BUILDING RELATIONSHIPS OR BUILDING ROADBLOCKS WITH PUBLIC CONSULTATIONS?

AN EVALUATION OF THE URBAN ABORIGINAL STRATEGY'S COMMUNITY ADVISORY COMMITTEES IN WINNIPEG AND TORONTO

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Abstract

This comparative case study seeks to answer the following question: Have Community Advisory Committees (CACs) shifted decision-making power and permitted the building of trust through the Urban Aboriginal Strategy (UAS)? It argues that CACs are an effective tool for ensuring the successful participation of Aboriginal groups when the consultation process includes mechanisms for redistributing power from governments to stakeholders. When power relations are equalized, Aboriginal-state political relations can be renewed based on trust and mutual respect—aspects which have been absent within the Aboriginal-state apparatus and which have resulted in the political exclusion of Aboriginal peoples in Canada. Re-ordering the power dynamic within policy-making and restoring Aboriginal trust in the state will lead to the effective participation of Aboriginal participants during public consultation. Specifically, this comparative case study analyzes the federal government's current Urban Aboriginal Strategy and its consultation process in both Winnipeg and Toronto. This Strategy is to provide long-term investments to support Aboriginal communities in urban settings by focusing on three priority areas: improving life skills; promoting job training, skills and entrepreneurship; and supporting Aboriginal women, children and families. The analysis performed in this research evaluates the consultation process through the development of an evaluation framework that employs Sherry Arnstein's (1969) Ladder of Citizen Participation as a benchmark for measuring effective participation, and through a review of the dominant literature on CACs. The framework identifies critical components and criteria that must be present for CACs to be effective. The criteria were then mapped on to interview questions. Through a series of interviews with those involved in the UAS decision-making process, this research determines the extent to which the UAS decision-making process meets Arnstein's demanding standards for effective participation.

Based on interviews with the Steering Committee, this dissertation finds that the UAS consultation process in Winnipeg is a successful mechanism for enabling the effective participation of Aboriginal participants in the democratic process—a process that is resulting in the construction of a renewed Aboriginal-state political relationship. However, in the Toronto case, the UAS has not experienced similar success because it does not meet the criteria set out in the evaluation framework.

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AANDC	Department of Aboriginal Affairs and Northern Development Canada (formally known as INAC)
ACO	Aboriginal Community Organization
APC	Aboriginal Partnership Committee
CACs	Community Advisory Committees
CAP	Congress of Aboriginal Peoples
CAT	Community Assessment Tool
CCI	Comprehensive Community Initiative
CEAP	Components of Effective Aboriginal Participation
CGC	Community Government Committee
C.L.O.U.T.	Community Led Organizations Uniting Together
DTC	Duty to Consult
HRSDC	Human Resources and Skills Development Canada
INAC	Indian and Northern Affairs Canada
MOU	Memoranda of Understanding
NWAC	Native's Women Association of Canada
OFI	Office of the Federal Interlocutor
OSC	Outcomes Sub-Committee
RCAP	Royal Commission on Aboriginal Peoples
SACs	Stakeholders Advisory Committees
SCC	Supreme Court of Canada
TASSC	Toronto Aboriginal Support Services Council

TARP   Toronto Aboriginal Research Project

TUMC   Toronto UAS Management Committee

UAPS   Urban Aboriginal Peoples Study

UAS   Urban Aboriginal Strategy

WD   Western Economic Diversification Canada

WDA   Winnipeg Development Agreement

WPA   Winnipeg Partnership Agreement

Chapter 1. Introduction: Ushering In a New Era in Aboriginal-state Relations

Bringing Participation Back

Participatory democracy is not a new phenomenon—rather, it is the first form of democracy found to have been used in ancient Greece. At that time, polities were as participatory and inclusive as possible, highlighting the definition of democracy, which literally means "rule by the people." Over time, however, democracy has evolved and taken on different forms, from liberal democracies (in which elected individuals represent the people and individual liberties are emphasized) to representative democracies (founded on the principle that elected officials represent the citizenry). Though western democracies generally employ the representative form of democracy, some are attempting to restore aspects and features of democracy reminiscent of ancient Greece. This is not to say that democratic countries are moving towards participatory democracy as a whole, namely because, in general, states have become too large in both population and the machinery of government to be wholly participatory.

Instead, participatory democracy is at times being implemented through a grassroots approach, which occurs on a smaller scale, is policy-specific, community-specific and most times has no legal or binding force. Its non-binding nature has raised many criticisms of recent participatory democracy exercises. Current forms of participatory democracy (e.g., consultations, town-hall meetings, advisory boards, polling, etc.) are criticized for being little more than information sessions, with the sole purpose being to put a stamp of approval on government decisions that have been made prior to consultation with all stakeholders. This may be the case because citizens are ill-equipped to make informed decisions or provide educated input on policy matters, as those critical of participatory democracy (see Schumpter, 1950; Huntington, 1981) have argued. In other words, citizens do not have enough information, time, or resources to

engage in meaningful policy discussions, and thus it is considered best to delegate that responsibility to elected representatives.

On the other hand, proponents of participatory democracy (see Fishkin, 2009; Mutz, 2006; Dryzek, 2000) believe that elected representatives in the present system have become too powerful, unaccountable, and at times, non-transparent. Participatory democracy can be used as a mechanism to scale back the authority of elected representatives and make governments more accountable to the citizenry. However, unlike in ancient Greece, participation in democracy today does not typically afford citizens the same authority and voice as those citizens in the Greek polis. Politicians continue to be skeptical of allowing citizens a seat at the table, but are simultaneously finding it difficult to avoid incorporating citizens' voices in policy-making (Geissel, 2009). This is because citizens want to be assured that their interests are being taken into account. Consequently, citizens are forcing politicians to be accountable for their actions and to be transparent in the workings of government by engaging in participatory action in order to be heard.

For this reason, participatory democracy exercises in advanced industrialized countries are becoming en vogue, with governments consulting and engaging with citizens in many fields of policy such as health care, education, resource development, and urban planning (Geissel, 2009). No longer are citizens confined to showing up at election polls every four years to cast a ballot that represents their opinions. Instead, citizens are finding new and innovative ways to voice their opinions and be heard, from organizing town hall meetings to organizing global protests such as the Occupy Movement (Connor, 1996). At times, participation can include peaceful demonstrations and passive acts of participation (e.g., signing petitions, attending townhall meetings and rallies), and other times it may include contentious political action (e.g.,

road and site blockades, land occupations, protests). Certain policy issues will be more politically charged than others, and this is nowhere more evident than within the Aboriginal-state paradigm within which Aboriginal peoples are a displaced and dispossessed group.

Contextualizing Aboriginal Participation

The displacement of Aboriginal peoples in Canadian society has led to dire socio-economic conditions for Aboriginal groups in Canada. Aboriginal peoples have for some time attempted to chart a course for their destinies through nation-to-nation relations, in order to rectify the injustices historically imposed upon them. Their marginalized status today can be largely attributed to their historical marginalization in which First Nations occupying the land now known as Canada lost their land, culture, identities, socio-economic independence, sense of community, self-worth, and trust in the state. Government assimilation processes, such as the *Indian Act 1876* and the Residential school system, among others, created what has become known as a cultural genocide leading to generational traumas (e.g., the traumas of alcoholism, addiction, abuse, loss of family members through, for example, the 60s Scoop, as well as loss of community and family relations) that have resonated within Aboriginal communities, preventing many individuals from functioning well in society—whether within their own communities living on reserves, or off reserves, for example, in cities. The inability of governments to right their past wrongs and assist Aboriginal communities and individuals with healing and coping with these serious losses has led to high unemployment levels, low educational attainment, high levels of incarceration, high rates of homelessness, and poor health, just to name a few problems. In attempts to regain self-determination and self-government for their communities and rise above their present situation, Aboriginal peoples have engaged in direct protest actions at times with great success.

Some of their most momentous achievements have included the settlement of land claims, and section 35 of the *Constitution Act, 1982*, which recognized and affirmed Aboriginal and treaty rights. Resulting from this, Aboriginal peoples have made great political and socio-economic strides, such as the establishment of self-government arrangements, a national day of action, and the court-mandated "duty to consult" (DTC). These achievements have forced private and public actors to call Aboriginal peoples to the consultation table since 2005, resulting in an enterprise of government guidelines for consultation and, more recently, the "Idle No More" movement, which has garnered international attention. Whether or not such achievements will result in a renewed relationship between Aboriginal peoples and the state is still to be determined. However, these actions do signify that Aboriginal peoples will no longer allow governments to make decisions on their behalf as has been done in the past. Aboriginal peoples have become increasingly vocal about the need and urgency to rectify past injustices that have demobilized their communities, and, more recently, this has become even more the case for some Aboriginal communities as they transition from rural to urban living. As Graham and Peters (2002) stated, in regards to urban Aboriginal peoples: "There is a pressing need both to improve the socio-economic conditions of Aboriginal people living in cities and to create the conditions to give them greater voice in the governance of cities and more broadly" (p. 21).

Governments have thus begun to recognize the need to incorporate urban Aboriginal voices into the policy-making process, and have taken actions through programmes such as the Urban Aboriginal Strategy (UAS), which is a community-based approach to policy and programme delivery. It is aimed at increasing the participation of urban Aboriginal peoples in policy areas of particular importance to urban life (e.g., skills training, employment, housing, culture) and thus is an example of a participatory democracy exercise.

The research conducted here aims to shed light on the UAS as an example of a participatory democracy exercise that attempts to give urban Aboriginal peoples a greater voice in policy-making. The UAS is a state-initiated consultation process employing a consultation mechanism known as a Community Advisory Committee (CAC), which has the potential to give Aboriginal peoples greater control over their destinies by decentralizing decision-making power. However, their obstacles to political participation—whether their inability to access political representatives, their socio-economic barriers, and/or their lack of trust in the political process—are numerous, along with their issues being complex, and their histories painful.

Decision-making Power and Influence for Canadian Aboriginal Communities: Are CACs Working?

This comparative analysis considers whether Community Advisory Committees (CACs) permit Aboriginal communities, a marginalized minority in Canada, to exercise decision-making power during consultations with government. The main question this dissertation answers is: Have Community Advisory Committees shifted decision-making power and permitted the building of trust through the Urban Aboriginal Strategy (UAS)? In other words, can CACs move from a government-dominated hierarchical decision-making process to a collaborative arrangement? The analysis conducted here attempts to demonstrate whether this can be achieved by determining the ability of Aboriginal participants to make important decisions concerning the consultation process through which participation is achieved. These decisions include the power to decide the decision-making process to be employed, methods for choosing community representatives, and determining the availability of resources necessary to assist Aboriginal participants in making informed decisions. Furthermore, this research seeks to determine whether Aboriginal participation in CACs can help in developing mechanisms for building trust

between the parties, which would involve open and transparent lines of communication, political support (both internal and external to the consultation), and the ability of Aboriginal participants to influence the final decisions.

This analysis examines the main question of inquiry in an attempt to ascertain the effectiveness of CACs. Literature and available government documents pertaining to the UAS mainly focus on the effectiveness and project outcomes of the Strategy based on the mandate to: improve life skills; promote job training, skills and entrepreneurship; support Aboriginal women, children and families; and promote the increasing participation of urban Aboriginal peoples in the economy. This mandate was created by the Department of Aboriginal Affairs and Northern Development Canada (AANDC), formally named Indian and Northern Affairs Canada (INAC). The federal government has been diligent in documenting the findings based on evaluation reports (Alderson-Gill & Associates, 2005; INAC, 2010b; AANDC, 2011). However, these reports are written in a general manner for a broad audience rather than as an evaluation of the effectiveness of the process itself. The research conducted here analyzes the effectiveness of the consultation process in empowering Aboriginal peoples with a greater voice in policy-making, specifically within the model of Community Advisory Committees.

Furthermore, it should be noted this analysis does not set out to evaluate the effectiveness of the Strategy based on project and policy outcomes per se. Such analysis is beyond the scope of this research and would require a different research question such as: does participation in public consultations allow for effective policy outcomes? This would require a definition of what is "effective," and would involve deciding whose definition of effective should be employed: that of the state, or that of Aboriginal peoples. These are indeed important questions to ask, but are beyond the scope of this particular research study.

Nevertheless, as Aboriginal peoples transition from being "wards of the state" to being stakeholders in the policy-making arena, governments have become more aware of their responsibility to ensure Aboriginal voices are heard. Aboriginal-state policy-making is no longer a one-way communication process; instead, the language of Aboriginal-state policy-making is embedded in the rhetoric of partnerships, which is the next logical step for a renewed relationship based on mutual trust and respect. As such, different mechanisms for Aboriginal participation and engagement, such as CACs, have been initiated by the state. The objective of this research is to determine whether CACs, as practiced by AANDC, allow for effective participation by Aboriginal peoples. In other words, this analysis does not focus on programme and policy outcomes but on the process of consultation—specifically, as the arena where democratic participation takes place—and the relationship between Aboriginal peoples and the state. Thus, this analysis identifies the elements that need to be present and roadblocks that may need to be removed for relationship building and effective participation to occur. Building stronger Aboriginal-state relations is at the crux of reconciling the painful history the Canadian government forced upon Aboriginal communities in the name of nation building.

Beyond the benefits to Aboriginal communities and governments, there is an intrinsic value that comes from being participants in democratic exercises. In her influential work, Carole Pateman (1970) noted the benefits to human development as a result of participating, such as civic education:

> The major function of participation in the theory of participatory democracy is . . . an educative one, educative in the very widest sense, including both the psychological aspect and the gaining of practice of democratic skills and procedures . . . the more individuals participate the better able they become to do so. (p. 42–43)

This holds true in the Aboriginal context, where obstacles to participation are numerous, but opportunities to participate are few. Enabling and ensuring that effective participation takes place will bring about greater and better participation for Aboriginal communities as they carve out a place in the democratic process, and thereby build stronger Aboriginal-state relations—and by default, stronger urban Aboriginal communities.

By identifying the elements that lead to or inhibit relationship building, the research conducted here also identifies which factors and characteristics of a community make the community a good candidate for the use of CACs. Understanding and identifying these characteristics helps uncover the potential for CACs to re-order the power structure and build trust between Aboriginal participants and the state. More importantly, this research can lead to policy implications for Aboriginal communities and policy-makers in terms of deciding which consultation mechanism should be utilized for future community engagement projects. Specifically, the important contribution of this research is the methodology on how to study public consultations, achieved through the development of an evaluation framework comprised of criteria that determine the extent to which consultation mechanisms meet the conditions to enable effective participation. The framework is then applied to the UAS CAC process in both Winnipeg and Toronto, in Chapters 6 and 7.

In addition, this research makes important contributions to the urban Aboriginal literature as the definition of an urban Aboriginal community is contentious in itself. The urban Aboriginal population tends to be mobile and includes a wide array of cultural backgrounds. Moreover, since the physical boundaries of the urban Aboriginal community are porous and without a land base, by default, urban Aboriginal community governance requires several actors and institutions to represent the community in the political arena. However, these community actors are more

likely to be members whose trust in the political process is damaged and who face personal barriers to becoming involved.

