levels of poverty, homelessness, substance abuse, and family violence. This focus on service delivery has given rise to tensions between local Aboriginal service providers and trans-local political organizations (Graham and Peters 2002, 11; Institute on Governance 2005, 4), due, in large parts, to different scalar politics and strategies related to how best to address existing needs and improve the well-being of Indigenous peoples.

First Nations, Métis, and Inuit organizations tend to make rights-based claims and advocate for identity-specific funding streams for their constituency, while pan-Aboriginal, status-blind service providers and organizations tend to pursue a needs-based agenda. While the former involves efforts at “upscaling”, transcending the settler city, and transforming the relationship with the settler state based on the constitutional recognition of existing Aboriginal and treaty rights, the latter focuses on local community needs and advocates the “downscaling” of functions and the improved delivery of services through inter-governmental cooperation.

Downscaling through partnerships is the urban Aboriginal governance paradigm favoured and actively constructed by the state through targeted investments. This new paradigm exemplifies neoliberal notions of citizenship, such as ideals of entrepreneurialism, responsibilization, and choice. However, in order to address the scalar void, a comprehensive rescaling of Indigenous governance, including, but not restricted to, the urban scale, is required to

address the collective rights of First Nation, Métis, and Inuit peoples who live in cities.

CHAPTER 8: RESCALING URBAN ABORIGINAL GOVERNANCE IN THE 2000s: PARTNERSHIPS FOR SELF-GOVERNMENT?

INTRODUCTION

This chapter examines the horizontally and vertically networked institutional arrangements that govern Indigenous individuals and communities in Winnipeg and Ottawa. More specifically, I describe how scalar strategies shape the realities of urban Indigenous governance and the struggles for Indigenous self-determination. My discussion presents a snapshot that attempts to capture the changing dynamics when I conducted key informant interviews in 2008 and 2009. At that time, strategies employed by Indigenous actors in Winnipeg centered more on scale-bending, whereas strategies in Ottawa were primarily focused on scale-jumping. Scale-jumping and scale-bending should not be seen as mutually exclusive strategies, but as complementary and co-constitutive, and to some extent consecutive, processes. I use the distinction here for the purposes of highlighting different contexts of collaboration and contestation in the two cities.

As discussed in the previous chapter, similar constraints on self-determination and self-government were identified by interviewees in Ottawa and Winnipeg. However, significant differences exist in relation to local political and scalar configurations. A major difference, owing perhaps to the different demographic profiles of the two cities, lies in the more sustained political engagement with Indigenous peoples at the provincial and municipal scales in Winnipeg. In Ontario, the provincial government has only recently begun to address Indigenous issues in a more sustained manner, but not with a strong

focus on urban Indigenous populations. Despite its co-location in Ottawa, the federal government has also been more actively engaged in urban Aboriginal politics in Winnipeg than in the capital region.

In this chapter, I provide an analysis of the politics of partnership in Winnipeg and Ottawa, highlighting some of the differences and similarities between the two research sites. Then, I discuss the extent to which these processes of re-scaling, networking, and collaboration have opened up space for Indigenous self-determination and decolonization. In examining the Urban Aboriginal Strategy, as the central mechanism through which the new urban Aboriginal governance paradigm is taking shape, I illustrate the contradictions inherent in these partnerships and the way in which, ultimately, the neoliberal logic of coloniality reinforces the erasure of Indigenous peoples and scales of governance. That is, while it purports to address the scalar void with respect to Indigenous peoples in cities, I argue that the new collaborative paradigm, in effect, perpetuates it and operates as a neoliberal strategy of depoliticization and containment. However, this chapter also shows the poly-directionality of these processes of partnership and the spaces in-between dominant scales, with political opportunities opening up for Indigenous actors. Indigenous contestation is thus seen as foundational to these emerging political arrangements.

THE POLITICS OF PARTNERSHIP AND SCALE-BENDING IN WINNIPEG

In this section, I highlight the processes and mechanisms through which Aboriginal organizations and collectivities in Winnipeg have challenged as well as reinforced state paradigms and practices of urban Aboriginal governance. This

discussion also explores the role of Indigenous community leaders as organic intellectuals who resist, reproduce, and subvert settler state formations and definitions of community (Proulx 2003; Silver 2006). I argue that the changing scalar fixes – or the transition from fix to flux – and the move to deterritorialized networked arrangements are, to a large degree, the result of Indigenous agency and resistance to the scalar void that has exacerbated the marginalization of Indigenous people living in Winnipeg.

Smith (2004) uses the notion of scale-bending to refer to the reorganization of social, political, economic, and cultural processes as a result of a fundamental challenge to the naturalization of scale and scalar fixes. He explains that “scale bending is partly scale stretching but it also implies the fragmentation of pre-existing scales. And it is also intimately connected to the destabilization of identities – national, classed, raced, gendered, etc. – in the same period” (Smith 2004, 205). The processes described by Smith help situate the changing dynamics of Indigenous politics in Winnipeg insofar as the concept of scale-bending captures the crystallization of new inter-scalar arrangements in response to Indigenous citizens falling through the cracks of normalized scales. Smith’s definition also alludes to contestation and destabilization as the result of competing politics of scaling, place-making, territorialization, and networks. In Winnipeg, this is evident in the tensions that have arisen between Indigenous projects of community-building and nation-building.

As noted above, political arrangements in Winnipeg and Ottawa differ particularly with respect to a more sustained effort on the part of state actors to

create collaborative initiatives. This is driven by the need to address the needs of a large and growing Indigenous population that, as statistical data indicate, is significantly disadvantaged compared to the non-Indigenous population. Indigenous peoples in Manitoba make up a much larger share of the overall population than in Ontario. Combined with the fact that the median age of Indigenous people in Manitoba is 23 years (MBS 2005, 12), it explains a more active approach of the federal and provincial governments, particularly in the areas of labour market training.

Furthermore, Winnipeg has a strong presence of organizations representing Indigenous interests regionally and locally, with the Assembly of Manitoba Chiefs (AMC), Manitoba Métis Federation (MMF), as well as, albeit to a lesser degree, the Aboriginal Council of Winnipeg (ACW). The large Aboriginal voluntary sector in the city has also taken on the role of advocating for programming and a more appropriate governance structure which must include Indigenous participation in decision-making (Silver 2006).

As a result, the early 2000s saw a range of initiatives and tripartite agreements emerge aimed at fostering a collaborative framework of Aboriginal governance in Winnipeg. This included Memoranda of Understanding between Manitoba, Canada, and the Manitoba Métis Federation, as well as Manitoba, Canada, and the Aboriginal Council of Winnipeg, to formalize relationships in order to better support the interests of Indigenous peoples (Manitoba Aboriginal and Northern Affairs n.d.). An interviewee pointed out, however, that it was the increased involvement of the federal government which was crucial in making the

tripartite process work in a way that was advancing (in this case) Métis interests. He noted that “with tripartite we could utilize our federal colleagues to really hammer down the province to do what we needed them to do. And there’s times of that working, and there’s times when that didn’t work, but if we didn’t have that leverage and that closeness with the federal government, it wouldn’t have panned out” (male, representative of provincial Métis organization, Winnipeg, May 27, 2008).