To overcome these roadblocks and legitimize consultation processes, governments in Canada have attempted to ensure that urban Aboriginal peoples and all the important actors are consulted and participate in decision-making. This is so for a number of reasons, including the marginalized nature of urban Aboriginal peoples in social, political, and economic arenas, their unique culture (which involves a different understanding of "consultation"), and their status as one of founding peoples of Canada. As a result, there has been a Royal Commission on Aboriginal peoples (RCAP) and a court-imposed responsibility known as the "duty to consult" (DTC) that have mandated governments to politically engage with Aboriginal peoples during the decision-making process. In addition, the Urban Aboriginal Strategy has become a major area of inquiry within the urban Aboriginal literature, as academic research on urban Aboriginal governance written after 2000 that does not make mention of the UAS is extremely rare (Peters, 2011; Walker, 2005, Hanselmann, 2001). The research conducted here adds to the existing and important literature on urban Aboriginal governance as it relates to the UAS.

Significance and Scope of the Research: Understanding Decision-making from the DTC to Public Consultation

Research on political participation has consistently demonstrated that those with less education, a lower income, and fewer community ties are less likely to be civically engaged (Johnson, Matthews, & Bittner, 2007; Blais, 2006; Matsusaka & Palda, 1999). All the major schools on electoral behaviour (e.g., the rational-choice model, sociological model, and the psychology model) propose that income and education are the best predictors of civic engagement (Macedo, 2005, p. 2). Canadian Aboriginal peoples appear to be the exception to the

rule. While they have lower education attainment, experience high rates of unemployment, have lower incomes, and are less likely to vote than their non-Aboriginal counterparts (Statistics Canada, 2006), Canadian Aboriginal groups are finding innovative ways—through direct and contentious collective action/participation—to make their political voices heard and to impact policy outside of the electoral system. This can be illustrated by examining the "Idle No More" movement, the Aboriginal Day of Action, legal action by Aboriginal groups, land occupation to assert Aboriginal rights, and illegal resource extraction. However, direct and contentious collective action by Aboriginal peoples has rarely been a subject of theoretical and empirical analysis (Morden, 2013). Thus, this research is important because it enriches the scholarly literature on Aboriginal political participation and, in particular, on the political participation of urban Aboriginal peoples.

Specifically, this research highlights the difficulties associated with the current processes of Aboriginal-state consultations in an urban setting and identifies the barriers to participation for urban Aboriginal peoples involved in consultations in two different geographical areas in Canada, Winnipeg and Toronto. The research conducted here tests the theory that CACs have the potential to change the power dynamic at the consultation table and build trust amongst members. It also disputes the theory that CACs are tokenistic in nature. Rather, this research will examine whether, under the right circumstances and with the proper resources, CACs have the potential to be a transformation tool for achieving great social change for Aboriginal communities. This would require CACs to be able to reorder the power relations in terms of policy-making so that strong Aboriginal-state political relationships can ensue. By building a strong foundation for such a renewed relationship, the hope is that Aboriginal communities can become self-sufficient and will carry on once government funding ends. On a philosophical

level, there is also a moral obligation to involve Aboriginal peoples in developing their socio-economic capacities (e.g., through education, skills-training, and employment), in order for them to make significant changes in the communities in which they live. This is what is due to Aboriginal communities to correct the past injustices Aboriginal peoples have experienced at the hands of the Canadian state.

The research in Canada is lagging behind other nations with large Aboriginal populations. For example, in the United States, the *Harvard Project*, founded by Stephen Cornell and Joseph Kalt in 1987, was designed to, "understand and foster the conditions under which sustained, self-determined social and economic development is achieved among American Indian nations through applied research and service" (Harvard Project, 2010). It is the first of its kind and one of the most comprehensive projects to span over two decades. As another example, in the Oceania region, specifically in Australia and New Zealand, a plethora of literature and research on Indigenous urban community governance has been produced. As such, Canadian officials and researchers can learn much from the research of other nations to apply in a Canadian context. Examining the democratic participation of Aboriginal peoples can enrich the Canadian understanding of the importance of strong research on Aboriginal governance and of strengthening Aboriginal communities.

Aboriginal groups believe in consensus- and partnership-building. Historically, and to the present day, this has been their approach to most facets of social, economic, and political life (Ellis, 2005). Aboriginal peoples' sense of identity and belonging is deeply embedded in the nucleus of the community. This is not to say that conflict and disagreement do not exist between and among Aboriginal communities. Rather, the political behaviour of Aboriginal peoples in Canada both past and present suggests that under the right political circumstances, and for the

right cause, Aboriginal groups will set aside their differences and unite for a common purpose. This has been nowhere more apparent than with the recent political events that have drawn much attention, specifically the "Idle No More" movement, in which Aboriginal leaders across the country mobilized their communities. In other words, Aboriginal peoples are charting their own destinies with or without government as partners at the policy-making table.

This is increasingly becoming the case for Aboriginal-state relations in many parts of the world (e.g., Australia, Canada, Mexico, New Zealand). Aboriginal peoples are becoming a larger and more powerful stakeholder group in public policy-making than in the past, and hence governments are finding it increasingly difficult to avoid Aboriginal participation (Maakas & Fleras, 2000, p. 108). In Canada, since the legal recognition of the "duty to consult," the federal and provincial governments in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, and Quebec have tabled Aboriginal-state "Consultation Policy Frameworks" to guide the consultation process. According to the Government of Canada (2011), the DTC is a court-imposed responsibility in which "governments must consult with and, where appropriate, accommodate First Nations when the Crown contemplates conduct that might adversely impact potential or established Aboriginal or treaty rights" (p. 1). Public consultations between Aboriginal peoples and the state have become the norm in terms of governance and is the process through which participation takes place, especially in the resource development and the construction-related proposals in Canada. The Aboriginal peoples' desire to be part of the decision-making process has resulted in advancements such as the DTC ruling, memoranda of understanding (MOU—a bilateral or multilateral agreement expressing a joining of will and a shared planned of action), co-management boards in the north (businesses managed and owned by members of the community), and the creation of a new territory, Nunavut.

The literature on Aboriginal-state consultations for land-based Aboriginal peoples is vast in terms of resources, land, and economic development (Newman, 2009; Morellato, 2008; Sharvit et al., 1999). However, the literature is largely silent on the difficulties of consulting in urban settings and thus has no bearing on urban Aboriginal peoples. What is available, however, is the work conducted by Hanselmann (2003), Peters (1994, 2004, 2005, 2009, 2011), and Newhouse (2003), which speaks to the obstacles Aboriginal peoples and their communities encounter when they attempt to establish self-government and governance arrangements in urban settings. These obstacles relate to problems linked to limited institutional capacity and funding, lack of strong political leadership, lack of consensus amongst representative bodies, and socio-economic barriers. All of these obstacles complicate the ability for Aboriginal peoples to govern themselves and access political resources (e.g., funding, representatives, and services) in an urban setting. These complications also play a critical factor in the success or failure of any Aboriginal-state consultation process.

More specifically, consultations occurring in an urban Aboriginal context are particularly difficult, because there is no single institution that can legitimately claim to represent the interest of the community as there is for land-based Aboriginal communities. Similarly, the definition of urban Aboriginal peoples is contentious, as the population tends to be mobile and consists of a wide array of Aboriginal identities and members, who may more or less identify as being part of the community. In addition, urban Aboriginal communities pose particular difficulties for policy-makers engaged in legitimate consultation processes because of the lack of trust that members feel based on past experiences with these types of processes, or because they face personal barriers to participation. This research attempts to shed light on these methodological concerns and seeks to fill the gaps in the overarching literature through a comparative case research of the

federal Urban Aboriginal Strategy's (UAS) community advisory committees in Winnipeg and Toronto. Specifically, it identifies the personal (i.e., socio-economic differences), institutional (i.e., political relationships), and community (i.e., identifying community representation) barriers to participation, and thus brings to light important implications for policy-makers when designing and implementing future CAC structures. In addition, this research highlights the importance of developing and continuing the dialogue that began with the RCAP, was manifested in the creation of the UAS and continues with the DTC legal framework.

The scope of the "duty to consult" ruling

The court-mandated DTC continues the important dialogue regarding the participation of Aboriginal peoples in policy-making and more specifically on Aboriginal-state consultations. The three pivotal Supreme Court of Canada cases discussed below created a legal framework to guide Aboriginal-state consultations and further develop the consultative regime (comprised of, for example, the British North America Act (1867), the Constitution Act (1982), the Meech Lake Accord (1987), the Charlottetown Accord (1992), the RCAP (1996), and decades of academic research). The legal DTC has been instrumental in forcing governments to the policy-making table and enabling the settlement of land claims. Since its inception, it has provided governments, both federally and provincially, with frameworks and guidelines to ensure consultations with Aboriginal groups take place. However, though the DTC is a legal requirement for governments to follow, it does not provide Aboriginal groups the legal right to a veto over government decisions, and is not an effective means for Canadian Aboriginal peoples, and in particular, urban Aboriginal people, to participate as equal partners in the policy process.

In 2004, the Supreme Court of Canada (SCC) ruled that the Crown has a legal duty to consult and, where appropriate, accommodate, when the Crown contemplates conduct that may adversely affect potential or established Aboriginal or treaty rights. Three Supreme Court cases

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are pivotal to this emerging legal obligation: *Haida Nation v. British Columbia (Minister of Forests), 2004 SCC 73*; *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director), 2004 SCC 74*; and *Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage), 2005 SCC 69*. These cases began the court-mandated DTC. In these decisions, the SCC determined that the DTC stems from the honour of the Crown and the Crown's unique relationship with Aboriginal peoples. The DTC is triggered when three elements are present in Aboriginal-state conduct: contemplated Crown conduct; potential adverse impact; and potential or established Aboriginal or treaty rights as recognized and affirmed under section 35 of the *Constitution Act, 1982* (Government of Canada, 2011, p. 11).

The *Haida Nation v. British Columbia SCC* case involved the First Nation Haida people, who reside on lands in the Haida Gwaii Islands. These lands are heavily forested and cedar is the main economic resource. In 1961, the Province of British Columbia granted a large forestry firm the right to harvest trees in the area (Grand Council of the Cree, 2004) under a Tree Farm License (T.F.L. 39). In 1999, the government transferred the T.F.L. 39 to the forestry firm, Weyerhaeuser Company (Grand Council of the Cree, 2004). The Haida First Nation challenged this transfer in Court, stating that such a decision was made without their consent. Thus, the Haida case dealt with two issues: 1. whether the Crown has a duty to consult with and accommodate Aboriginal peoples prior to making decisions that might adversely affect their unproven Aboriginal rights and title claims; and 2. whether the duty extends to a third party (Haida Nation v. British Columbia, 2004, p. 512). The SCC held that the Province does have a duty to consult with the Haida regarding decisions relating to the harvest of timber in the area over which the First Nations have asserted, but have not yet proven, Aboriginal rights and title (Government of Canada, 2011, p. 63).

In its decision, the Court found that the province had failed to engage in any meaningful consultation, but that Weyerhaeuser Company did not owe the Haida First Nation any duty to consult or accommodate (Government of Canada, 2011, p. 63). That is, the duty to consult does not extend to third parties and is solely imposed on the Crown. Furthermore, the SCC ruled that the DTC is embedded in the honour of the Crown:

> The Crown's duty to consult with Aboriginal Peoples and accommodate their interests is grounded in the Honour of the Crown which derives from the Crown's assertion of sovereignty in the face of prior Aboriginal occupation. The duty arises when the Crown has knowledge, real or constructive, of the potential existence of the Aboriginal right or title and contemplates conduct that might adversely affect it. (Government of Canada, 2001, p. 63)

However, it should be noted that this Court ruling does not give Aboriginal groups a veto over what can be done with the land pending final proof of the claim or the need to reach an agreement. Instead, this case ascertains the Crown's legal obligation to consult and accommodate Aboriginal peoples even prior to proof of rights or title claims.

The successor case, *Taku River Tlingit First Nation v. British Colombia 2004*, tested the limits and scope of the Crown's duty to consult. The Taku River Tlingit First Nation argued that the Crown had a duty to consult prior to the re-opening of a mine and the construction of an access road to the mine through the territory, upon which the First Nation claimed Aboriginal rights and title. In this case, the Court ruled that the Province conducted consultation in good faith and that there was no legal duty to reach an agreement. In addition, the SCC stated that, "accommodation requires that Aboriginal concerns be balanced reasonably with the potential impact of the particular decision on those concerns and with competing societal concerns" (Taku

River Tlingit First Nation v. British Colombia, 2004, p. 555). The Court noted that the process

engaged in by the Province under the Environmental Assessment Act fulfilled its duty to consult

and accommodate. Therefore, the Haida case established the duty to consult and accommodate,

whereas the Taku River case defined the limits and scope of the duty to consult.

The following year, the SCC ruled on a third case, *Mikisew Cree First Nation v. Canada*

(Minister of Canadian Heritage) 2005, establishing the degree to which a concern triggers the

duty to consult. In this case, the Mikisew Cree First Nation argued that the construction of a

winter road through Wood Buffalo National Park in Alberta breached the honour of the Crown

and its obligations to respect existing treaty rights of Aboriginal peoples. According to the

Government of Canada,

> the Court found that the duty to consult was triggered because the impacts of the
>
> proposed road were clear, established, and demonstrably adverse to the continued
>
> exercise of the First Nation's hunting and trapping rights over the lands in question. The
>
> Court found that the Crown's DTC existed at the lower end of the spectrum because the
>
> proposed road is fairly minor and situated on surrendered lands. . .With respect to the
>
> content of the duty to consult, the Crown was required to provide notice to the First
>
> Nation and to engage it directly regarding the provision of information about the project,
>
> addressing what the Crown knew to be the First Nation's interests and what the Crown
>
> anticipated might be the potential adverse impact on the group in question. (Government
>
> of Canada, 2011, p. 64)

The Court also noted that, "the Crown was to solicit and listen carefully to the First Nation's

concerns and to attempt to minimize adverse impacts on the group's hunting, fishing and

trapping rights" (Government of Canada, 2011, p. 64). However, similar to the Taku River case,

the Court stated that this trigger to consult does not provide Aboriginal groups with a veto over the decision.

Though all three cases were instrumental in setting the parameters for Aboriginal-state relations based on the Crown's obligation to consult, these cases do not guarantee First Nations groups decision-making authority when Aboriginal treaty rights and land claims have not been affirmed. Though the duty to consult is an important component of the Aboriginal-state consultative regime, it does not afford Aboriginal groups the right to a veto on policy-making, nor a guarantee that governments must accommodate the affected Aboriginal groups. However, what is important and particular to this comparative case study is the ruling that governments must solicit Aboriginal input if and when the Crown has knowledge, whether real or constructive, of adverse effects on Aboriginal treaty rights. Though the scope of the duty to consult thus far is limited to First Nations groups on reserves and deals with issues of resource development and regulatory processes, the federal government's legal obligation to consult as part of a renewed Aboriginal-state relationship needs to be extended to all Aboriginal groups whether on or off reserve and the dialogue on the DTC is beginning to take shape in the urban context (see Neskonlith Indian Band v. Salmon Arm. (City), 2012).

With this in mind, the federal government developed a report entitled, "Guidelines for Federal Officials to Fulfill the Duty to Consult," based on eight guiding principles, with an action plan to streamline services and consultation mechanisms with federal-provincial-aboriginal stakeholders (Government of Canada, 2011). According to these guidelines, the federal government, through Aboriginal Affairs and Northern Development Canada (AANDC), will work with the provinces to develop Memoranda of Understanding (MOU), which will streamline services, encourage collaboration, share information and improve collaboration on

Aboriginal consultations (Government of Canada, 2011, p. 18). Some provinces (e.g., British Columbia, Manitoba, and Saskatchewan) have MOU in place with the federal government, local governments, and Aboriginal community leaders. Since the Crown's duty to consult also extends to provincial and territorial governments, to date most provincial governments have created and instituted their own Crown consultation processes, policies, and guidelines for land use projects in their jurisdictions. More and more land use projects are requiring a whole-of-government approach because of the division of powers and blurring of responsibilities in relation to Aboriginal governance.

The scope of the public consultation literature

The literature around public consultation is both vast and abundant and is largely the focus of Chapter 2. As well, the scholarly work surrounding the DTC has gained popularity over the last two decades (Newman, 2009) and is further discussed in Chapter 3. The RCAP and the research conducted by Evelyn Peters began the important dialogue on urban Aboriginal governance and have led to a plethora of research on urban Aboriginal policy. However, the discourse on the DTC in an urban setting has yet to intersect and the discussion is just beginning to unfold, focusing primarily on court decisions determining whether municipalities owe a DTC. This research attempts to fill this gap and to provide observations regarding the policy ramifications around the duty to consult in urban centres.

In this research, the duty to consult is both ambiguous and contested because it does not empower Aboriginal peoples with decision-making authority. Though the three pivotal SCC cases represent major milestones for Crown-Aboriginal relations, they merely reflect a renewed relationship based on engagement and not agreement. That is, consultation in this manner is concerned with providing Aboriginal peoples a "voice" and not necessarily a "choice" in policy-

making—this is the general consensus around the public consultation literature. In other words, power-sharing and trust building is not occurring, and, based on the literature, the Aboriginal example, in theory, is not an exception to the rule. However, how does the Aboriginal-state consultation work out in practice? Are there elements and components during the consultation process that can provide Aboriginal peoples with the mechanisms for empowerment? Is the onus on governments to delegate authority or can Aboriginal communities organize in a manner which empowers the community to participate and make critical policy decisions on their behalf during the consultation process? This research answers these questions and more by delving into an unexplored area of the literature focusing on a marginalized group that has become a major policy concern for governments in a neo-liberal globalized era where urban cities are becoming a main focal point on the international stage.

Outline of Work

Chapter 2 begins with a theoretical overview of participatory democracy and connects it to the literature on public consultation, specifically the literature on Community Advisory Committee structures. It provides the theoretical foundation for understanding the difficulties associated with representative democracy and the impetus for moving towards a more participatory political environment in Canada. In this chapter, I highlight the inefficiencies of representative democracy within a post-neoliberal era of political and financial uncertainty. The times have changed and citizens will not sit back and allow state officials to make important decisions on their behalf. Citizens are asking for a seat at the policy-making table and are seeking increasingly participatory forms of engagement to achieve such ends. As such, this chapter chronicles the transition from representative democracy to participatory democracy in advanced industrialized countries.

Chapter 3 defines the scope of Aboriginal-state relations both past and present, and its impact on Aboriginal political participation and policy-making. Specifically, the chapter examines the historical political and socio-economic exclusion experienced by Aboriginal peoples as being the impetus for greater Aboriginal participation in policy-making affecting their lives. This chapter also outlines these policy aspirations. Part and parcel of this is the DTC and its political implications for Aboriginal communities. The chapter concludes with the DTC and its implications, difficulties, and challenges as presented in an urban setting, based on the urban Aboriginal population, institutions, members, and community.

Chapter 4 examines the literature which began the urban Aboriginal dialogue. Specifically, it looks at the findings coming out of the *Royal Commission on Aboriginal Peoples* (1996) and the scholarly work by Evelyn Peters (1992, 1994, 2004, 2005). In response to the literature, the federal government created the Urban Aboriginal Strategy (UAS) to address urban Aboriginal concerns in cities. Based on a whole-of-government community approach, the UAS is designed to strengthen urban Aboriginal communities by building community capacity. This chapter sets out the mandate and agendas for the Strategy, funding arrangements, and the administration of the CAC process.

Chapter 5 narrows the focus of participatory democracy and examines the public consultation literature specifically within the domain of CAC. Review of the literature provides the methodology for analysis and provides a definition for measuring effective consultation as it pertains to the effective participation of stakeholders. The overarching goal of this section is first, to define what is meant by effective participation, and second, to understand if the process of consulting allows urban Aboriginal peoples the opportunity to affect government policy via an evaluation of the consultation process—that is, identifying the elements that need to be present

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and in effect for effective participation to take place. A framework for analysis is developed

based on a review of the major literature. The framework is designed to focus on three elements

of the consultation process: the developmental component; the empowerment component; and

the relationship-building component. Each component is essential for determining whether

effective participation can occur. Based on this framework, a series of interview questions was

devised and used during the interview process.

Chapter 6 looks at the UAS in Winnipeg. Winnipeg is an appropriate unit of analysis

because the city was the original testing grounds for the UAS pilot project. Consultation with the

entire Winnipeg Aboriginal community occurred *a-priori* implementation of the UAS. The

Steering Committee was interviewed and asked a series of interview questions. The responses

from the interviewees were then used to assess the experiences and perspectives of committee

members—both community members and government representatives—as they pertained to

implementation. In Winnipeg, the Strategy has experienced great success, though not without its

drawbacks. However, the Winnipeg experience highlights components that need to be in

existence and in effect for consultation to be effective and participation worthwhile.

Chapter 7 proceeds to use the framework of analysis as it applies to the Toronto case,

where consultation *a-priori* implementation did not occur. Similarly, interviews were conducted

with committee members, though the Toronto case posed difficulties in terms of contacting

members and locating documents. The experience in Toronto is much different from that of

Winnipeg, for community cohesion and capacity in Toronto is relatively new. This requires a

different type of CAC in order to get the community to a point where members can effectively

participate and the Strategy can generate results.

The Conclusion is really the tale of two cities. The UAS is one Strategy implemented in

two very different communities that has resulted in very different outcomes. In this chapter, I highlight the differences between the communities, their capacities, institutional infrastructure, and political relationships that affect the Aboriginal-state dynamic, and thus affect implementation of the Strategy. Many lessons can be gleaned from the comparative case research conducted here. Understanding the process of Aboriginal-state public consultations in an urban setting has many policy implications for policy-makers, non-Aboriginal community members and the community as a whole. When done incorrectly, public consultations create roadblocks for CAC strategies and deepen the mistrust experienced by Aboriginal peoples and the state. However, on the other hand, when done effectively, public consultations can build relationships based on mutual respect and trust. This in turn strengthens the Aboriginal-state apparatus and minimizes the political marginalization of Aboriginal peoples, and thus should be seen as a sign of hope and great possibilities for renewing the fragile apparatus.

Conclusion

The hope for this comparative analysis is to challenge the critical literature on public consultation and demonstrate that democratic participation need not go to waste. Political disengagement breeds more disengagement just as political efficacy breeds greater efficacy. The outcomes of political participation are like a contagion and the effects will spread throughout the community. As Macedo (2005) stated, "in well-designed contexts, civic participation may lead from a vicious circle of alienation and exclusion to a virtuous circle of trust and inclusion" (p. 12). Policy-makers must understand this prior to calling Aboriginal representatives to the table. The paradox for Aboriginal citizens is that there are more obstacles and barriers (in general, socio-economic) to overcome in order to participate. On the other hand, unlike ordinary citizens, Aboriginal peoples are more likely to assemble around politically charged policy issues and

participate in contentious collective action in order to benefit from the wealth of the nation as other citizens do. Unfortunately, Aboriginal participants experience numerous barriers to participation. Their trust in the state for the most part is completely shattered and they face greater scrutiny from government and the public. However, Aboriginal participants continue to progress forward and have their voices heard. This is not something that should be taken lightly by policy-makers. It is up to policy-makers to harness and nurture the political strength that Aboriginal communities offer. When this occurs, CAC strategies will develop and strengthen the ties that bind.

This chapter has looked at the importance of bringing participatory democracy back and has contextualized the need for urban Aboriginal participation as it relates to their socio-economic condition. One way to go about correcting the dire state of Aboriginal communities is by increasing their ability to make important policy decisions. This research seeks to determine whether the mechanism of CAC as employed by the UAS can decentralize power and build trust between Aboriginal peoples and the state. In preparing for Chapter 2, this chapter has demonstrated the significance and scope of the research conducted here, discussed the overarching literature available in the area of participatory democracy, and has outlined the work in the rest of the dissertation. Chapter 2 delves deeper into the theoretical framework of participatory democracy as it sets the stage for the research presented here. It argues that effective participation is possible when consultation is community specific.

Chapter 2. Theory – Participatory Democracy: Here and Now

Introduction

Incorporating the public, and especially those groups most affected by a programme, in policy-making is a long-standing objective of many governments. The hope is that public participation will bring government closer to the people and vice versa, thereby resulting in programmes that are more effective. Much has been written in the scholarly literature about, for instance, democratic administration/governance, participatory/deliberative democracy, and direct democracy, all of which have one thing in common: citizen participation and the empowerment of citizens through the democratic process. When political scientists speak of citizen participation in this vein, they are categorically referring to "citizens' power" as transcending merely voting and observing (Arnstein, 1969, p. 216). In other words, participatory democracy essentially involves rule by the people (Chambers, 2003). The literature in this theoretical area is vast and rich, involving an abundance of various strands of the theory such as: information gathering, consultation, policy formulation and decision-making, and joint implementation.

This dissertation examines one strand of the participatory democracy literature: public consultations. The term public consultation has been used to describe a range of activities, including issue forums, citizen monitoring programmes, participatory appraisals, beneficiary assessment (BA) community planning processes, and citizen advisory committees. This research examines one particular form of public consultation, known as the community advisory committee (CAC), and applies it to one segment of the population in Canada: urban Aboriginal peoples. As such, the following question will be asked: Have Community Advisory Committees shifted decision-making power and permitted the building of trust through the Urban Aboriginal Strategy (UAS)?

The purpose of this chapter is to set the theoretical stage upon which this research is

situated, first, by providing a historical and contextual review of the participatory democracy

literature. Specifically, this chapter explores the rise of participatory democracy and the decline

of representative democracy in Canada. In doing so, the chapter introduces the classic article by

Arnstein (1969) and the author's "Ladder of Participation," which will be used to underpin the

empirical findings of this research. The chapter then proceeds to focus on public consultations as

a form of participatory democracy and, more specifically, on the use of CACs to further the

participatory democracy agenda in Canada. The main motivation for employing the CAC

mechanism is the belief that input gathered from the public should be used to inform and

influence the decision-making process. Given the political climate of today, CACs are

increasingly making their appearance on the political scene once more as governments resurrect

old ideas to inform new ideas in policy-making.

From Representation to Participation

As the late nineteenth century saw territorial expansion and population growth become a

reality, classical political thinkers such as John Stuart Mill (1861) contended that representative

forms of government made democracy feasible. John Stuart Mill and other classical scholars,

such as Alexis de Tocqueville (1851), hailed representative democracy as a system of rule that

was desirable and necessary. However, the changing political, economic, and social

environments in advanced democratic countries have placed the system of representative

democracy up for debate. As Fung and Wright (2003) stated:

> "Democracy" as a way of organizing the state has come to be narrowly identified with
>
> territorially based competitive elections of political leadership for legislative executive
>
> offices. Yet, increasingly, this mechanism of political representation seems ineffective in

accomplishing the central ideals of democratic politics: facilitating active political

involvement of the citizenry, forging political consensus through dialogue, devising and

implementing public policies that ground a productive economy and healthy society, and,

in more radical egalitarian versions of the democratic ideal, assuring citizens benefit from

the nation's wealth. (p. 3)

In other words, representative democracy has not entirely fulfilled its promise to represent the

will of the citizenry. Over time, this has created cynical citizens who have begun to utilize

different avenues in order to be heard (Nylen, 2003). The resultant system has become known as

participatory democracy.

Deliberative democracy theory is a normative theory that highlights the way in which

governments can strengthen democracy and criticize institutions that do not live up to the

standards set out in representative democracy (Chambers, 2003, p. 308). Simone Chambers

(2003) illustrated the contrast between representative and deliberative democracy, stating:

Talk-centric democratic theory replaces voting-centric democratic theory. Vote-centric

views see democracy as the arena in which fixed preferences and interests compete via

fair mechanisms of aggregation. In contrast, deliberative democracy focuses on the

communicative processes of opinion and will-formation that precede voting. (p. 308)

Chambers further noted that deliberative democracy is not considered by theorists as an

alternative to representative democracy, but rather as an expansion of it (2003, p. 308). The main

goal behind public participation is to bring the government closer to the people by enabling

citizens to help set policy goals and priorities. Moreover, unlike in voting, where consent is the

core of legitimacy, in deliberative democracy, accountability becomes the main focus of

legitimacy. In other words, public officials must be able to "give an account" of their actions and

policy decisions, in order to publicly explain, and justify public policy (Chambers, 2003, p. 308). Democratic participation thus allows citizens to "oversee the actions of the politicians and administrators and hold them accountable for their actions" (Haruta & Radu, 2010, p. 77). In any participatory democratic exercise, accountability occurs simultaneously alongside the policy-making process. Warren (2009) noted, however, that in the representative domain, accountability to citizens occurs "after the fact [as] when governments miscalculate – as they often do without inclusive linkages to citizens – they find themselves left with angry or disaffected publics" (2009, p. 15). This describes one of the main motivators behind the participatory democracy movement, which began in the mid-1960s.

Since the mid-1960s, the participatory democracy movement has taken hold around the globe. It is most prominent in western democracies (Canada, Britain, the USA), where representative democracy has, over time, concentrated political authority in the hands of elected representatives and appointed experts, i.e., in Canada, those in the judiciary, the public sector, and the Canadian House of Commons (Nylen, 2003). Such elected officials are oftentimes unaccountable to the public and may act in their own self-interest outside the purview of the electorate. This deflection has given depth and breadth to participatory democracy. According to Barber, participatory democracy:

> Denotes the form in which people literally rule themselves, directly and participatorily, day in and day out, in all matters that affect them in their common lives . . . participatory democracy involves extensive and active engagement of citizens in self-governing process; it means government not just for but by and of the people. (1995, p. 921)

This, of course, being the ideal state of participatory democracy. In its empirical state, it involves less daily activities by citizens and is generally categorized by the scope of citizen participation,

which is, according to Creighton (2005), a "process by which public concerns, needs and values are incorporated into the governmental and corporate decision-making. It is a two-way communication and interaction, with the overall goal of better decisions that are supported by the public" (p. 7).

In Canada, the participatory democracy movement began to take shape in the late 1960s, when several economic, social, and political changes created a more engaged public. One reason for the change in public engagement was that the post-industrial economy in Canada was thriving, creating a growing middle class that possessed the leisure time to permit closer attention to government policy-making (Lightbody, 2006, p. 249). As well, the intensification of urbanization throughout Canadian cities heightened the interest of residents in the development of their cities. Simultaneously, the booming economy, accompanied by the growing job market and the increasing demand for labour, also led to Canadian immigration doors being reopened. This resulted in socio-demographic changes after a large number of Eastern Europeans and non-Europeans were granted entry to Canada, as immigration was no longer limited to the countries of North-Western Europe—specifically, the United Kingdom. The influx of immigrants (non-British) made Canadians more tolerant of diversity and multiculturalism, and Canada's demographic landscape began to change as beliefs and values began to mirror that change in the political arena (Belshaw, 1988, p. 44). The changing cultural landscape of Canada gave way to new attitudes about politics. Canadians as well as policy-makers witnessed the height of this transformation by the 1980s.