The creation of the *Winnipeg Partnership Agreement for Community and Economic Development* signed by the City of Winnipeg, the Government of Manitoba, and the Government of Canada in 2004 was also crucial (Government of Manitoba 2004a, 2004b), “tying three levels of government automatically together” (male, representative of Aboriginal service provider, Ottawa, October 3, 2008). The subsequent establishment of the Aboriginal Partnership Committee (APC) was to increase coordination, both vertically and horizontally, by bringing together all levels of government and a number of representatives from Aboriginal organizations. When the Urban Aboriginal Strategy (UAS) was rolled out and a RFP process was initiated to distribute the UAS funding in Winnipeg, the APC became its governing body.

In addition, Aboriginal Single Window Service Canada sought to address issues around coordination. It is a joint undertaking of the Government of Canada, the Province of Manitoba, and the City of Winnipeg and is intended as a “one-stop-shop” for Aboriginal individuals and organizations who seek access to programs (Aboriginal Single Window n.d.). Its mandate is to connect interested

parties with the appropriate funders, be they federal, provincial or municipal. The physical location of this service in the Aboriginal Centre of Winnipeg was noted as an important factor in fulfilling this mandate, as the interview excerpt below illustrates.

For this region compared to the national level for this year, as far as targets met or exceeding targets, our region is doing quite well, but we are pretty much a community-based office... a regional office, we are right here in the community, our partners you know you walk across the street and walk out to the coffee shop here and your partners are in there... A lot of organizations are located very close around us as well. So I think you get to know each other, building these relationships is easier than in a regional office where you are more aloof, you don't have traffic coming and going, you're not right in the community with the other groups, you know. You're more removed and I think that makes it a lot more difficult... here you have the horizontal sharing of information, you meet contacts (female, representative of federal Aboriginal service provider, Winnipeg, May 26, 2008).

This underscores the importance of Indigenous place-making in Winnipeg, as well as the necessity of networking. Several interview participants stressed that sharing information, especially across scales, is key. An interviewee in Winnipeg noted that,

a lot of the work that I have been doing has been more in that area, trying to share information, get the information out, encourage people to pick up the phone and communicate with each other. How can we partner? How can we for the better of the client work together, share information on our different programs, understand our different programming more so we can do better? That kind of thing (female, representative of federal Aboriginal service provider, Winnipeg, May 26, 2008).

All of the interviewees noted that while there have been improvements with respect to coordination, more work is needed. For instance, from the City's perspective, an interview participant commented that "we need more training

coordination. You know, the City needs First Nations and Métis bus drivers, police officers, clerks, cashiers, but we're just not presented with qualified applicants, the way we would like to. We know this is something that we can do and should be pursuing" (male, representative of the City of Winnipeg, Winnipeg, May 22, 2008). Clearly, this requires more than information sharing among governments and service agencies; it would require addressing the structural barriers to education and employment that exist and investing in profound, structural changes to create equitable access to education, training and employment for Indigenous peoples. Current state mantras, at all levels of government, of "information sharing" and "horizontality" fall short of addressing the issues in a more substantive way.

While this section has sketched the forms of collaboration in Winnipeg, I will describe these processes further below when I discuss how the politics of partnership under the UAS have constrained Indigenous actors in pursuing agendas of self-determination and decolonization.

RELATIONSHIP-BUILDING AND SCALE-JUMPING IN OTTAWA

In Ottawa, it seemed that "the community was forgotten" (female, representative of INAC, Ottawa, October 22, 2008), despite the co-presence of the federal government. It was only in 2007, through the efforts of the Ottawa Aboriginal Coalition (OAC), that a formal relationship with the federal government was established, under the Urban Aboriginal Strategy.

MAP 3: Select Organizations in Ottawa



The OAC was initially an ad hoc coalition of front-line service providers in the city which consolidated into a formal coalition around the problem of homelessness in 2001.¹³⁸ The goal of the OAC was “to provide a more unified or collective voice in representing the Aboriginal community to the City of Ottawa that had SCPI [Supporting Community Partnerships Initiative] funding that was dealing specifically with homelessness. Out of that, there was a recognition, a realization that we might have more impact if we do things as a collective in terms of approaching the city” (male, representative of Aboriginal service provider, Ottawa, October 3, 2008). Together, these agencies made strategic use of capacity funding that became available as part of SCPI.

¹³⁸ The OAC is made up of representatives from Gignul Non-Profit Housing Corporation, Odawa Native Friendship Centre, Tewegan Transition House, Wabano Centre for Aboriginal Health, and the Ottawa Inuit Children’s Centre.

As the activities of the OAC, initially, focused on accessing and building relationships at different scales, beginning with the City of Ottawa, then the federal government and, more recently, the provincial government, I analyze the politics of partnership in Ottawa primarily through the lens of scale-jumping. Scale-jumping is a strategy where actors transcend a prescribed scale -- or, in this case, assert a space that confounds normalized scales of erasure – and use access to different scales to pressure issues at various or all scales. As Swyngedouw (2005, 2001) explains, “scale jumping is a vital strategy to gain power or influence in a multiscalar relational organisation of networks of governance”. The making of inter-scalar networks in Ottawa proceeded in a more incremental fashion than in Winnipeg where a new inter-scalar urban Aboriginal governance arrangement consolidated earlier.

Another notable difference to the processes in Winnipeg is that in Ottawa these changes occurred solely on the initiative of the OAC. As an interviewee explained, “it has all been on our part – directed, controlled, envisaged by the Aboriginal community through the Coalition. It wasn’t because government was coming [knocks on table], hey, are you interested in doing [this]?” (male, representative of Aboriginal service provider, Ottawa, October 3, 2008). Scale-jumping, or “relationship building”, as interviewees called it, proved to be an effective strategy of reconfiguring the political arrangements governing Indigenous residents of Ottawa. By accessing resources from different governments and building capacity to carve out political space, the OAC was

able to consolidate an inter-scalar position from which to pursue an agenda of self-determination.