By 1964, all Canadians that came of voting age had been given the right to vote, including women, ethnic and religious minority groups and registered Aboriginal peoples, increasing the number of eligible voters in the political arena. As well, the baby boomers were

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coming of age to vote, further increasing the size of the electorate. In the late 1960s, Canadians began going through an identity crisis in which they were attempting to assert themselves as independent of the British Crown and as distinct from their southern neighbour, the United States of America. "Trudeaumania" became the vessel through which to achieve this. During the Liberal Party leadership race and subsequent federal election of 1968, Pierre Trudeau captured the interest of Canadians by promising a "just society," and thus the term "participatory democracy" was introduced into the Canadian public consciousness. Canada's "just society" ran parallel to U.S. President Lyndon Johnson's "Great Society" programmes of the mid-1960s, which institutionalized citizen participation (Cogan, Sharpe, & Hertzberg, 1986, p. 283). For example, Citizen Participation Organizations in the United States were created as a mandatory requirement for local governments, in order for them to receive Community Development Block Grants, as part of the urban renewal initiative under the "Model Cities Act" of 1966 (Cogan et al., 1986, p. 283).

According to Paul Litt (2008), Trudeaumania, as coined by the media during the leadership race, was justified by the strength of enthusiasm and engagement Trudeau received from his supporters. Norman DePoe, writing for *Maclean's Magazine* (1968), noted that Canadians had become intensely interested in politics for the first time and had finally decided that democracy was too important to be left to the politicians. Trudeaumania manifested itself through increased Liberal party membership and supporters taking to the street at Trudeau rallies (Litt, 2008, p. 46). Litt stated that these "gatherings emulated the dramatic protests of the civil rights and anti-war movements and the avant garde's performance art street theatre, offering a fashionable way for Trudeaumaniacs to participate directly in the political process" (2008, p. 47). Furthermore, this was the first time that the baby boomers were old enough to take part in the

voting process, and so participatory democracy was born as an extension of their eligibility to vote. However, interest in political parties and government did not last long in Canada.

In Neil Nevitte's seminal piece, *The Decline of Deference* (1996), he argued that Canada's political culture has been changing since the 1980s, "from 'old' politics to 'new' politics" (p. 51). Specifically, Canadian confidence has declined regarding both governmental and non-governmental institutions, accompanied by a rise in non-traditional forms of political participation (Nevitte, 1996, p. 51). Mark Warren (2009) has noted that,

> innovations driven by gridlocked government and poorly performing programs began a few decades ago, as evidenced by the rapid proliferation of 'public engagement' devices including, for example, citizen juries and panels, advisory councils, stakeholder meetings, lay members of professional review boards, representations at public hearings, public submissions, citizen surveys, deliberative polling and forums, and so forth. (p. 8)

Today, this form of participation is taking center stage. Citizens are finding more effective ways of getting their messages across, as evidenced by the increasing use of social media (e.g., Twitter, blogging, Facebook), global demonstrations (e.g., the Occupy and Idle No More movement), and lobbying. No longer are citizens passively standing by and allowing those in power to make important policy decisions, precisely for the reason that, as Nylen argued,

> we find ourselves today in an unhealthy situation where the powerful, well connected, and intolerant have become extremely well adept at using those (political) institutions [the Senate, the House of Commons, the legal system] and procedures to further concentrate wealth and power among themselves. (2003, p. 4)

Similarly, Nevitte argued that elite versions of democracy, where voters elect political leaders to make policy decisions, are undemocratic and ultimately unaccountable to the citizenry

(1996, p. 75). This does not mean that representative democracy is in crisis and that citizens are less interested and disengaged. Instead, the changing political culture of Canada demonstrates what Nevitte suggested is, "the emergence of increasingly interested, informed, and even critical publics . . . it indicates the potential for a more vital and more broadly participatory version of democracy" (1996, p. 76). In other words, citizens want to be part of the policy-making process through new and direct forms of political participation.

In the mid- and late- 1990s, political scientist Robert Putnam chronicled citizen disengagement in terms of low and declining voter turnout, increasing distrust in democratic politicians and processes, and declining levels of participation in western democracies (1995, 2000). This disengagement is nowhere more evident in Canada than at the polls, where voter turnout during federal and provincial elections is at an all-time low. For example, in the 2008 federal election, a mere 58.8% of registered voters casted a ballot, making it the lowest recorded voter turnout in Canadian history (Elections Canada, 2013). While the 2011 federal election saw a slight increase, to 61.1%, this number is still the third lowest since Confederation (Elections Canada, 2013).

The height of electoral participation at the national level occurred during the elections of 1958, 1962, and 1963 (Elections Canada, 2013). During those years, Canadians saw the emergence of unemployment insurance (renamed EI in 1996) and the beginning of Canada's Pension Plan (not officially implemented until 1965). In addition, a large number of European immigrants settled in Canada post-World War II. Given the devastation of war experienced by many, along with the need for economic growth, citizens paid particular attention to politics and policy, which explains the higher levels of voter turnout during this era. However, since then, electoral participation has been on a steady decline. This does not signify apathy in politics nor

that Canadians are content with the political system. Rather, citizens are focusing on post-modern issues while realizing and engaging in other effective methods of participation because of the periodic and ineffective nature of voting in Canada. As Nevitte stated, elections "provide only occasional opportunities for citizens to register their preferences . . . Furthermore, it is far from clear that voting is the most effective way for citizens to register their preferences and to make demands on the political system" (1996, p. 76). The decline in voter turnout is further augmented by socio-demographic differences.

Academics researching voter turnout in Canada, such as Howe (2010), Blais (2006), and Pammett and LeDuc (2003), highlight certain socio-demographic characteristics that explain why some citizens vote while others abstain from voting. The general consensus in this body of literature is the following: older cohorts (as part of their political socialization) are more likely to vote than younger cohorts; the more educated one is, the more likely he/she is to vote; the higher the income, the more likely one is to vote; if parents voted, their children are more likely to vote; and, finally, the more one knows about the political system, the more likely one is to vote. If one accepts these claims as fact, then those voters that do not fall into any or all of the categories are left out of the voting process. Given this, certain segments of the Canadian electorate are excluded from the process, such as the homeless, new immigrants, single-parent families, young Canadians, and more so than any other group in Canada, Aboriginal peoples. On this front, participatory democracy promises to be more inclusive while also offering a shift in the power dynamic between state and civil society, thereby giving politically and socio-economically marginalized groups opportunities to be part of the political process.

Turning a New Participatory Leaf

Cook and Morgan defined participatory democracy as the "decentralization of power for

direct involvement of amateurs in authoritative decision-making" (1971, p. 4). Amateurs are citizens who do not "carry the credentials as formally trained experts or professionals serving in career capacities and [who] are not regularly elected officials; they are laymen, not professional participants" (Cook & Morgan, 1971, p. 4). Within this framework, participatory democracy promises to create more civic-minded citizens and better policy outcomes by virtue of citizen participation. As Cook and Morgan (1971) noted, citizen participation increases participants' sense of political efficacy as they become more aware of and engaged in their political environment. Also, the act of participation leads participants to gain more abundant, accurate, and coherent information on public affairs, thus "these participants become aware of possible alternative solutions to problems and are better equipped to make a rational selection of policy means appropriate to goals" (Cook and Morgan, 1971, p. 9).

More so, participation empowers citizens to take control of their own destinies, something that even governments cannot afford their citizens. Regarding the promise of empowerment, Gregory Markus quite rightly stated:

When citizens do more than merely provide "input" to professional decisions, when they instead possess sufficient information, resources, time, and space for deliberation, and power to transform input into action, then the planning, the implementation, and the results can be more insightful, more legitimate, and more effective than anything that officials and planners could have devised on their own. (2002, p. 42–43)

Given that government policies affect the everyday lives of citizens, it is not difficult to contend that citizens want a voice at the policy-making table, especially in democratic countries where such options exist.

As such, Julie Abelson and Jean-Pierre Gauvin (2004) noted that numerous studies have

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confirmed that Canadian citizens are looking for a political space in which to engage in public

policy discussions and decisions outside of the traditional political sphere. As Abelson and

Gauvin suggested:

> Citizens are also looking for new ways to define democracy – ways that recognize their
>
> desire to play a more active role in decisions that affect them at the individual and
>
> societal levels . . . Reforming traditional political institutions will not, on its own, solve
>
> the problems of voter turnout unless reform includes a space for citizens. (2004, p. 1)

In other words, citizens are seeking a more hands-on approach to democratic participation (e.g.,

through public debates, public meetings, citizen's juries, citizen's polls, etc.), which will allow

them increasing control over policy outcomes. In their discussion of various types of public

participation, Gene Rowe and Lynn Frewer stated:

> The practice of involving members of the public in the agenda-setting, decision-making,
>
> and policy-forming activities of organizations/institutions responsible for policy
>
> development [means that] the public may be involved in a number of different ways or at
>
> a number of levels. In some cases, the public may "participate" by being the passive
>
> recipients of information from the regulators or governing bodies concerned; in other
>
> cases, public input may be sought, as in the solicitation of public opinion through
>
> questionnaires; and in still other cases, there may be active participation of public
>
> representatives in the decision-making process itself, such as through lay representation
>
> on an advisory committee. (2005, p. 254)

Whether the process is a one-way exchange of communication from policy-maker to citizen, or a

two-way exchange between policy-makers and citizens, the general intent remains the same: to

involve the public in some fashion in the decision-making process. The process may simply be

put in place to provide more information or the goal may be to seek public input, but regardless

of the motivation, the public is part of the decision-making process and closer to administrators

than would otherwise happen through the mere act of voting. This participation can occur

through several different channels, about which Haruta and Radu (2010) have been more

specific, noting three forms of public participation:

> a. information or a one-way relation in which the governmental officials produce and
>
> only deliver information for use by citizens; this type of interaction provides passive
>
> access to information upon demand by citizens and active measures by government to
>
> disseminate information to citizens; b. consultation or a two-way relation in which
>
> citizens' role consists in providing feedback to government; c. active participation or the
>
> relation based on partnership with government, in which citizens play an active role and
>
> engage in the policy-making process. This last tier admits the important role of the
>
> citizens in proposing policy alternatives and in shaping the policy dialogue; nonetheless
>
> the responsibility for the final decision or policy formulation rests with the public
>
> administration entity. (p. 78)

The ability for the public to feel empowered will largely depend on the form sought by

administrators and this is an important question for the scholarly work in this area. As such, a

central inquiry for participatory democracy theorists (Chambers, 2003; Williams, 2000; Fraser,

1997), and one which informs this research, is the link between the participatory process and the

decentralization of power, and thus the ability to build, or in some cases regain, public trust. That

is, the form that public participation takes, whether passive (e.g., through reading pamphlets or

signing petitions) or more active (e.g., though protesting, joining a social movement, or

participating on advisory boards), will also determine the degree of power citizens have over the

consultation process and final outcomes. This in turn can establish trust between administrators and the public. This is the central tenet of participatory democracy, whereby participation is concerned with shifting power from government officials to citizens and forging relationships based on trust.

Climbing Up Arnstein's Ladder of Citizen Participation

The "Ladder of Citizen Participation" (see Figure 1) created by Arnstein (1969) is a good benchmark to situate participatory democracy exercises and extrapolate the extent of power-sharing that will occur. Fittingly, Arnstein was the chief advisor on citizen participation for the US Department of Housing and Urban Development during the era of the "Model Cities Act," from which she draws her examples. Her article is arguably one of the most influential schemas for evaluating an institution's relationship with citizen groups (Connor, 1988; Wondolleck et al., 1996; Collins & Ison, 2009). Arnstein's Ladder, as it is known, "can be retained as a diagnostic and heuristic tool for planning studies, as articles written after 1969 that do not reference her work are rare" (Shipley & Utz, 2012, p. 26). It has been used by academics, researchers, and practitioners alike. The Ladder has been adopted by many theories (e.g., dispute resolution theory, Actor-Network Theory) and research focusing on citizen participation such as Community-Based Participatory Research, and has also expanded beyond urban planning policies into numerous policy areas such as health care (e.g., childhood obesity prevention interventions) and business ethics (Cummings, 2001). Moreover, the Ladder has been developed beyond its original eight rungs into a "Wheel of Participation" by the South Lanarkshire Community Planning Partnership (Audit Scotland, 1999, p. 18), and has also inspired both the *International Association for Public Participation* (IAP2) Public Participation Spectrum (2005) and Guaraldo Choguill's 1996 article, "A Ladder of Community Participation for

Underdeveloped Countries."
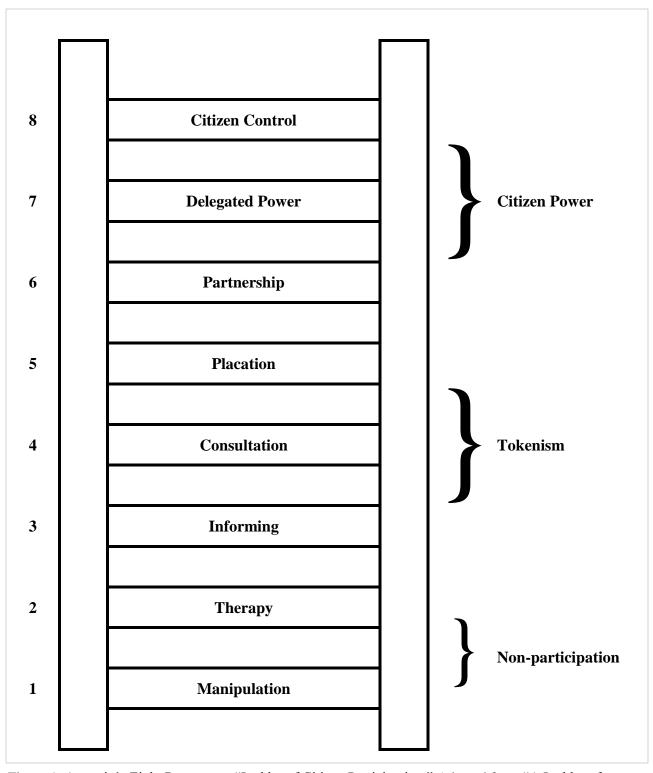
Figure 1. Arnstein's Eight Rungs on a "Ladder of Citizen Participation." Adapted from "A Ladder of Citizen Participation," by S. B. Arnstein, 1969, *Journal of the American Planning Association, 34,* p. 217.

In its original incarnation, Arnstein's Ladder consists of eight rungs for evaluating citizen participation. The first two rungs, *manipulation* and *therapy*, have no power-sharing elements and are considered by Arnstein to be non-participatory. Processes falling under these two rungs are not designed to enable citizens to participate, but rather to enable administrators to "educate" or "cure" the participants (Arnstein, 1969, p. 217). In the case of the former, decisions have been made and citizens are asked to support the decision without knowing the necessary background information, such as cost to taxpayers, long-term effects on communities, or legal fine print. Arnstein noted that this form of "participation" became common practice with urban renewal in the United States when the elite were invited by city housing officials to serve on Community Action Agencies, or CAAs (1969, p. 218). Arnstein highlighted that, in this example, administrators would educate, persuade, and advise citizen committees at CAC meetings, rather than the reverse (1969, p. 218). These committees generally had no legitimate function or power, but were used to gather public information and gauge support.

In the Ladder, *therapy* is used to describe the work of health administrators (e.g., mental health experts, social workers, psychiatrists) in subjecting citizens to clinical group therapy, in order to cure participants of their "pathology" rather than changing the circumstances that have created the pathology, such as racism and victimization (Arnstein, 1969, p. 218). Arnstein cited the most common examples of therapy, as seen in public housing programmes, to be tenant groups used as vehicles for promoting, for example, "control-your-child" or "cleanup" campaigns (1969, p. 218). The main goal behind *therapy* is to reposition the problem as one that is self-inflicted and not socially constructed. Thus, the individuals need to participate in such programmes to overcome their problems, and so their participation is not wholly voluntary and can work against building state trust.

The next three rungs, *informing*, *consultation* and *placation*, progress to degrees of

tokenism in which engagement can be a one-way or two-way communication process where

either one or both sides are heard. However, citizens do not possess the authority to effect policy

change (Arnstein, 1969, p. 217). Under the label of *informing*, citizens are informed of their

rights, responsibilities, and options, yet the emphasis is placed on a one-way flow of information

with no mechanisms provided for feedback. Examples include government-sponsored news

media, pamphlets, posters, and responses to inquiries (Arnstein, 1969, p. 219). Even if the

exercise is in the form of a meeting, Arnstein noted that the meeting can turn into a vehicle for

one-way communication, where administrators will provide superficial information,

discouraging questions, or giving irrelevant answers, as was the case in some of the "Model

Cities" citizen planning meetings.

In the Model Cities example, when asked highly racially motivated questions, city

officials responded with lengthy, highly technical explanations that deflected the main

motivations behind the line of questioning. Since residents did not understand the explanations,

the citizens accepted the "information" and endorsed the agency's proposal (Arnstein, 1969, p.

219). This largely speaks to the concerns put forth by Chambers (2003) in relation to giving

marginalized groups voice and decision-making authority. Therefore, the question for

participatory democracy theorists examining the feature of power-sharing is not whether to

include the public, but rather *how* to include the public in a manner that is conducive to effective

participation. According to Arnstein, however, although power has to be somewhat delegated,

the onus is on the citizenry to become adept at utilizing opportunities to take power—not on

officials to delegate power to citizens per se, as explained in the upper rungs.

Consultation, on the other hand, employs methods such as attitude surveys,

neighbourhood meetings, and public hearings. Arnstein noted that in these settings people are generally perceived as statistical abstractions, and that participation is measured by how many attend to answer questionnaires rather than by the quality of the participation (1969, p. 219). It is not until the *placation* rung that citizens begin to have some degree of influence. Arnstein used another example from the Model Cities advisory and planning committees to illustrate how citizens are placated, stating:

> They allow cities to advise or plan ad infinitum but retain for powerholders the right to judge the legitimacy or feasibility of the advice. The degree to which citizens are actually placated, of course, depends largely on two factors: the quality of technical assistance they have in articulating their priorities; and the extent to which the community has been organized to press for those priorities. (1969, p. 219)

In other words, the onus is on the residents and the community to gain enough traction to make the target institutions responsive to their views, aspirations, and needs. This differs from the bottom four rungs where Arnstein places the onus on the administrators.

The last three rungs at the top of the Ladder, *partnership*, *delegated power* and *citizen control*, vary in terms of their degrees of citizen power (Arnstein, 1969, p. 217). These rungs provide citizens with decision-making clout, whereby in the former citizens are enabled to negotiate and engage in trade-offs with administrators, and the latter two involve empowering citizens with the majority of decision-making seats or full managerial powers (Arnstein, 1969, p. 217). However, the onus is on the community to effectively participate and demand power. Arnstein noted that, in most cases, where power is shared it is taken by citizens rather than given to them (1969, p. 222).

At the *partnership* level, Arnstein argued that power is in fact redistributed through

negotiation between citizens and powerholders: "they agree to share planning and decision-making responsibilities through such structures as joint policy boards, planning committees and mechanisms for resolving impasses" (1969, p. 222). However, citizens can only gain power-sharing by demanding it from governments (as governments tend to be reactive and act retroactively). Citizens can thus be most effective when there is,

> an organized power-base in the community to which the citizen leaders are accountable; when the citizens group has the financial resources to pay its leaders reasonable honoraria for their time-consuming efforts; and when the group has the resources to hire (and fire) its own technicians, lawyers, and community organizers. (Arnstein, 1969, p. 221)

When citizens have these resources in hand, they then have some genuine bargaining power over the outcome.

In *delegated-power*, negotiations between the parties can result in citizens achieving dominant decision-making authority over a particular plan or programme. For example, in the Model Cities initiative, some cities delegated specific powers (e.g., hiring and firing, issuing subcontracts for building, buying or leasing buildings) through subcontracts to resident-dominated groups, who then planned and/or operated one or more decentralized neighbourhood programme components, such as service centers and Headstart programmes (Arnstein, 1969, p. 223). However, such groups receiving power in this manner must be well established and well organized in order to take on specific responsibilities. Though Arnstein did not specifically state so in her article, she did allude to the fact that groups without resources and which are unorganized will not be able to take power from administrators. This may be especially the case for marginalized groups (e.g., racially segregated groups, the poor, women, specific religious groups, aboriginal groups) who lack the resources to command power.

At the *citizen control* rung, citizens demand a degree of power that allows them to be fully in charge of policy and managerial aspects of a programme or institution, as well as able to negotiate the conditions under which "outsiders" may change the programme (Arnstein, 1969, p. 223). Thus, shifting decision-making power from government to a degree of citizen control is a two-way process, where citizens must be able to congregate and organize in such a manner that enables them to influence the target institutions. To do this, the community must be able to overcome their own roadblocks to participation (e.g., issues of organization, monetary considerations, group representation). While Arnstein's Ladder is a good benchmark for measuring effective citizen participation, it elicits criticism from scholars who argue that Arnstein's framework is one-dimensional and places excessive focus on the power dynamic.

Transforming Arnstein's Ladder

Tritter and McCallum (2006) have argued that Arnstein's Ladder placed too much value on power relationships and that it sidestepped equally important aspects, such as the intrinsic value of participation, the value in the simple act of contributing, and the fact that many citizens recognize they are limited in terms of knowledge and expertise and are thus more satisfied with the process than the impression left by the vocal minority. Though Tritter and McCallum's arguments are noteworthy, the authors miss the important fact that marginalized groups do not necessarily possess the resources, leisure time, and knowledge to go above and beyond their civic duty of voting to participate in democratic exercise for the sheer opportunity to gain some form of intrinsic value. When members of marginalized groups participate, they do so with the hopes of changing the policy outcomes and their own socio-economic conditions. Thus, Arnstein, Tritter and McCallum do not take into account that not only are socio-economically marginalized groups the ones that genuinely require power-sharing to occur in order to change

their socio-economic conditions, but also that they are those which are least likely able to achieve this.

Other critics such as Bishop and Davis (2002) have argued that Arnstein wrongly assumed policy problems stay constant, when in reality many policy problems are unique and will change over time, thus requiring different types and levels of participation. The prospect of power-sharing and the degree of the shift is dependent on various independent variables that are outside the purview of the process itself, such as inherent characteristics of the bureaucratic apparatus, the cost of participating for citizens, and the public's ability to participate. All of these factors can limit the reality of power-sharing even when the genuine intent for change is there.

For instance, Haruta and Radu (2010) have pointed out that the inherent characteristics of the bureaucratic apparatus impose serious roadblocks on the willingness and, at times, the ability of administrators to be responsive (p. 80). Furthermore, Hummel (1994) stated that the

> willingness of administrators to be responsive is constrained by their inability to take
>
> action on one hand and their unwillingness to do so on the other. Inability results from
>
> lack of empowerment, whereas unwillingness results from a "bureaucratic experience" –
>
> a condition of working in bureaucratic organizations. (as cited in Alkadry, 2003, p. 184)

Though administrators may be mandated to seriously elicit and incorporate public input in the decision-making process, they are not legally bound to do so or may camouflage their decision as one being made in the name of the public. In addition, administrators may use their position to manipulate the public's opinion and consciousness to ensure the public agrees with their views. In other words, the participatory process may allow for citizen empowerment, but administrators are not legally obligated to implement the public's wishes; rather, administrators may use their technical expertise to sway public opinion in their favour. This leads to the second cause of

concern, which is the cost of participating.

Irvin and Stansbury (2004) highlighted that the cost (e.g., time, effort, becoming educated and informed) of citizens' participation in decision-making will at times outweigh the benefits; also, participatory democracy exercises are not designed to accommodate these costs. For example, the authors argued that participatory democracy theorists will often leave out the discussion of cost as a large barrier to participation. As shown in Table 1, Irvin and Stansbury (2004) laid out the disadvantages of citizen participation, describing them as "time consuming (even dull) and pointless if [the] decision is ignored" (p. 58). Furthermore, Cornwell and Coelho (2007) argued that, over time, the more decisions are ignored, the more citizens become disillusioned with the process of participating, leading to a gradual fizzling-out of energy and commitment to the democratic process (p. 10). These are sentiments that are not taken into account when participatory democracy exercises are designed.

Another central concern of the participatory democracy theory, which is also the main point of inquiry for this research, is the ability of citizens to effectively participate. Chambers rightly pointed out that, for the process of deliberation and accountability to work effectively, participants need to be on an equal footing (2003, p. 322). However, Chambers further argued that the notion of an "equal footing" and what it means is vague and has not been thoroughly explored by participatory democracy theorists (2003, p. 322). This line of inquiry informs the research discussed here, and illustrates the need to understand what political and societal relationships and contextual factors are required to be present for effective participation by marginalized groups to ensue. Though the intent to equalize the power base is at the helm of the participatory democracy process, this cannot successfully occur when citizens are not equipped to participate. As Chambers further elaborated:

Theorists (Fraser, 1997; Williams, 2000) concerned with diversity have argued that

deliberative theory has been blind to the inability of marginalized groups to even

minimally meet the conditions of discourse. They argue that at best deliberative theory

has been too vague and abstract about the real-world barriers to authentic deliberation,

and at worst it understands the problem in such minimal and negative terms as to fail

miserably to confront it. (2003, p. 322)

Thus, the ability of participatory democracy exercises to effectively shift power from

governments to citizens is largely dependent on the above independent variables.

However, to address this discourse, in-depth knowledge of the marginalized group in

question is required. Arnstein noted that neither citizens nor administrators are homogenous

blocs, as each group will possess "divergent points of view, significant cleavages, competing

vested interests, and splintered subgroups" (1969, p. 217). This means barriers to participation

will be group-specific, and that understanding the administrative landscape upon which the

group operates is also part of addressing the concern of understanding and situating the place of

marginalized groups in the deliberative process. Even Arnstein has admitted that her own

typology has limitations in that it does not include an analysis of the most significant roadblocks

to achieving genuine levels of participation (1969, p. 217). Arnstein stated that these roadblocks

lie on both side of the scale, and specifically that:

On the powerholders' side, they include racism, paternalism, and resistance to power

redistribution. On the have-nots' side, they include inadequacies of the poor community's

political socioeconomic infrastructure and knowledge base, plus difficulties of organizing

a representative and accountable citizens' group in the face of futility, alienation, and

distrust. (1969, p. 217)

This research attempts to fill this gap and uncover the conditions necessary to give marginalized groups voice and empowerment, or at least to identify the factors which prevent this from being the case.

Proponents of participatory democracy see political participation as a collective action strategy needed for furthering the interests of repressed, excluded and ignored individuals and groups (Nylen, 2003). Woolcock and Narayan (2000) noted that recent research on social capital and development theory has argued that disadvantaged communities, by developing alliances with key state/civil society/market networks and institutions, can improve their social and economic development and enhance state-society relations. More specifically, Kathleen Halvorsen (2003) argued that several benefits for citizens flow from their participation in democracy:

> High-quality participation contributes positively to effective, legitimate decision-making . . . [and thus] high quality participation may change citizens' beliefs about government responsiveness. Satisfying participation that meets participants' goals is also likely to increase their sense that the organizing agency is responsive and can help to create more personal relationships between citizens and decision makers. [Finally], citizen[s] who see an agency carefully planning and implementing accessible participation may be more likely to believe the agency will behave appropriately in other situations. (Halvorsen, 2003, p. 536–537)

More importantly, participation can enrich the quality of citizens' lives. As Macedo (2005) stated,

> civic engagement is valuable in itself, that popular self-rule involves the exercise of distinctive human capacities and is an intrinsically noble enterprise . . . Indeed, civic

engagement can enrich citizens' lives in more diffuse ways . . . [H]igher levels of civic

engagement . . . are associated with greater individual satisfaction with the quality of

community life and, indeed, one's own life. Quite simply, when citizens are involved and

engaged with others, their lives and our communities are better. (p. 5)

However, it is also important to note that tokenistic gestures of citizen engagement can backfire.

Halvorsen argued that, "high-quality citizen involvement can backfire if the public learns

over time that their participation is meaningless. A history of participation with no visible impact

on agency decisions can be worse than no participation at all" (2003, p. 540). This argument has

been clearly outlined and illustrated by Irvin and Stansbury, as shown in Table 1.

Table 1

Advantages and Disadvantages of Citizen Participation in Government Decision-Making

	ADVANTAGES		DISADVANTAGES	
	Advantages to Citizen Participation	Advantages to Government	Disadvantages to Citizen Participation	Disadvantages to Government
Decision Process	Education (learn from and inform government representatives); Persuade and enlighten government; Gain skills for activist citizenship	Education (learn from and inform citizens); Persuade citizens; Build trust and allay anxiety or hostility; Build strategic alliances; Gain legitimacy of decisions	Time consuming; Pointless if decision is ignored	Time consuming; Costly; May backfire, creating more hostility toward government
Outcomes	Break gridlock; Achieve outcomes; Gain some control over policy process; Better policy and implementation decisions	Break gridlock; Achieve outcomes; Avoid litigation costs; Better policy and implementation decisions	Worse policy decision if heavily influenced by opposing interest groups	Loss of decision-making control; Possibility of bad decision that is politically impossible to ignore; Less budget for implementation of actual projects

Note. Adapted from "Citizen Participation in Decision-Making: Is It Worth the effort?" by R. A. Irvin and J. Stansbury, 2004, *Public Administration Review*. Vol. 64:1, pp. 55–65.

Irvin and Stansbury's table highlights the advantages and disadvantages that can occur for citizens and government as a result of engaging in participatory democracy exercises. However, the table is a generalization of the outcome possibilities and does not address the processes involved to reach such outcomes. The decision process and outcomes will be exercise-specific, group-specific, and administrator-specific. It is when these characteristics are mapped out that there can be a better understanding of the effectiveness and extent of power-sharing within any participatory democracy exercise.

Building Trust Through Public Participation

In essence, participatory democracy exercises can either generate or hinder trust between state and society based upon the benefit the public perceives it will gain from participating. Once an initiative for changing the power dynamics has been assumed, trust may ensue. Trust is essentially the sentiment that something of value is held by one person for the benefit of another. Parkins (2010) stated that: "Through an extension of confidence in individuals and institutions that control the levers of our complex human and physical systems, notions of trust have emerged as a driving concept within contemporary democratic theory" (p. 822). In democratic societies, trust between state and society is at the crux of democratic governance. Scholars such as Fukuyama (1995), and Helliwell and Putnam (1995) have argued that trust plays an integral part in promoting the democratic and economic well-being of a nation because trust is generated by social networks, which in turn stimulates conditions for prosperity.