Before the OAC approached the City of Ottawa, Aboriginal issues were largely excluded from the City's agenda. This became apparent when the City's Social Planning Council put together its 20-year plan in 2001. Initially, "neither the official plan nor background materials prepared by the Social Planning Council included any meaningful mention of Aboriginal citizens, history, or issues" (OAC n.d., 1). Relationship-building with the City of Ottawa culminated in the creation of the City of Ottawa Aboriginal Working Committee in 2007, made up of representatives from the Ottawa Aboriginal Coalition, City of Ottawa – Community and Protective Services Department, United Way/Centraide Ottawa, Ottawa Police Services and the Champlain Local Health Integration Network. The Aboriginal Working Committee reports to the Community and Protective Services Department, not directly to City Council. While the OAC had pushed for the creation of a Standing Committee, the City was not prepared to politicize urban Indigenous issues in this way.¹³⁹

¹³⁹ As an interview participant recalled, "I think there was some negotiations around/ if I'm not mistaken they were offered to be part of the Ethnic and Diversity Advisory Committee And there was no agreement there, because they are not an immigrant, they're First Nations They were here first, right So they were really offended by that offer So clearly again there was more discussion and focus and I think they/ at the time Bob Chiarelli invited our current Deputy senior manager for Community and Protective Services, Steve Kanallakos, who you wanted to have a chat with, who oversees the eleven service areas He is ultimately, the Deputy senior manager overlooks all those key services within the department, EFS and social services " (female, representative of the City of Ottawa, Ottawa, September 3, 2008) As another interviewee explained, "we were looking at establishing something that was stand alone and was specific to Aboriginal interests . But you know in the long run/ but the important thing is that at the bureaucratic level they recognized the opportunity and they made it a priority Steve Kanellakos, who is Deputy City Manager and responsible for Community and Protective Services worked with us and his staff has developed, basically an outline and a working committee that we ended up establishing It wasn't a Standing Committee that we had been looking at, but in retrospect the working committee turned out to be a better process for us primarily because, a standing committee is tied up, it's resource identification, it's more political in terms of council involvement So what we do is we work directly with the bureaucrats and the

As noted in chapter four, the City of Ottawa has not made Aboriginal-specific funding available. Rather, the Department of Community and Protective Services of the City of Ottawa has contributed to Aboriginal community-building through in-kind contributions and logistical support. As a community leader pointed out,

the City is broke in terms of municipal government and that's no surprise and again it becomes a very political issue around the issue of funding, but they have supported us where they have had the opportunity... They dedicated a staff person to work quite closely with the Coalition, as well as/ their summer students and university students have been around as resources, they helped out for the last two summers. There's in kind contribution and leveraging. I mean they know people (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

Noting that "knowing people" helped establish relationships with other levels of government, particularly the federal government which is located in Ottawa, the interviewee felt that the contributions of the City were quite significant. Another interviewee also noted that, as a result of the relationship between the City and the OAC, municipal services have changed in that there is now active outreach to Indigenous residents. She pointed out that "they [Ottawa child care services] even come here to register people. They've come here for information. They've gone out of their way to serve the community, so I've been extremely pleased with the service we're getting from the City right now" (female, representative of Inuit service provider, Ottawa, August 20, 2008).

In addition to the City of Ottawa, the OAC also established relationships with the United Way, the federal government, and, most recently, Ontario's Ministry of

front line agencies. We have a work plan. So it's very action-oriented" (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

Aboriginal Affairs. The United Way and the Province began providing capacity-building funding to the OAC in 2006 and 2008, respectively.¹⁴⁰ Most importantly, the OAC's multi-scalar strategy led to the inclusion of Ottawa as a UAS site. In October 2007, Ottawa was officially designated the 13th UAS city which meant that an additional \$100,000 annually for capacity-building activity and \$400,000 annually in community funds became available (Kohoko 2006).

In the news release announcing the addition of Ottawa to the UAS, then Minister of Indian and Northern Affairs Canada Strahl is cited as highlighting the role of the contributions under the UAS "in increasing the urban Aboriginal community's participation in the local economy" (Indian and Northern Affairs Canada 2007b). Yet, while state goals in relation to the UAS explicitly center on economic participation and responsibilization, to the exclusion of Indigenous rights, including the right to self-determination (Walker 2006), this neoliberal strategy should not be taken to solely determine the processes and outcomes under the UAS, as those are also significantly shaped by Indigenous actors.

In 2008, the UAS-Ottawa Steering Committee¹⁴¹ was in the process of being created. As an interviewee explained, "the Coalition is represented on this new governing council that we are just now starting to populate. We sent letters of invitation to all three levels of government to appoint somebody to sit on this committee. As well, we're seeking an Aboriginal youth representative, somebody

¹⁴⁰ "They're [Ministry of Aboriginal Affairs] actually putting in \$50,000 to support capacity building, from the provincial level. The United Way right now we have a current project, they put \$50,000 that's capacity as well" (male, representative of Aboriginal service provider, Ottawa, October 3, 2008)

¹⁴¹ Prior to incorporation, funds are administered by a development corporation, Madawan Management and Development Incorporated, on behalf of the UAS Steering Committee (male, representative of Aboriginal service provider, Ottawa, October 3, 2008)

from the Aboriginal business community and community members. So, I think it will consist of 15 members" (male, representative of Aboriginal service provider, Ottawa, October 3, 2008). Similar to the Aboriginal Partnership Committee in Winnipeg, the Steering Committee in Ottawa follows the Shared Delivery Model. A fundamental difference, however, is that political organizations do not participate in the process. In Ottawa, the decision was made to rely exclusively on service agencies to give voice to the aspirations of the community. This rationale was explained in the following way:

We are facilitators and connectors and looking at opportunity for the community and the coalition has been formed not so much to represent the interests of the individual organizations, but to be a collective unified voice for the Aboriginal community. And go/ we did community consultation, we know what the priorities are and then it's to orient our efforts to secure resources or profile or educate or make people aware of the condition of Aboriginal people in the city (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

However, this definition of community – and the related issues of who can speak for it and what its priorities are – is contested, as became apparent at the Aboriginal Strategy Community Forum, held at the Odawa Native Friendship Centre on March 31, 2009. Here, it was evident that grassroots perspectives can, at times, diverge from the politics of service providers. A number of participants raised the issues of inclusiveness, accountability, transparency, priority-setting, and who is the community for the purposes of targeting needs and distributing funding. There was a perception that it constitutes a conflict of interest when service providers make decisions related to the needs and priorities of the

community, but also have the interests of their organizations in mind (field notes, March 31, 2009).

That the priorities of service providers and the community can differ is illustrated by a set of surveys that the City of Ottawa Aboriginal Working Committee conducted in August and September 2007. The goal was to determine community priorities by asking service providers and their clients, in separate surveys, to identify the most urgent needs of the Aboriginal community in Ottawa. Clients identified issues related to “employment and training” (62.5 percent) as the top priority, while this ranked as the 5th priority for service providers (43.37 percent). High on the list of both clients and service agencies was also “housing and homelessness” (61.72 percent and 59.04 percent, respectively). Other priorities were “culture and language”, “health issues”, “addictions, mental health and life skills”, “access to services” and “poverty” (City of Ottawa Aboriginal Working Committee 2008b).

At the Community Forum in March 2009, another issue that was discussed was the withdrawal of Minwaashin Lodge, one of the founding members, from the OAC and the UAS Steering Committee. As Karen Green, President of Minwaashin Lodge, explained, it was precisely because of concerns around the decision-making process and community involvement that Minwaashin decided to no longer participate in the process (field notes, March 31, 2009). As noted in the report generated from the meeting,

she [Karen Green] said that they wanted to get those issues worked out and they wanted a community plan that included community members, not just the service provider organizations. She suggested that they also wanted more accountability around defining what the

needs were and how they reported back to the community. She said that they were still supportive of the concept but they needed to see more community involvement (Ottawa Aboriginal Coalition n.d., 4).