In Canada, trust is particularly important in the context of Aboriginal-state relations, where the lack of trust in government and the institutions that government represents has resulted in the socio-economic and political marginalization of Aboriginal peoples. A 2005 report submitted by Alderson-Gill & Associates highlighted this problem as a constant impediment to

progress. As the report stated:

> The working relationships are also strained at times because of long-standing strained
>
> relations between government and Aboriginal organizations. Aboriginal interview
>
> respondents almost invariably pointed to the historic lack of trust that Aboriginal people
>
> feel toward mainstream government, and also to frustration with traditional government
>
> approaches to Aboriginal programs and services that are heavily bureaucratic, and that
>
> maintain control and decision-making authority in the hands of non-Aboriginals, often
>
> with little transparency. (p. 24)

However, governments are becoming more willing to devolve power and the Aboriginal-state

dichotomy has slowly evolved over time. In cases where power-sharing has occurred (e.g.,

though the settlement of land claims, self-government arrangements, and co-management

boards), Aboriginal groups have prospered (Slowey, 2008). Especially in cases where the

devolution of power has restored some sense of state trust, all parties involved have been able to

reduce transaction costs (legal and contractual) and foster social conditions for economic growth

(Parkins, 2010, p. 822). In relation to natural resource management, Parkins (2010), though not

explicitly referring to Aboriginal groups, does describe an example of trust involving parties A,

B, and C. The author states the definition of trust in this instance as the following: the general

public (A) may or may not trust the resource managers (B) with the exploitation of fish stocks,

trees, water or other resources (C) (2010, p. 823). Power-shifting and the re-ordering of power

relations occurs when B delegates power to or entrusts A to make decisions on behalf of C;

following this, trust will build between A and B. Therefore, in the context of participatory

democracy, power-sharing and trust-building are not mutually exclusive in that one is defined by

the existence of the other, and together they lead to effective participation.

Can Public Consultations Save the Day?

In Canada, public consultations have come to the forefront under the country's changing political culture, which emphasizes greater democratic participation while acknowledging that Canadians have less deference towards their elected officials. Consultations can take many forms, including community advisory committees/boards, citizen juries, citizen panels, electronic voting, planning cells, conferences, etc. (for the full list see Rowe & Frewer, 2005, p. 257). The general consensus among participatory democracy proponents is that allowing citizens a role during the policy-making process will improve the quality of decisions regarding the content and delivery of policies and programmes, as well as generate greater trust in government and strengthen overall democracy via social and political inclusion (Nylen, 2003). Crase, Dollery and Wallis argue that there are two benefits of community consultation, "First, it can reveal information that would otherwise be unavailable to policy-makers, thus removing or reducing information deficiencies…Secondly, a policy may gain wider community acceptance if it is developed in a consultative way" (Crase et al., 2005, p. 225).

The degree to which these benefits can be realized varies based upon the chosen form of consultation, as consultations may occur as a one-time process, may involve several meetings, or may consist of on-going deliberations throughout the policy-making process. Consultations can take the form of deliberative face-to-face dialogues/workshops, seminars, on-line venues, and traditional public hearings/town hall meetings. This is not an exhaustive list, but does provide a general sense of what constitutes the consultation process. Regardless of the possible benefits, however, in general, there is a consensus around the consultation literature that is largely skeptical of government intentions.

L. G. Smith (1982) noted that while public consultation is a fact of life in Canadian

government, consultations occur at the "operational" or policy/plan implementation stage, rather than occurring at the "normative" or policy/plan development stage where important decisions about objectives and goals are formulated. This criticism appears to be a common thread throughout the literature. Many scholars, such as Arnstein (1969) and Catt and Murphy (2003), refer to this as "tokenism," or phony consultation. For example, Catt and Murphy stated that:

> Indeed, many view as tokenistic any process of consultation that does not give citizens control over decisions. A somewhat more cynical view is that consultation can be used by government to provide policy makers with a veneer of legitimacy without actually incorporating into the policy any of the input it gathers. (2003, p. 419)

In other words, to move beyond tokenistic forms of consultation towards more meaningful/effective consultation, participants must be able to effect change; thus, consultation should occur at the developmental stage where ideas and decisions have not been hardened. To put it another way, consultation with the public must occur *a-priori* implementation in order for the strategy to be effective.

The Government of Canada has stated that, "meaningful consultation processes are characterized by good faith and an attempt by parties to understand each other's concerns, and move to address them" (Government of Canada, 2011, p. 13). However, consultations involving Aboriginal groups need to go above and beyond this definition in order to understand the obstacles inherent to, and which inform, Aboriginal-state relations, such as the power dynamics in play. Generally, power dynamics are the biggest obstacles to power-sharing in that they underpin the troubled Aboriginal-state relationship in Canada, for which the legal landscape governs the relations. For instance, legal documents such as The *Royal Proclamation of 1763* and the *Indian Act of 1876* institutionalized Aboriginal peoples' dependence on the state.

However, the power-dynamics underpinning Aboriginal-state relations are group and community specific. As such, Fortier, Wyatt, Natcher, Smith, and Hebert (2013) have stated that research in the area of Aboriginal-state collaboration tend to take the form of case studies that "examine collaboration and conditions which facilitate or impede it, within the context of a particular community" (p. 48). This is an international trend in fields such as urban planning, health care, education, and public administration (Conley & Moote, 2003). While this is indeed important and necessary, Fortier et al. highlighted that the case studies approach to participatory democracy "fails to capture the diversity of collaborative arrangements or to examine the broader context of change" (2003, p. 48). Specifically, a focus on a single community will overlook differences between communities and provinces, which may offer important insights to improving the participatory democracy process and the Aboriginal-state dichotomy over all.

How to Consult with Aboriginal Peoples?

In its 2002 provincial consultation policy, the Government of British Columbia outlined several of its methods of consultation, or government calls for special considerations, for working with First Nations, including: meetings and correspondence with First Nations; exchanges of information related to proposed activities; the development and negotiation of consultation protocols; site visits to explain the nature of proposed activities in relation to Aboriginal interests; researching existing studies or carrying out new ones, if appropriate; participation in local advisory bodies; and in some cases, combinations of the above (Government of British Columbia, 2002, p. 13). These methods are somewhat different from those employed when consultation occurs with the general public, which can, for example, consist of town hall meetings, referenda, electronic voting, and surveys. On the other hand, getting Aboriginal peoples (including First Nations, Inuit, and the Metis populations who may

live both on and off reserves, as well as Aboriginal organizations and governments) engaged in public policy signifies a change in the way governments and the Aboriginal communities do business. As the Treasury Board of Canada Secretariat stated in 2007:

> Consulting with Aboriginal groups involve special considerations. A fiduciary relationship arising out of their historic relationship exists between the Government of Canada and Aboriginal peoples. Departments and agencies are to work with First Nations, Inuit, and Metis communities and peoples; national, regional, and local Aboriginal organizations; and Aboriginal governments and ensure that they meet all obligations that may exist in relation to rights protected by section 35 of the *Constitution Act, 1982*. (p. 3)

These special considerations give meaning to the fiduciary relationship between Aboriginal peoples and the state, which over the past 20 years has been demonstrated through different mechanisms and channels. Most importantly, stemming from section 35 has been the judicially and politically charged "legal duty to consult," which provides Aboriginal peoples a distinct and legally recognized avenue for participation with the state. The Supreme Court of Canada (SCC) has recognized the Crown's legal duty to consult which has been the result of three pivotal cases: *Haida Nation v. British Columbia (Minister of Forests – 2004)*; *Taku River v. British Columbia (Project Assessment Director – 2004)*; and *Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage – 2005)*. This duty is grounded in the concept of the "honour of the Crown" (Hill Sloan Associates, section 2.2.1), which obliges the Crown to respect Aboriginal rights by consulting and negotiating with Aboriginal peoples with a view to identifying those rights (Slattery, 2005, p. 436). Stemming from these judgments, several provinces (British Columbia, Alberta, Manitoba, Ontario, Newfoundland, and Prince Edward

Island) have produced or proposed guidelines for consulting with First Nations. However, these procedures and protocols have a large and almost exclusive focus on: the court-mandated "duty to consult"; aboriginal policies pertaining to resource development, land management and self-government arrangements; and a focus on the final outcomes. Additionally, much of the literature on public consultations deals with form, policy-making, and benefits to and for government and participants. The literature is silent on what occurs after the decision to consult has been made, and what happens with the government and community members during the consultation process, especially in the Aboriginal case. More importantly, the public consultation literature neglects to understand the mechanisms, or lack thereof, for Aboriginal decision-making.

Although academic literature around public consultation is both vast and abundant, there is little written on Crown-Aboriginal consultation and even less on the duty to consult, particularly in urban contexts. This research attempts to fill this gap and to provide observations regarding the policy ramifications around Aboriginal-state public consultations that take place in urban centres. I argue that the duty to consult, though court mandated, is both ambiguous and contested because it does not empower Aboriginal peoples with decision-making authority, and is almost exclusively pursued within the Canadian legal system which can pose barriers to participation (e.g., financial, legal representation). Though the three pivotal SCC cases represent major milestones for Crown-Aboriginal relations, this merely illustrates a renewed relationship based on engagement and not agreement—that is, consultation in this manner is concerned with providing Aboriginal peoples a "voice" and not necessarily a "choice" in policy-making. Thus, more needs to be done to empower Aboriginal peoples with the ability to make choices on policy outcomes. One consultation method that has grown in popularity in general over the last few

decades, and more recently within Aboriginal communities, is Community Advisory Committees.

Community Advisory Committees (CACs)

CACs, also known as citizen advisory committees, stakeholder advisory committees, citizen advisory boards, and public advisory boards, are usually committees made up of members from the community who are called together to represent ideas and attitudes of the public. Specifically, Smith stated "An instrument designed to foster consensus on a particular policy area, advisory bodies are used by governments to formalize non-governmental participation in public policy" (Smith, 1982, p. 566). More importantly, CACs provide the opportunity for participation to alienated individuals and groups, in order to help them "become part of the social, political, and economic order in which they exist" (Schaller, 1964, p. 177). The origins of CACs can be traced back to as early as 5th century B.C. in ancient Greece, where the *Boule* was a governing body made up of a council of citizens typically chosen by lot to serve a limited term with rotating membership. In more recent times, CACs have proven to be a successful mechanism for consulting with the public because they provide mechanisms for continuous communication amongst stakeholders, as well as opportunities for the public to influence policy and operational outcomes (McGurk, Sinclair, & Diduck, 2006). One of the first examples of using CACs in North America dates back to 1903–1904 in the United States, during Theodore Roosevelt's Commission on Public Lands (Smith, 1982). According to Smith, in Canada, CACs came into vogue in 1963 as a result of the *Royal Commission on Government Organization* (more popularly known as the Glassco Commission), "in an attempt to institutionalize on a continuing basis the work of a public inquiry basis" (Smith, 1982, p. 566).

The Glassco Commission was established to report on the inefficiencies of the public service in Canada. Some of the main recommendations of the five-volume report were to make

government more private-sector oriented, by reducing the size of the public sector and streamlining services, in addition to following the now famous phrase, "let the managers manage" (Glassco Commission, 1962, Vol.5, Report 24). More importantly, the report called for the increasing use of outside consultants and the establishment of small advisory committees to provide depth and breadth into policy-making. As the report stated:

Relatively small advisory committees, chosen from leading professionals in the field, should be established for every division, [and] meeting periodically with the division heads to promote new concepts and developments . . . The advisory committee should have the task of appraising and evaluating the work of their respective divisions. (Vol. 4, Report 15, p. 214)

Though the report was referring directly to health and housing services in this volume, CACs now exist in many policy areas, such as welfare, education, research, and urban development, and, to a large extent, in environmental management and resource development. Examples of government entities using CACs include the Correctional Service of Canada Citizen Advisory Committee, the Eastern Health Patient Advisory Council for Cancer Care, the Ontario Health Technology Advisory Committee, and the Nutrition North Canada Advisory Board. These are not to be confused with formal expert advisory boards/committees where the membership is appointed and consists of paid experts in a specific policy area, such as the *Prime Minister's Advisory Committee on the Public Service*.

Nonetheless, the emergence and popularity of using CACs arises from the continuing trend of institutional reform, which focuses on public participation in policy-making that involves effective public representation and input. As noted earlier, this participation can take the form of active participation (e.g., CACs, lobbying, protesting) or passive participation (e.g.,

surveys, questionnaires) by citizens, and can occur through numerous mechanisms (e.g., focus groups, citizen juries, town-hall meetings, information sessions). However, one common thread running through the differing views on public participation is the analysis of power relations. According to Shipley and Utz (2012), "there is a common observation in consultation literature that the manner of public involvement affects the degree of public satisfaction apart from the outcome of the decision" (p. 26). Thus, CACs offer promising, fluid, prospects for greater citizen-state interaction by way of better citizen consultation, representation and decision-making authority. That is, CACs can become institutionalized in the policy-making apparatus even though participation usually changes over time, making the committees fairly dynamic and fluid. This fluidity allows for diversity in community representation and the injection of new ideas and views in the policy area.

Lynn and Busenberg (1995) defined CACs as a "relatively small group of people who are convened by a sponsor for an extended period of time to represent the ideas and attitudes of various groups and/or communities for the purpose of examining a proposal, issues or set of ideas" (p. 147). For this reason, CACs are used in geographically limited programmes where specific policy concerns have a place-based undertone, such as within urban planning, community-specific safety and health, and local school boards. Many policy areas and programmes that are place-specific will employ CACs because a requirement of membership is to have experienced in some way what the policy sets out to change (e.g., unemployment, shortage of housing, community violence). They can be made up of a variety of different organizations, from governmental to public. Sometimes CACs are formal in nature as they are government-initiated. Other times, CACs are informal and have developed naturally over time to represent public views in policy-making. Whether formal or informal, over time, CACs can

acquire a great deal of collective memory, expertise, and awareness of the issue(s). Thus, they are an important mechanism for both government and community learning that often leads to successful and effective public consultation, in that they bring about positive democratic participation and outcomes for both government and the public.

The results of effective public consultation can include: the participation of citizens in CACs as a transformative tool for social change (i.e., better socio-economic policies, increased public trust in the political process); an educative effect for both administrators and citizens; better decisions; the potential to result in a more cooperative public; a reduction in the probability of litigation; and most importantly, the redistribution of policy-making authority to the community involved (Irvin & Stansbury, 2004). In the analysis of Forest Management Stakeholder Advisory committees in Manitoba by McGurk et al., the authors found that one of the key strengths of this form of public consultation was developing trust and building a new relationship, which was a by-product of information sharing and communicative learning (2006, p. 821). This strength may be particularly important for ethnic minority groups, and specifically for Aboriginal groups, who, over time, have developed the feeling that elected officials do not represent their views and interests, causing them to have lost trust and faith in the democratic process. The ability to build strong political relationships has a positive effect on outcomes as it encourages members to work together to achieve common goals.

However, citizen participation in CACs does not guarantee decision-making authority, though the mechanism may closely approximate this authority. Sometimes a CAC is not the appropriate mechanism for empowering citizens, and thus the use of CACs needs to include community-specific consultations (Fortier et al., 2013). Critics of the use of CACs, such as McCloskey (1996) and McGurk (2006), among others, have argued that these committees

represent no great advancement in democratic ideals and, in fact, that they suffer from many

common weaknesses of stakeholder-based processes (e.g., interests being too closely tied to

government and corporate interests, lack of influence over normative and strategic decisions,

lack of time to produce real concrete outcomes, absence of equitable representation from diverse

publics, and broader community involvement beyond CACs) are not always present. These

criticisms are not mechanism specific, as they share similar underlying concerns with those

associated with other participatory democracy exercises such as town hall meetings and public

forums. As such, any mechanism for including the public in the sphere of policy-making asks

similar questions such as: what should be the extent of public involvement in the participatory

process; what degree of decision-making authority, if any, will the public have; at what stage

will the public be involved; and how will representation be decided.

Conclusion

The reality is, public participation is a fact of life for governments today, but uncertainty

for governments, theorists, and the public remains regarding the role of the public in the sphere

of policy-making (Smith, 1982, p. 561). The role of the public is no longer as clear as it was with

the use of representative democracy, and therefore this system of governance is no longer

acceptable on its own. The public is asking for more choice and greater voice on the decisions

which govern their lives. This has been demonstrated both at the polls and outside of this

political arena. Participatory democracy theorists have paid particular attention to the decline of

representative democracy and the role of the public as participants in the decision-making

process, two systems which run parallel to each other. Arnstein's Ladder helps to conceptualize

the place of citizens in the public consultation process and the degree of decision-making power

they can and may wield as participants. However, little is known throughout the literature as to

what conditions empower participants to take power when governments have made the important decision to devolve authority.

Therefore, the overarching purpose of this research is to examine the CAC process as it pertains to Canadian urban Aboriginal communities. Specifically, the comparative case study, between the Winnipeg UAS and the Toronto UAS, conducted here seeks to explain contextual factors and obstacles that have prevented one urban Aboriginal community (Toronto) from being on an "equal footing" with the government, hence making it unable to progress up the Ladder, while the other (Winnipeg) was able to take power and move up the Ladder of participation. To contextualize this analysis, the next chapter examines and explains the characteristics of urban Aboriginal communities in Canada; how they differ from those in on-reserve and rural settings; who and what makes up the community; who politically represents the community; and its structure of governance. Understanding these differences helps to identify the obstacles Aboriginal communities and administrators face when consultation occurs in an urban setting.

Chapter 3. Urban Aboriginal Peoples – The Move from Rural to Urban Life

Introduction: Aboriginal Peoples and the "Unrepresentative" Process

In Canada, a large majority of Aboriginal peoples are socially, economically, and politically marginalized. They suffer from high unemployment, high rates of drug and substance abuse, the highest rate of incarceration in the country, high rates of poverty and homelessness, low education attainment, and under-representation in institutions of power, amongst other socio-economic obstacles. Their current socio-economic circumstances can be attributed in part to the institutionalization of their dependence on the state (*Royal Proclamation Act, 1763*; *Indian Act, 1876*), and their exclusion from institutionalized processes of participation afforded to Canadians, such as the electoral system and more recently, the heavily legalistic court-mandated DTC. Consequently, they have actively sought different forms of engagement—including, at times, politically contentious collective action—outside of traditional representative democracy (e.g., road and site blockages, protests and demonstrations, legal court action). As Niemczak and Jutras have stated, "Aboriginal people around the world [including Canada] have expressed frustration with their lack of both political representation in and influence on government operations" (2008, p. 1). Furthermore, in writing of the relationships between indigenous peoples and nation-states in general, Lasko noted that:

> The history of many indigenous peoples shows that the indigenous populations have had great problems in communicating with the nation-state and that they are frequently excluded from the general processes of decision-making. They have little influence on various questions concerning their welfare within the administrative and other power bodies of the state. (1987, p. 78)

Given such histories, it is not surprising that, for Aboriginal peoples in Canada, elections do not

represent a chance for change or political optimism.

The electoral process is a frustrating exercise in democracy for Aboriginal peoples, since for many it is a foreign concept. This is the case for three reasons: first, given the atrocities associated with assimilation policies, Aboriginal peoples generally distrust the state; second, government officials generally lack knowledge of Aboriginal concerns and culture; and third, the socio-economic status of Aboriginal peoples is an obstacle to their ability to access their political representatives, as well as to their ability to politically participate. As Sheedy (2008) noted when discussing the impacts for Aboriginal peoples:

> The history of the relationship between government and Aboriginal people impacts the following diverse areas: non-Aboriginal interaction with Aboriginal communities and people; Aboriginal peoples' relationship to and use of the land prior to and since colonialization; their experience with historical and current treaty processes; and the unacceptable socio-economic, educational and health status of many Aboriginal people. Combined, these provide very strong moral, legal and practical reasons for pursuing avenues that promote decision-making processes that fully engage Aboriginal peoples in policies and programs that affect their lives. (p. 18)

With this in mind, it is important to acknowledge that electoral participation is a daunting and often unwelcoming exercise for Aboriginal voters. Though federal political parties have been proactive at placing Aboriginal candidates in constituencies with a high number of Aboriginal voters, the number of Aboriginal candidates makes up less than 10% of the total number of candidates in all ridings—even fewer (only 17 have been elected since Confederation) make it to office (Hunter, 2003, p. 27).

An Elections Canada study presented at the 2009 Aboriginal Policy Research

Conference, entitled *Electoral Participation of Aboriginals in Canada*, highlighted such electoral

differences based on elections results from the 2000 federal election, and more recent provincial

and municipal elections (see Figure 2).

Reported voter turnout, Aboriginal and other

■ all others (Min N=19,344)   ■ rural Aboriginal (N=236-246)   ■ urban Aboriginal (N=356-395)

77,2 65.0 57,5
76,1 61,4 54,4
63,9 53.0 44,4

2000 federal election   most recent provincial election   most recent local election
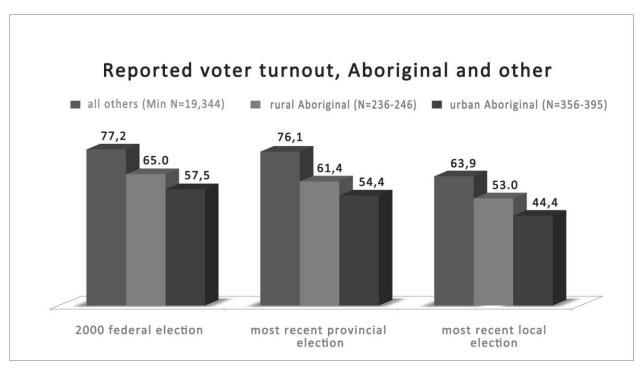
Figure 2. Reported voter turnout of Aboriginal and non-Aboriginal voters in the 2000 federal election and most recent provincial and local election based on respondents' place of residence. Results based on General Social Survey 17, Statistics Canada, 2003. Adapted from *Electoral Participation of Aboriginals in Canada*, by P. Howe, and D. Bedford, 2009, p. 15.

As Figure 2 shows, Howe and Bedford uncovered more than a 10% difference between non-Aboriginal respondents and rural Aboriginal respondents' electoral turnout at all three levels of elections. For urban Aboriginal peoples, the turnout was even lower, with close to a 20% difference between this group and non-Aboriginal respondents and approximately a 10% difference between rural and urban Aboriginal respondents (2009, p. 15). In this instance, the gap between all other respondents and rural Aboriginal peoples can be discerned. However, the gap between all other respondents, rural Aboriginal peoples and urban Aboriginal peoples is even more telling. Guerin reported that an Ipsos Reid survey (2001) revealed that Aboriginal people living in urban areas were three times less likely to have reported voting in the 2000 federal election than those living on reserves (2003, p. 13). However, overall, Aboriginal peoples in general are less likely to vote compared to their Canadian counterparts.

As mentioned earlier, the literature on Aboriginal electoral participation cites several reasons for this phenomenon. According to Howe and Bedford, one major explanation is distrust of the state, which can result in lower voter turnout or abstention. As they have argued, the "social exclusion explanation" can explain this distrust, "where feeling excluded from, distanced and distrustful of, the Canadian state correlates with low turnout" (2009, p. 10). The authors go on to state that, "Aboriginal nationalism, rather than Canadian nationalism, leads them [Aboriginal peoples] to regard Canadian elections as foreign and this sentiment is often rooted in alienation from the often racist and oppressive Canadian state and people" (Howe & Bedford 2009, p. 10). The authors quantified these results, as shown in the following two graphs (Figures 3 and 4).
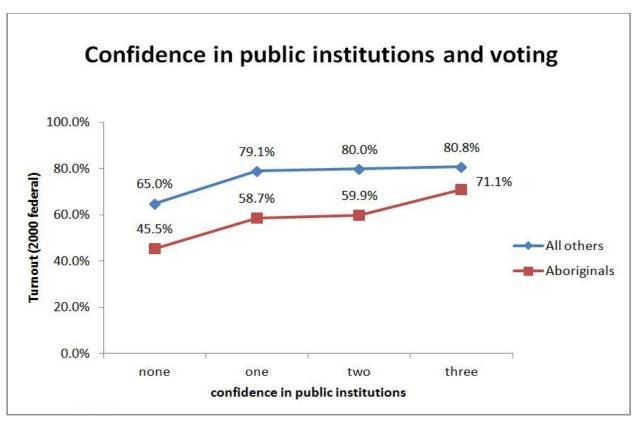
Figure 3. Correlation between confidence in public institutions and voting of Aboriginal and non-Aboriginal voters. Results based on General Social Survey 17, Statistics Canada, 2003. Adapted from *Electoral Participation of Aboriginals in Canada*, by P. Howe, and D. Bedford, 2009, p. 25.
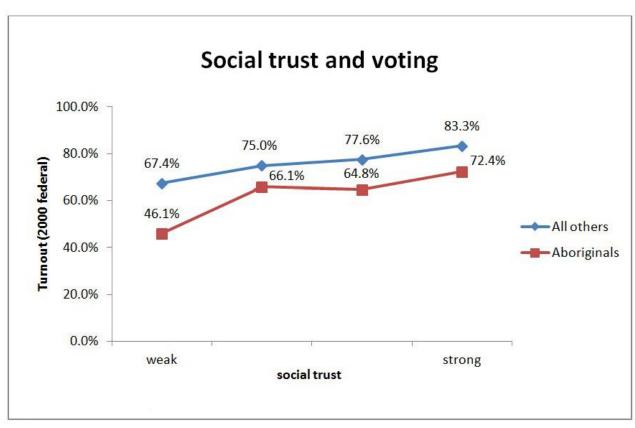
Figure 4. Correlation between social trust and voting of Aboriginal and non-Aboriginal voters. Results based on General Social Survey 17, Statistics Canada, 2003. Adapted from *Electoral Participation of Aboriginals in Canada*, by P. Howe, and D. Bedford, 2009, p. 24.

Figure 3 demonstrates a direct correlation between that of confidence in public institutions (e.g., law enforcement, the justice system, and the federal Parliament) and voting by Aboriginal peoples, whereby the less confidence one has in public institutions, the less likely one is to vote (Howe & Bedford, 2009, p. 23). Similarly, in Figure 4, Aboriginal voters are shown to possess less social trust (i.e., trust in strangers and neighbours) than other respondents. This is demonstrated to have had a direct correlation on the propensity to vote. Howe and Bedford (2009) highlighted that the lower social trust a respondent possessed, the less likely he/she was to vote; this correlation was more profound in Aboriginal respondents, who scored lower on both variables of social trust and likelihood to vote. In both charts, Aboriginal respondents displayed a lower level of confidence in public institutions and social trust. However, these findings are not static and can change or be corrected over time.

Brian Head (2007) has argued that "building trust and confidence among key participants can be generated over time. This requires substantial effort and commitment, as well as good faith" (p. 450). However, given the historical colonial relationship between Aboriginal peoples and the state, this has been, and continues to be, a daunting task. One of the most effective ways to accomplish this goal is to allow Aboriginal peoples to appoint or elect their own political representatives (Catt & Murphy, 2003). This may be achieved through the traditional democratic process of representative democracy (though it has not proven successful in the past), or through more participatory mechanisms that involve direct engagement with Aboriginal communities, such as through the use of CACs.

The second reason for the lack of voting by Aboriginal populations is that status Indians and Aboriginal peoples in general are "wards of the state" and, therefore, fall under federal jurisdiction. This means several federal agencies are involved in the creation and administration

of Aboriginal policies and this has had a negative impact on the policy process. As van den Burg stated:

> there are frequently numerous departments involved in different aspects of Aboriginal affairs, such as the Ministries of Justice, Labour, and Finance. The different interests of each department lead to conflicts that obstruct the successful implementation of policies and that contribute to the uncoordinated, ad hoc policies. (2009, p. 8)

More importantly, as "wards of the state," Aboriginal peoples do not have control over their own affairs and this coincides with the fact that Aboriginal peoples did not receive the unconditional right to vote until 1960 (Ladner & McCrossan, 2007, p. 11). Generationally, this means voting can seem like a foreign civic duty, one that is meant for Canadian citizens and thus one that is not taught at home or at school to be important.

Furthermore, lack of knowledge of Aboriginal concerns and culture exacerbates the distrust between Aboriginal peoples and the state. This is largely embedded in the historical relationship between the two, in which the lingering effects of colonialism, specifically assimilation policies, have hindered Aboriginal participation (Milen, 1991, p. 16). Tim Schouls (1996) has argued that declining rates of participation are indicative of the fact that Aboriginal peoples do not believe that non-Aboriginal people can represent their interests and identities because Aboriginal peoples see themselves as part of a distinct Aboriginal nationalism; this is also known as the "nationalist explanation" (p. 732–734). On the administrative side, Sheedy noted that policy-makers tend to be dismissive of "lay" or "traditional" knowledge opinions in the case of Aboriginal peoples (2008, p. 18). As the author suggested:

> deeply engrained cultural beliefs and biases about Aboriginal people continue to erect barriers to genuine engagement and listening. In order to engage Aboriginal people in a

meaningful way in program and policy development, it is essential to be respectful of

cultural differences, acknowledge differences in power and history, work to overcome

preconceptions about each other and attempt to find common ground. (2008, p. 18)

Therefore, it seems to be the case that developing a political system that genuinely integrates

Aboriginal viewpoints into the process would allow for more effective Aboriginal participation

to occur. Such mechanisms would include better Aboriginal representation in the institutions of

political power (e.g., the House of Commons, provincial legislatures, the judiciary, city

councils), a greater appreciation of Aboriginal culture and knowledge in the administrative

process, and as this research shows, training for future Aboriginal community leaders.

The third and possibly most fundamental explanation for Aboriginal political exclusion

stems largely from Aboriginal peoples' socio-economic status, or more generally from

community underdevelopment. According to Kendall (2001), some causes of this

underdevelopment include, "the loss of land and sovereignty, cultural genocide, lack of

education, and job market discrimination" (p. 50). Authors Silver, Keeper and MacKenzie (2005)

have challenged the "nationalist explanation," in which Aboriginal peoples do not have an

affinity to being Canadian, stating that this is not the critical factor for explaining low electoral

participation amongst Aboriginal peoples. Rather, the authors noted that several explanations can

attempt to explain this phenomenon:

> "social exclusion" explanation – where feeling "excluded from, distanced and distrustful
>
> of, the Canadian political system" correlates with low turnout; the "socio-economic and
>
> demographic" explanation – where such factors that influence voting in the general
>
> population as income, education and age correlate with turnout; and, finally, the "political
>
> opportunity and political effort" explanation – where barriers to participation such as the

party system, the electoral system, lack of interest by parties in counting Aboriginal

voters correlate with turnout. (p. 13–18)

In other words, they argued that those factors that explain voter turnout for the general Canadian

population can also be used to explain voter turnout, or lack thereof, amongst Aboriginal

Canadians.