Another participant who also challenged the prominent role of service providers pointed out that “service providers are not the community” (field notes, March 31, 2009). In response, the Chair of the UAS Steering Committee noted that front-line service providers only deal with about 10-20 percent of the Aboriginal community in Ottawa and agreed that those who are not clients of service agencies need to be included.

Participants at the Community Forum were unhappy with the level of community outreach. For instance, a participant questioned the decision to hold the Community Forum during the day on a Tuesday, when a great number of Aboriginal residents in Ottawa would be unable to attend because of work commitments (field notes, March 31, 2009). This was felt to work against the notion of an inclusive community planning process. While the inclusiveness of the decision-making process was criticized and community members noted that service providers are not elected representatives of the community, it is because of the lack of political representation that this role has often fallen to service agencies. As an interviewee explained,

people often say, you don't represent the people, but I think what happens over time when no one fills the void around policy-making and governance, there's a natural evolution for organizations that have huge populations that come to them to start to be able to understand the voice of the people and articulate it in a way that gets results, which is what these institutions do in the city (female, representative of Aboriginal service provider, Ottawa, October 27, 2008).

The definition of community and its political representation are contested, with, at times, blurry lines between service delivery and political representation. While clearly not an urban problem per se, the tensions between status-blind, needs-based and rights-based, membership-driven approaches appear to come to a head in cities. The UAS has created a framework that reinforces the perception that community-based and nation-based logics and claims are incompatible – that “it doesn’t fit” (male, representative of INAC, Winnipeg, January 9, 2009). The ongoing exclusion of Indigenous rights is consistent with my overarching argument that state practices continue to erase Indigenous peoples and nations, because re-scaling, place-making, and especially re-territorialization as a result of Indigenous nation-building are seen as a direct threat to the settler city.

PARTNERSHIPS AND POLITICAL CONTAINMENT

This section provides a more detailed analysis of the Urban Aboriginal Strategy (UAS). I argue that what has been promoted as an investment in urban Aboriginal populations and community-building should be more appropriately understood as a disinvestment in Indigenous nation-building. Centered on a discourse of economic security and enhancing local economies (Indian and Northern Affairs Canada 2007a, 2007b), the UAS reflects neoliberal state goals of individual marketization. When then Minister Prentice announced the refocused UAS, he made this clear by stating that the strategy “emphasizes programs and initiatives that enable Aboriginal people to train for and gain employment – which is key to the attainment of personal aspirations and

economic goals" (Indian and Northern Affairs Canada 2007a). The UAS clearly privileges "personal aspirations" and marginalizes collective aspirations.

As previously discussed, the key mechanism through which the UAS operates is the creation of partnerships. These partnerships are intended to "respond to local priorities" (Urban Aboriginal Strategy n.d.). The refocused UAS, however, has narrowed the field of local priorities to three core priorities which are closely aligned with the neoliberal vision expressed by Prentice above: improving life skills; promoting job training, skills and entrepreneurship; and supporting Aboriginal women, children and families. Projects are funded by the UAS based on whether they are consistent with objectives to "enhance existing relationships", "build new partnerships", and "strategically focus investments to enable urban Aboriginal communities to be more self-reliant within strong and vibrant cities across Canada" (Urban Aboriginal Strategy, Program overview n.d.). The strategic direction of the UAS is thus indicative of local neoliberal agendas of responsibilization, marketization, social cohesion, and urban competitiveness. As mentioned previously, the implementation of inherent Indigenous and treaty rights, including self-government, and agendas of Indigenous nation-building are completely side-lined (Walker 2005).

The focus on services, individual needs, and a pan-Aboriginal voluntary sector is integral to the neoliberal rationale of the UAS which bolsters colonial state practices that displace Indigenous rights and nationhood. The UAS undermines rights-based approaches by seeking to normalize an understanding of urban Indigenous politics as disconnected from Indigenous nations, territories,

and rights. It has conceptualized urban Indigenous governance as an anti-poverty mechanism and reinforced the exclusion of Indigenous scales of governance in urban areas.

While the ongoing processes of colonialism set this dynamic apart from other shifts in urban governance, the model fostered through the UAS is similar to other partnerships which purport to empower communities. Bradford (2008) discusses recent initiatives as indicative of the emergence of a new “national-local” policy paradigm. A major short-coming he identifies in relation to this new paradigm can also be observed in relation to the UAS, namely that “community or public voices were engaged only in relation to outcomes, thereby denied influence in policy formulation when crucial design decisions are taken” (Bradford 2008, 5).

The partnerships between governments, the Aboriginal voluntary sector, and in some cases the private sector that have emerged in the 2000s are problematic in the sense that Indigenous citizens and organizations have not been involved in the design of policies. Often service agencies are only left with the decision to either participate in partnerships or to opt out. This dynamic is bound to lead to a polarization of Aboriginal service agencies (Jenkins 2005).

Furthermore, smaller agencies which are already struggling under the weight of accountability and reporting demands may not be well-positioned to take advantage of partnership opportunities. It is possible that the current partnership paradigm will lead to a consolidation of the Aboriginal voluntary sector, with a smaller number of agencies (see also Wolch 1990). An interviewee

noted that a smaller number of larger organizations are better positioned to negotiate the current funding environment, but conceded that this is a view that is not universally shared among Aboriginal community activists in Winnipeg.

But when you look at the resources, and what's out there, you really have to say, how much money can we spend on making new infrastructure. Because I bet you for anything that Winnipeg, UAS or Winnipeg Partnership would like to get done in the Aboriginal community, or anything that the Aboriginal community would like to get done, there's an organization already and you could just go there and say, hey you guys, if we gave you \$50,000 and we need this done, would you do it? Instead of starting a whole new organization, new computers, new rent, new whatever, it doesn't make sense. I differ with a lot of people in the community who think that these small, little two-people organizations can do a lot (female, representative of Aboriginal service provider, Winnipeg, May 15, 2008).

To some extent, this discourse also speaks to how the current “urban Aboriginal governance as partnership” paradigm relates to market logics.

This is not to say, however, that Indigenous organizations are co-opted into this logic and rationality of governance. All of the community workers I interviewed expressed frustration with the shortcomings of state-led mechanisms and the way in which decision-making was constrained through various technologies of government at a distance. Despite these structural barriers, however, Indigenous actors have creatively and assertively appropriated decision-making power and political space that has opened up through the UAS for self-determined community development, for instance, through coalition-building or by using partnership mechanisms to press for rights-based agendas.

While the state framework of collaboration imposes constraints with respect to the ability to completely overturn its colonial and neoliberal logic, Indigenous actors have used the resources that have become available to build capacity in

order to pursue collectivist agendas beyond the individualizing and economicistic logic of the UAS. Most importantly, leaders in Winnipeg and Ottawa have used capacity-building funding creatively to provide opportunities for community members to share their aspirations, articulate community plans, and assert a collective presence. As Ferguson (2010, 183) notes in relation to the neoliberal intent and actual outcome of programs,

[i]f we can go beyond seeing in “neoliberalism” an evil essence or an automatic unity, and instead learn to see a field of specific governmental techniques, we may be surprised to find that some of them can be repurposed, and put to work in the service of political projects very different from those usually associated with that word. If so, we may find that the cabinet of governmental arts available to us is a bit less bare than first appeared, and that some rather useful little mechanisms may be nearer to hand than we thought.

In the interviews, the “strategic” aspect of the UAS was at times questioned, as noted by an interview participant below.

And the problem I have with the UAS... it really is a RFP process... you have people come together, they develop a community plan around what is not clear but there's always these community plans, some are better, some are worse than others. The base is the community plan... they call for proposals and then they fund these projects, as one offs. So what we have is local community agencies articulating local issues, applying for yearly responses/ that is Canada's flagship urban Aboriginal strategy. What's missing is any kind of national engagement, any kind of regional engagement, any kind of strategic policy directions, any kind of strategic policy intervention. When the UAS was first developed it was supposed to be demonstration projects. They were supposed to be pilot projects. As it's has gone through a couple of Cabinets, submissions and alterations, it's not clear what works. I've never seen an evaluation that says these types of projects worked, these kinds of projects worked. I've never seen that and yet they're no longer pilot projects. They're now UAS communities. That is the first kind of irony/ I don't know what the strategic direction is. I'm all for spending money in the communities. There's certainly a lack of resources, but they need to be strategic about it (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

I argue that the strategic direction of the UAS is precisely the responsibilization of the Aboriginal voluntary sector and the simultaneous impositions of constraints through contract relationships, as a form of colonialism at a distance. It results in a form of governance and understanding of community which is fundamentally different from how some community members and elected Indigenous leaders have articulated those notions as based on inherent Indigenous rights, title, and jurisdiction. To some extent, the interview excerpt above also addresses the scalar mismatch by noting that regional and national networks are a more appropriate scaling to respond to concerns in cities. The particular nature of “the national” and the proper spatialization of Indigenous governance, however, is contested, with First Nations and Métis organizations and governments arguing for a fundamental re-scaling based on Indigenous nationhood.

An interview participant explained, that “if we had more power, if we had more control of the resources that were identified specifically for our community, then we would have more voice. And if we had more voice, it would be easier to get the work done that we all need to get done in the community” (female, representative of Aboriginal service provider, Winnipeg, May 29, 2008). Expressed in this way, it is clear that more control at the urban scale does not necessarily preclude Indigenous scales of governances. On the contrary, it is unlikely that this required shift with respect to the distribution of power and resources will come about without the mobilization of Indigenous rights and title.

Interviewees representing different levels of government, nevertheless, stressed that funding was not an important aspect of the UAS and urban Aboriginal governance. An interviewee working for the federal government explained that,

our position was always: look we know that the funding isn't enough to respond to all of these issues. It's not meant to. Rather what we want to do is we want to bring/ we want to create the environment that would bring the right partners together to work together, to find solutions... the funding is really meant to be a little bit of lubricant to bring, you know seed money to bring others together. It was never meant to respond to all of the issues facing Aboriginal people. It was more the partnerships. And we knew that in order to be able to bring people together we needed to bring something to the table, and that meant money (female, representative of INAC, Ottawa, October 22, 2008).

However, it appears that funding is precisely what is needed to create more robust programming and governance arrangements. As it stands, the UAS off-loads the federal government's fiscal responsibility to the provinces and municipal governments which are expected to provide matched funding. The excerpt below illustrates that this is a particularly serious challenge for municipal governments.

We just had a meeting with our federal counterpart in the Ontario region that came and made a presentation on Wednesday morning to the City and to the Coalition [OAC]. And you know that was their first effort to sit down face-to-face with the municipality and go: this is what the Urban Aboriginal Strategy does. And one of the hardest questions that the city put back to the federal government [was], well on what authority did you renew the program and what is the expectation that the municipal government is going to financially contribute? And the answer from the federal government representative was, well, nothing. We don't have the authority to do that. We were hoping that we would develop this in terms of good government relations, which is all well and good. When politicians, and not even politicians, when governments are talking to each other, it becomes a resource issue. And the City of Ottawa said right away,

we're broke. We're in a major deficit and you're coming knocking on the door expecting us to put money into this. And the conversation quickly turned. Well, we're also looking for in kind contribution. I think it's safe to say that the City of Ottawa has gone above and beyond compared to what a lot of the other municipalities have done in terms of supporting their Aboriginal communities, their empowerment, their voice, their capacity. And Ottawa is doing a very good job. I mean they're doing a good job, because we've been a good partner, too (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

The UAS is thus a vehicle through which the federal responsibilities for Indigenous peoples are downloaded. As such, it is a mechanism through which nation-to-nation relationships are reframed as community development partnerships. This is consistent with the general approach to Aboriginal Affairs under the Harper government, turning away from the implementation of constitutional obligations to a politics of "delivering real results" through partnerships (Indian and Northern Affairs Canada 2008a). An interview participant noted that in the partnerships created under the UAS the federal government is often the weakest partner.

The irony is that the Urban Aboriginal Strategy got renewed in May of 2007 under the current government who for the most part has been rationalizing all federal government services and programs more towards what's a core federal responsibility. If it looks, smells, hints at being a provincial responsibility, they'll download it. And I think they would go further with a majority in terms of advancing that kind of an agenda about rationalizing what's the core business of the federal government, but in the same breath, under the Urban Aboriginal Strategy I think it's fair to say that there's been some very good emerging relationships between the Aboriginal community and the municipal level as well as the provincial level. And the irony is that this is a federal government strategy, the Urban Aboriginal Strategy, and I dare say sometimes the weakest link seems to be the federal government (male, representative of Aboriginal service provider, Ottawa, October 3, 2008).

In effect, Aboriginal organizations shoulder the main burden of making the UAS work, combining efforts to deliver programs to Aboriginal people and engage in community planning and governance. Downscaling through the UAS has given Aboriginal service agencies and local communities a say in decision-making and more capacity to engage in strategic community planning. Ignored until the late 1990s, urban Indigenous community organizations and service providers are now considered legitimate actors in the multi-scalar arena of urban Aboriginal governance. Yet Indigenous organizations are severely constrained by jurisdictional boundaries, funding arrangements, funding levels, and priorities set primarily by funders, as discussed in chapter seven.

Indigenous political organizations and governments are highly critical of the UAS. For instance, a representative of a provincial Métis organization argued that the UAS marginalizes existing governance structures in favor of local steering committees that rely centrally on service agencies (as opposed to elected leadership) (male, representative of provincial Métis organization, Winnipeg, May 27, 2008). The marginalization of Indigenous rights and nations as a result of the exclusionary parameters around partnerships illustrate that the UAS reinforces state control by determining the nature of community as well as the terms and conditions of collaboration. As an interviewee pointed out, "too often we get invited to engage with the non-Aboriginal community as the Aboriginal representative, as the token Indian, they won't say that obviously, but that's what it is. In many cases they will invite their favourite community, their

favourite organization and do they really represent the entire community?" (male, representative of national Aboriginal organization, Ottawa, October 23, 2008).

It cannot be stressed enough that Indigenous actors have been able to shape the processes under the UAS, against much adversity. Aboriginal organizations and communities have been able to significantly influence outcomes under the UAS, but they had no input in setting the parameters of state engagement which have placed narrow limits on the types of governance models and initiatives that can be pursued. In this sense, the politics of partnership is a form of political containment where discursive frames and projects have to be aligned to fit the needs-based model under the UAS. The UAS thus not only contains enabling elements, but also limits political choices and possibilities. What appears to be at stake is how urban Indigenous communities are conceptualized – and by whom. The new partnership model works against more profound transformations of urban Indigenous governance and rights-based agendas of decolonization.

COLLABORATION AND CONTESTATION

The proliferation of local partnerships, however, should not be seen as a unidirectional and inevitable process of co-optation. The developments in Ottawa and Winnipeg suggest that Indigenous actors, especially those that Larner and Butler (2007) refer to as "strategic brokers", have made effective use of political opportunities that opened up with a recalibration of governance in cities and the shift of responsibility to non-state actors. Local agents in Ottawa and Winnipeg

were thus able to assert political space and pursue collective goals of community planning and development.

In this way, the logic of neoliberal policies and practices does not solely determine the outcomes of partnerships. In fact, it is useful, analytically and politically, to consider the ways in which local partnerships have been appropriated and undermined by collectivist projects whose goals are not reducible to the individualizing market rationality of neoliberalisms. Keil (2002, 579) reminds us that “as a state strategy, urban neoliberalism creates new conditions for the accumulation of capital; yet it also inevitably creates more fissures in which urban resistance and social change can take root”. I argue that contestation is co-constitutive of what are purported to be collaborative and inclusive processes under the Urban Aboriginal Strategy.

By shutting out the rights-based agenda and existing Métis and First Nation structures of governance, the UAS has been in a permanent crisis of legitimacy vis-à-vis its claims to foster inclusive collaboration. Interview participants were clear in their assessment that collaboration in itself is not the problem, but the nature of collaborative relationships which, under the local neoliberalisms in Ottawa and Winnipeg, tended to reinforce rather disrupt the scalar void with respect to collective rights and self-determination.

Indigenous activists and community-based organizations have long been struggling for more control over services for Indigenous peoples. With the downloading of programming responsibilities, local leaders were able to more effectively put Indigenous issues on policy agendas and communicate across

scales that Aboriginal policy questions are also urban policy questions – and vice versa. But interviewees noted that there was room for improvement with respect to meaningful participation in local partnerships, especially community participation.

Questions remain with respect to the consequences of shadow state formation and whose goals will ultimately be served by it. Among the trends that we are seeing in both cities is that attention is turned away from advocacy. The focus on service delivery raises issues of political participation, but at the same time local partnerships should not be seen as a top-down process. Larner and Butler (2005, 86) stress the inherently contradictory features of partnerships which they frame as contingent, context-specific, two-way processes.

In the same vein, the empirical evidence presented in this chapter suggests a range of perspectives and positionings in relation to the “partnering state” and local assemblages of urban Indigenous governance. In the interviews, participants expressed both scepticism and optimism with regard to how new and emerging arrangement would support the mandates of Indigenous agencies and organizations. Representatives of political national and provincial organizations tended to be highly critical of the UAS, while representatives of service providers framed it as a step in the right direction. However, given the lack of resources attached to the federal initiative, the lack of transparency of government actors, and the lack of political space created for Indigenous actors, the UAS was seen as falling short in significant ways. There was agreement that more state investment was required to overcome the neglect of the past and to develop

policies that better reflect the complexities of urban Indigenous realities, including extra-local contexts.

Key Indigenous actors in Ottawa and Winnipeg were able to use new political ways of approaching urban Aboriginal issues in order to pursue agendas of community development and community well-being. Within the new partnership paradigm of urban Aboriginal governance, community-based organizations are able to contest the racialization of poverty and the marginalization of Indigenous peoples from decision-making through building not only collaborative relationships with governments, but also alliances among Indigenous organizations. Interviewees generally felt that the increase in collaboration was a positive development, but that there needed to be far more collaboration among Indigenous organizations and governments as well as with and among the federal, provincial and municipal governments. As noted by one interviewee, “there is more collaboration, even though it’s so far it’s only very specific issues that are big enough issues that you forget your political lines or whatever. So it is starting and I would say over the next ten years or so, I think the whole political Aboriginal climate is going to be different, because I think we’re going to do a lot more collaboration. And it’s happening at the service level more” (Female, representative of Aboriginal service provider, Winnipeg, May 29, 2008).

Service providers take on roles beyond the mandates of their organizations in order to influence social policy across scales. Community workers, especially those who are directly involved in building relationships and maintaining

partnerships, have to negotiate different agendas and different accountability relationships. This puts extraordinary demands on key actors in both of Ottawa and Winnipeg. Most interviewees commented that leadership mattered greatly and noted key individuals who were instrumental in making institutional change.

While it would be overly optimistic to say that these local partnerships are expressions of local priorities and agendas, it would be too pessimistic to discount the ways in which this is not just a top-down process controlled by the state through techniques of governing at a distance. Interviewees pointed out that these partnerships, whatever their shortcomings may be, have been catalysts for change in the sense that urban Aboriginal communities are now seen as legitimate participants in planning and policy development and implementation. In Ottawa, the shift was particularly dramatic, given that only a few years earlier, Aboriginal issues were completely ignored by the City. It may seem like a small success, but for urban Indigenous agencies to have asserted this kind of presence and to be participating in social policy development and the delivery of an increased range of culturally appropriate services is a significant shift in the urban policy landscape.

Interviewees made it very clear that they understand their work as based on different political imaginaries from those expressed by the state, whether as a collective voice for nation-building or community-building projects, both of which are deeply committed to improving the well-being of Indigenous peoples who reside in cities. Therefore, I argue that there is not necessarily a contradiction between pragmatically making use of opportunities, especially for community

planning and increased control over services, and continuing to contest state agendas. In the interviews, the goals of self-determination and collective rights were never far from the primary discourse and focus of organizations to improve the quality of life of urban Indigenous people.

CONCLUSION: TOWARDS SELF-GOVERNMENT?

I have argued that transformations in urban Indigenous governance in the 2000s, particularly the proliferation of partnerships, has led to the emergence of contradictory arrangements that are simultaneously expressions of neoliberal logics of urban governance *and* Indigenous struggles for self-determination. This chapter has also demonstrated that state and Indigenous actors attempt to affect or resist change through engagement in scalar politics which includes the reconfiguration of relationships within scales, the re-construction of (new/ old) scales, and redefining the relationships among scales (McCarthy 2005).

While new inter-scalar arrangements have provided more opportunities for urban Indigenous self-governance, sufficient Indigenous control over how Indigenous individuals and communities are governed – including genuine decision-making power, adequate resources, and culturally appropriate governing institutions – has not been established. Current trends in urban Aboriginal governance are therefore problematized in light of the containment and subversion of more fundamental challenges to the status quo.

New inter-scalar arrangements are more developed in Winnipeg, but in Ottawa, too, Aboriginal organizations have been seeking to fill the scalar void. In addition, as noted by numerous interview participants, regional solutions are

envisioned that transcend both city limits as well as reserve boundaries. At stake is the definition of Indigenous citizenship, including the nature and spatialization of rights.

Currently, federal, provincial and municipal state actors conceptualize urban Indigenous peoples as an at-risk population in need of programs that facilitate employment. The public policy community in Canada thus continues to reproduce the scalar void. While efforts to “close the gap” and needs-based approaches are important, sustainable urban Indigenous self-government arrangements will more likely emerge within contexts that substantiate Aboriginal rights (Christie 2003, 93-115). The continued disappearance of Indigenous nationhood and citizenship means that actualizing self-government in cities needs to be conceptualized as part of a larger rescaling of Indigenous-state relations and the decolonization of Indigenous governance, more generally.

CONCLUSION

In this dissertation, I have examined the continued erasure of Indigenous peoples in and through the settler city. I have identified this as an integral part of the spatial logic of coloniality in Canada. Settler legality and governmentality have spatialized Indigenous rights in such a way that they appear at a perpetual and insurmountable distance to the city.

This dissertation has explored the ongoing production of what I describe as a scalar void with respect to urban Indigenous peoples. This void has been produced through intertwined sociospatial technologies of government and knowledges, such as the classification and (mis)counting of the population, narratives of erasure, legal geographies, and neoliberal public policy. Together, these processes have shored up state sovereignty by erasing Indigenous nations and subordinating Indigenous communities to the regulatory discipline of colonial power through neoliberal strategies of governing at a distance and partnerships.

However, as I have illustrated, this project of erasure and political containment is unfinished and always on the defensive against persistent Indigenous struggles for self-determination, including the right to (be in) the city. I have looked at a range of Indigenous projects that seek to challenge the “aggressive representation of Indigeneity-as-absence” (Howitt 2006, 52) and to subvert this spatial fix. In particular, I have highlighted processes of Indigenous nation-building and community-building which are based on different, but not necessarily mutually exclusive, sociospatial imaginaries. Indigenous resistance in the form of alternative projects of governing, scaling, and citizenship is an

important theme throughout this dissertation, especially through strategies of scale-jumping and scale-bending.

I have explored how neoliberal forms of urban governance, especially those organized around vertically and horizontally networked partnerships, intersect with Indigenous struggles in Ottawa and Winnipeg. My analysis has demonstrated that the strategies and actions of both state as well as Indigenous agents are centrally motivated and shaped by scale (Silvern 1999, 641). Different understandings of not only the “proper” scale, but also the “proper” places, territories, and networks clash. The dominant scales of erasure contend with Indigenous scales of governance, as well as local Indigenous projects that shape new inter-scalar arrangements, especially through the processes associated with Urban Aboriginal Strategy. Indeed, competing Indigenous politics of scale based on local community-building and trans-local nation-building projects, at times, come into conflict in cities.

Further, this dissertation has asserted that the structures and processes of settler colonialism are not static, but change as conditions change and as the result of Indigenous resistance. I have outlined shifts in state strategies of erasure in relation to Indigenous peoples in the cities. The emphasis on removing and keeping Indigenous bodies out of the settler city has given way to mechanisms that keep collective Indigenous rights out of cities. I have noted that public policy in the late 20th century has written Indigenous people back into the urban, but as individuals in need of assistance to facilitate economic participation and as a form of risk management.

Through a focus on services and the downloading of programming responsibilities to the Aboriginal voluntary sector, this form of inclusion seeks to depoliticize the presence of Indigenous peoples. However, this ‘apolitical’ framing is actually a deeply political move which aims to contain Indigenous rights discourses that threaten to the fiction of white settler space and sovereign power of the nation-state. In this way, neoliberalism’s individualizing and marketizing logic has continued the work of containing Indigenous scales of governance, which are based on inherent rights, title to the land, and nationhood.

While the neoliberal order is no less steeped in colonialism and the imperatives of a settler society to eradicate Indigenous nations, it articulates its program of erasure differently. Here, coloniality is reproduced through the purported inclusion in institutions of governance and the freedom to participate in the economy. Thus, the normativity of neoliberal Canadian citizenship and Crown sovereignty is reinscribed through processes of partnership, incorporation, and collaboration.

In this way, neoliberal settler state governmentality has fused colonial domination, racialization, and liberal freedoms into a form of self-regulation and market individualism that operates through economic rights and choice. Drawing on Turner’s discussion of white paper liberalism (2006), which he sees as the foundational settler state ideology of assimilation, the current framework of urban Aboriginal governance can be described as white paper neoliberalism. In addition to liberal mantras of positing the individual as the only legitimate rights-holder and a superficial understanding of equality that does not take into account the

structural inequalities that pervade and define a colonial context, white paper neoliberalism is equally committed to the elimination of Indigenous nations as nations, but represents an ideology that seeks to do so through the economization of the social and the normalization of the primacy of private interests. An important element of neoliberal state governmentality is the “neutralization” of racialized and colonial categories through discourses of inclusion. Yet, these categories continue to structure relationships, but are often more difficult to detect as they are couched in the language of equal opportunity and participation (Goldberg 2009).

As this dissertation has illustrated, the state-led processes of rescaling and governance actively undermine solidarity, especially through a divisive framework of funding and entitlement. The new collaborative paradigm that has emerged in urban Aboriginal governance reinforces the deterioration of nation-to-nation and treaty relationships between Indigenous peoples and the state through entrenching the individualizing logic of neoliberalism.

However, it would be misguided to view the agency of Indigenous organizations that participate in partnerships and enter into contractual agreements to deliver services through a reductionist lens of co-optation. In fact, a more nuanced analysis brings the complex networks of Indigenous politics in Ottawa and Winnipeg into view as formations that also contest colonial governmentality and the scalar void. Contemporary policies, urban spaces, and governance-government hybrid arrangements are conditioned by local neoliberalisms, but this hegemony is by no means stable or total. In fact, the

proliferation of partnerships has presented important openings for Indigenous collective action. This form of government at a distance, has, in many cases, created the conditions that have allowed for further challenges to settler state hegemony through an array of strategies, including scale-jumping, scale-bending, legal challenges, community-building, and nation-building.

In my analysis of the politics of partnerships under the UAS, I have stressed three points: First, the rescaling of urban Aboriginal governance in the 2000s is determined by neoliberal-colonial logics *and* Indigenous struggles – struggles which are centrally about the nature of jurisdictional boundaries, place, and citizenship; second, the reconfiguration of scalar arrangements and strategies employed by Indigenous actors, such as scale-bending in Winnipeg and scale-jumping in Ottawa, have consequences that are neither anticipated nor contained by neoliberal scripts; and third, Indigenous contestations around scale-making and place-making based on inherent Aboriginal and treaty rights entail a more fundamental challenge to the status quo, because they involve the re-drawing of jurisdictional boundaries and have territorial implications.

Over the last decade, neoliberalized political arrangements of partnership have entrenched the disconnection of Indigenous citizens from Indigenous scales of governance through forms of government at a distance. While the genocidal direction of contemporary federal policies may not be as transparent as in, for instance, the residential school system, the current state-centered approaches to urban Aboriginal governance continue to deny Indigenous rights and associated scales, places, networks, and territories.

Postulating urban Aboriginality as a lesser type of Aboriginality within a homogenizing framework of erasure is supplemented by a strategy of downloading responsibilities to lower levels of government and the third sector. This continues to insulate settler cities from Indigenous projects that seek to disrupt the legal, jurisdictional, and territorial boundaries imposed by the settler state. At this point, the needs and rights of urban Indigenous populations have not been adequately addressed by state actors who instead pit needs-based and rights-based approaches against each other. Given that evidence clearly points to the interrelationship between self-determination and self-sufficiency, between collective rights and addressing needs effectively (Cornell and Kalt 1992; Cornell 2006), a fundamental rethinking is required.

Within the limitations of this analysis which only examined a relatively small number of (self-selected) perspectives in two of Canada's largest cities, it is clear that Indigenous actors have been addressing the scalar void in different ways. Further research is needed to explore the developments in urban Indigenous governance in a range of settings across the urban system in Canada, including medium-sized and small cities. How are Aboriginal-state partnerships being re-worked in different locales and by whom? What are the strategies used by Indigenous actors to scale up and sideways? Is there a role for emerging inter-urban networks? What are the best structural and operational mechanisms to ensure that cities are actualized as spaces of possibility, self-determination, and belonging for *all* Indigenous citizens? How can state and non-state actors change

city-regions in accordance with Indigenous rights in order to create shared spaces and scales of coexistence?

Substantiating Indigenous rights requires a system-wide policy approach that transcends the *Indian Act* topography of rights and entitlements, because “anything less than this system wide approach contributes to assimilation because it fosters the disappearance of our people when they leave the reserves” (Borrows 2008, 26). This decolonized scale politics challenges the foundation of the settler city by destabilizing the spatial imaginary of the urban as a discrete container of (propertied) whiteness. In Borrows’ words (2008, 26),

getting rid of the *Indian Act* means substantially broadening our conceptions of First Nations. We live everywhere, yet remain connected to an Indigenous somewhere. These nation-wide connections should be recognized, affirmed and strengthened. This is not a radical proposal, despite its world of difference from the *Indian Act*, because it is reality. Getting rid of the *Indian Act* in a good way honestly requires expanding our imaginations, dismissing our stereotypes of ‘Indians’ and their reserve-only status, and redrawing Canada in a way that recognizes this new fact.

This dissertation sought to open up space for thinking about challenges to settler state policies and rationalities and to interrogate narrow interpretations of Indigenous-state relationships based on colonial mappings. As I have demonstrated, Indigenous realities in cities have been ignored or misrepresented in ways that reproduce hegemonic assumptions and settler expectations of Indigeneity. The colonial-neoliberal grid of Indigenous-state relations is evident not only in contemporary government discourses and practices, but also in mainstream discourses and, for instance, the persistent assertion that reserves

and Indigenous homelands are not viable.¹⁴² Writing against essentialist and apolitical examinations within a post-disciplinary orientation, this dissertation also seeks to contribute to the decolonization of scholarship by addressing the gaps in the social sciences literatures.

I have argued that the politics of scale offer avenues towards decolonized futures. A crucial step in resisting the spatial logic of coloniality lies in politicizing the historical and ongoing Indigenous presence in cities. Insofar as both require radically democratic approaches and resistance to neoliberalisms, the right to the city is proposed as a useful conceptual framework for decolonizing cities, with the understanding, however, that the city itself is not enough. Actualizing Indigenous self-determination in cities needs to be conceptualized as part of larger transformations of Indigenous-state relations at and across multiple scales.

¹⁴² See Prout and Howitt 2009, 401 for a discussion of the mainstreaming of Indigenous Australians.

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APPENDIX

Below is a table listing the interviews conducted with key informants in Ottawa and Winnipeg. While I did not guarantee anonymity to interview participants, I decided not to identify participants by name to avoid any harm as a consequence of participating in the study. I provide non-identifying information concerning the gender of interviewees, the type of organization they work for, location, and date of the interview.

TABLE 4: Interviewees

I-1	Male, representative of federal Aboriginal service provider, Winnipeg, May 8, 2008
I-2	Male, representative of Métis service provider, Winnipeg, May 14, 2008
I-3	Female, representative of Aboriginal service provider, Winnipeg, May 15, 2008
I-4	Female, representative of provincial Aboriginal organization, Winnipeg, May 16, 2008
I-5	Male, representative of Aboriginal organization, Winnipeg, May 20, 2008
I-6	Female, representative of Aboriginal service provider, Winnipeg, May 20, 2008
I-7	Male, representative of the City of Winnipeg, Winnipeg, May 21, 2008
I-8	Male, representative of Aboriginal service provider, Winnipeg, May 22, 2008
I-9	Male, representative of the City of Winnipeg, Winnipeg, May 22, 2008
I-10	Female, representative of federal Aboriginal service provider, Winnipeg, May 26, 2008
I-11	Male, representative of federal Aboriginal service provider, Winnipeg, May 26, 2008
I-12	Male, representative of provincial Métis organization, Winnipeg, May 27, 2008
I-13	Male, representative of Aboriginal service provider, Winnipeg, May 28, 2008
I-14	Female, representative of Aboriginal service provider, Winnipeg, May 29, 2008
I-15	Female, representative of the City of Winnipeg, Winnipeg, May 30, 2008
I-16	Male, representative of the City of Winnipeg, Winnipeg, May 30, 2008
I-17	Female, representative of Inuit service provider, Ottawa, August 20, 2008
I-18	Male, representative of Aboriginal and Northern Affairs, Manitoba, August 22, 2008
I-19	Female, representative of the City of Ottawa, Ottawa, September 3, 2008
I-20	Female, representative of local Aboriginal service provider, Ottawa, September 5, 2008
I-21	Male, representative of Inuit service provider, Ottawa, September 11, 2008
I-22	Male, representative of national Aboriginal organization, Ottawa, September 25, 2008
I-23	Male, representative of national Aboriginal organization, Ottawa, September 25, 2008
I-24	Male, representative of Aboriginal service provider, Ottawa, October 3, 2008
I-25	Female, representative of INAC, Ottawa, October 22, 2008
I-26	Male, representative of national Aboriginal organization, Ottawa, October 23, 2008
I-27	Female, representative of Aboriginal service provider, Ottawa, October 27, 2008
I-28	Male, representative of provincial Métis organization, Ottawa, October 29, 2008
I-29	Male, representative of First Nation, Ottawa, January 6, 2009
I-30	Male, representative of INAC, Winnipeg, January 9, 2009
I-31	Female, representative of national Aboriginal organization, Ottawa, June 5, 2009