However, for Aboriginal peoples, these barriers to participation have been caused and

also intensified by their historical and ongoing marginalization (i.e., through colonialism,

residential schools, cultural genocide, etc.) and their resultant damaged relationship with the

Canadian state. Unfortunately, little research has been conducted to rectify these barriers

experienced by Aboriginal voters. As Ladner and McCrossan stated:

While this lower turnout rate is generally acknowledged, there is a lack of both

qualitative and quantitative research that can shed light on actual rates of participation

and/or account for them. Furthermore, little research has been carried out to investigate

the representational desires of Aboriginal people and what needs to be done to improve

turnout. Thus, there is a great need, both internationally and domestically, to expand this

knowledge base to create the institutional capacity (in the areas of finance and personnel)

for meaningful change. (2007, p. 37)

Yet, given the political and economic climate of today, research and investigation into what

Aboriginal peoples need is no longer the next logical step to bring about Aboriginal

participation. Since the barriers to voting are not simple and will not dissipate overnight, real

change requires structural and systemic action by Aboriginal peoples, governments, and society.

Though they have been slow in getting off the ground, Aboriginal peoples and Canadian society

are beginning to see some of these changes take root. As Anna Hunter (2003) noted, "in the

absence of formal mechanisms to facilitate the necessary exchange of ideas, Aboriginal people have been conditioned to use [untraditional mechanisms to make their voices heard], such as highly charged political demonstrations, blockades, and litigation" (p. 27). These untraditional mechanisms are part of the participatory process.

Aboriginal Peoples and the "Participatory" Process

In Canada, the Aboriginal struggle for self-determination and political inclusion has expressed itself in various ways (e.g., through days of action, land claims, self-government agreements, claims to treaty federalism, the Supreme Court of Canada's "duty to consult," the creation of Nunavut, national Aboriginal political organizations, and politically charged demonstrations) and through varying degrees of participation (Abele & Prince, 2003). Dale Turner (2006, p. 37) has argued that Aboriginal participation began after the release of Pierre Trudeau's *White Paper, 1969* (or, the Statement of the Government of Canada on Indian Policy), which coincides with the early years of the participatory movement in Canada. Turner maintained that First Nations leaders felt the White Paper was a move towards greater assimilation while it simultaneously ignored Aboriginal perspectives (2006, p. 37).

Discontented with this kind of treatment, Aboriginal peoples began to organize and mobilize through the inception of national organizations, such as the Congress of Aboriginal Peoples (CAP, 1971) and the Native's Women Association of Canada (NWAC, 1974). Aboriginal peoples thus began to play a larger role in shaping Aboriginal politics at both national and provincial levels, and this became much more of a reality with the repatriation of the Constitution (1982), which entrenched the rights of Aboriginal peoples and forced governments into consultation with Aboriginal groups, and with the release of the *Penner Report* the following year, in 1983.

The *Penner Report* (1983) was a land-mark report from the House of Commons Standing

Committee on Indian Affairs and Northern Development. The report emphasized the importance

of self-governance, paying particular attention to Aboriginal control in policy areas central to the

survival and development of Aboriginal communities, such as the areas of culture relating

directly to education, child welfare and health (Penner Report, 1983, p. 27). Specifically, the

report recommended that the federal government recognize First Nations as a distinct third order

of government and pursue processes leading to self-government. This report resulted in talks of

constitutional entrenchment of Aboriginal self-government such as the Meech Lake Accord

(1987) and the Charlottetown Accord (1992), both of which failed to be ratified. Though little

was achieved in carrying out these aspirations, what followed was intense debates and

negotiations in the policy area of self-determination and self-government.

Self-determination is an aspiration that emphasizes the importance of Aboriginal peoples'

ability to determine their own political agenda, economic, social, and cultural development, in

addition to ensuring that Aboriginal peoples can themselves benefit from their wealth and natural

resources. On the other hand, self-government is a structure and, in general, a broad and

contested term. However, as Franks noted "the essence of the term importantly relates to

functions dealing with cultural preservation, cultural adaptation, service delivery, economic

development, resource and environmental management, and law and enforcement" (Franks,

1987. p. 35–36). Specifically, self-government agreements in Canada address: the structure and

accountability of Aboriginal governments, as well as their law-making powers, financial

arrangements, and responsibilities for providing programmes and services to their members

(AANDC, 2014c). According to AANDC, "Self-government enables Aboriginal governments to

work in partnership with other governments and the private sector to promote economic

development and improve social conditions" (2014c).

At the crux of all of this is the belief that Aboriginal peoples need to take control of policy areas that affect their livelihood and heritage. The struggle for Aboriginal self-government has been at the heart of Aboriginal-state relations for some time. The general idea through these discussions is to give control of individual destinies back to Aboriginal communities. However, it should be noted that this research is not concerned with the workings of self-government per se. Instead, along similar lines, it begs the question informing this research: Have Community Advisory Committees shifted decision-making power and permitted the building of trust through the Urban Aboriginal Strategy (UAS)? The common thread between self-government and public participation is the end goal—to possess decision-making authority. This has slowly begun to take shape in the Canadian political landscape, beginning with the settlement of land claims and the negotiation of self-government arrangements for First Nations with a land base. Similarly, another major stepping stone towards greater participation of Aboriginal peoples is embedded in the court mandated "duty to consult" (DTC). However, whether or not the DTC is an effective means for Aboriginal peoples, particularly urban Aboriginal peoples, to affect the policy-making process remains an area of inquiry.

Duty to Consult: Friend or Foe?

The Supreme Court of Canada (SCC) has affirmed a legal duty for governments to consult with First Nations and Metis people through several pivotal court decisions (see Haida, 2004; Taku River Tlingit, 2004; Mikisew Cree, 2005). Beginning in 2004, the SCC ruled that the "Crown has a legal duty to consult, and where appropriate accommodate, when the Crown contemplates conduct that might adversely impact potential or established Aboriginal or treaty rights" (Canadian Northern Development Economic Agency, 2013). In these decisions (*Haida*

Nation v. British Columbia (Minister of Forests), 2004 SCC 73; *Taku River Tlingit First Nation*

v. British Columbia (Project Assessment Director), 2004 SCC 74; *Mikisew Cree First Nation v.*

Canada (Minister of Canadian Heritage), 2005 SCC 69.), the Government of Canada noted that

"the SCC determined that the duty to consult stems from the honour of the Crown and the

Crown's unique relationship with Aboriginal peoples" (Government of Canada, 2011).

Furthermore, as stated by the Government of Canada, "a duty to consult [is triggered]

when three elements are present: contemplated Crown conduct; potential adverse impact; and

potential or established Aboriginal or treaty rights recognized and affirmed under section 35 of

the *Constitution Act, 1982"* (2011, p. 11). The *Haida* decision set out the fundamental terms of

the doctrine when Chief Justice McLachlin held that the government should have consulted the

Haida Nation prior to transferring a tree farm license to Weyerhaeuser, a large forestry

corporation (Newman, 2009). The Taku decision expanded this duty to consult to instances

where Aboriginal land claims have not been settled, but where government action will have an

adverse effect on Aboriginal rights and freedoms. The *Mikisew Cree* decision extended this

doctrine to treaty rights, subject to appropriate modifications (Newman, 2009, p. 13).

In *Haida Nation v. British Columbia 2004*, the First Nation involved resides on lands in

the Haida Gwaii Islands. These lands are heavily forested and harvesting cedar trees is the main

economic resource. In 1961, the Province of British Columbia permitted a large forestry firm the

right to harvest trees in the area (Grand Council of the Cree, 2004) under a Tree Farm License

(T.F.L. 39). In 1999, the government transferred T.F.L. 39 to another forestry firm,

Weyerhaeuser Company (Grand Council of the Cree, 2004). The Haida First Nation challenged

this transfer in Court, stating that such a decision was made without their consent. Essentially,

the Haida case dealt with two issues: whether the Crown has a duty to consult with and

accommodate Aboriginal peoples prior to making decisions that might adversely affect their unproven Aboriginal rights and title claims; and 2. Whether the duty extends to a third party (Haida Nation v. British Columbia, 2004, p. 512). In this instance, the Government of Canada stated that, "The Court held that the Province has a duty to consult with the Haida about decisions relating to the harvest of timber from an area of the Queen Charlotte Islands over which the First Nation has asserted, but has not yet proven, Aboriginal rights and title" (Government of Canada, 2011, p. 63).

According to the SCC decision, the Court found that the Province had failed to engage in any meaningful consultation and that Weyerhaeuser did not owe the Haida any duty to consult or accommodate (Government of Canada, 2011, p. 63). That is, the duty to consult does not extend to third parties. However, it was in this case that the SCC ruled that a duty to consult does exist as a responsibility of the Crown. As the SCC stated:

> The Crown's duty to consult with Aboriginal Peoples and accommodate their interests is grounded in the Honour of the Crown which derives from the Crown's assertion of sovereignty in the face of prior Aboriginal occupation. The duty arises when the Crown has knowledge, real or constructive, of the potential existence of the Aboriginal right or title and contemplates conduct that might adversely affect it. (as cited in Government of Canada, 2001, p. 63)

However, it should be noted that this ruling does not give Aboriginal groups a veto over activity on the land pending final proof of the Aboriginal rights or title claims, nor does it give them the need to reach an agreement (Government of Canada, 2011, p. 63). Instead, this case ascertains the Crown's legal obligation to consult and accommodate that which is vested in the honour of the Crown, and ultimately, the duty to consult even prior to proof of rights or title claims.

The successor case, *Taku River Tlingit First Nation v. British Columbia 2004*, tested the limits

and scope of the Crown's duty to consult. The Taku River Tlingit First Nation argued that the

Crown had a duty to consult prior to the re-opening of a mine and the construction of an access

road to the mine through the territory upon which the First Nation claimed Aboriginal rights and

title (Government of Canada, 2011, p. 63). Here, the SCC ruled that,

> The Crown's duty to consult was engaged in this case because the Province was aware of
>
> the First Nation's claims through its involvement in the Treaty negotiation process and
>
> knew that the decision to reopen the mine and to build the access road had the potential to
>
> adversely affect the substance of the rights and title claims. (as cited in Government of
>
> Canada, 2011, p. 63)

In this case, the Court ruled that the Province conducted consultation in good faith and that there

was no legal duty to reach an agreement. In addition, the SCC stated that, "accommodation

requires that Aboriginal concerns be balanced reasonably with the potential impact of the

particular decision on those concerns, as well as with competing societal concerns" (Taku River

Tlingit First Nation v. British Columbia, 2004, p. 555*).* The Court noted that the process engaged

by the Province under the *Environmental Assessment Act* fulfilled its duty to consult and

accommodate. Therefore, the Haida case established the duty to consult and accommodate,

whereas the Taku case defined the limits and scope of the duty to consult.

The following year, the SCC ruled on a third case, *Mikisew Cree First Nation v. Canada*

(Minister of Canadian Heritage) 2005, establishing the degree to which a concern triggers the

duty to consult. In this case, the Mikisew Cree argued that the construction of a winter road

through Wood Buffalo National Park in Alberta breached the honour of the Crown and its

obligations to respect existing treaty rights of Aboriginal peoples. In this case, the Government

of Canada stated that, "the Court found that the duty to consult was triggered because the impacts of the proposed road were clear, established, and demonstrably adverse to the continued exercise of the First Nation's hunting and trapping rights over the lands in question" (2011, p. 64). Furthermore, the Government of Canada noted that,

> The Court found that the Crown's duty to consult lay at the lower end of the spectrum because the proposed road was fairly minor and was situated on surrendered lands . . . This engagement should have included the provision of information about the project, addressing what the Crown knew to be First Nation's interests and what the Crown anticipated might be the potential adverse impact on those interests. The Crown was also required to solicit and listen carefully to the First Nation's concerns and to attempt to minimize adverse impacts on the group's hunting, fishing and trapping rights. (2011, p. 64)

However, similar to the Taku River case, the Court stated that this trigger to consult does not provide Aboriginal groups with a veto over the decision. As the Government of Canada stated in this case, "The Court reiterated that consultation will not always lead to accommodation and accommodation may or may not result in an agreement" (2011, p. 64).

Though all three cases were instrumental in setting parameters for a renewed Aboriginal-state relationship based on consultation and mutual respect, the emerging legally recognized DTC does not guarantee First Nations groups decision-making authority when Aboriginal treaty rights and land claims have not been affirmed. In other words, though the duty to consult is an important achievement in increasing Aboriginal participation in consultation, it does not afford Aboriginal groups the right to a veto on policy-making nor the guarantee that governments will accommodate affected Aboriginal groups in regards to policy. What is important and particular to this research is the fact that the duty itself does not grant Aboriginal groups decision-making

authority nor does Aboriginal participation within this consultative regime grant the authority by default and this is particularly the case for urban Aboriginal groups. On the other hand, though the scope of the DTC thus far is limited to First Nations groups on reserves and deals with issues of resource development and regulatory processes, the federal government's commitment to good governance and sound policy development and decision-making—in order to remedy the state of Aboriginal communities' socio-economic status and increase their participation in the economy—suggests that the responsibility to solicit and consult needs to be extended to all Aboriginal groups, whether they are land-based or not. As mentioned in earlier chapters, research and literature in this area, specifically relating to Aboriginal peoples without a land base (i.e., urban Aboriginal peoples), has been limited.

The Aboriginal-state public consultation literature tends to focus on the legal duty to consult, resource development, construction-related proposals, and self-government arrangements for nation- and land-based groups (Walker, 2005, p. 396). This focus has been a by-product of the privileged state of Aboriginal rights within the eyes of the federal government, therefore little has been written in the way of examining Aboriginal-state consultations that take place in an urban setting. This may be attributed to the fact that both section 35 of the *Constitution Act, 1982*, which legally recognized Aboriginal and treaty rights, and the legal "duty to consult" (DTC) are ambiguous as they relate to urban Aboriginal peoples, whom no specific body, organization, or leader can rightfully claim to represent in any specific urban Aboriginal community. In regards to the former, many of the benefits that flow from the recognition of Aboriginal and treaty rights, such as the right to self-government, the right to land and to culture, and the right to hunt and fish, are and continue to be land and group specific. This makes it increasingly difficult for urban Aboriginal populations to access their Aboriginal and treaty

rights in urban centres. In regards to the latter, whether or not cities have a DTC has become a contentious issue more recently brought before the provincial courts. For example, on September 24, 2012, the British Columbia Court of Appeal decided in the case of *Neskonlith Indian Band v. The City of Salmon Arm (2012)* that local governments do not have a DTC with First Nations, nor do they have the practical resources to do so and therefore, the DTC has no bearing on or benefit to Urban Aboriginal peoples. Furthermore, the DTC poses great barriers to Aboriginal participation as much of the activities surrounding the DTC are accomplished within the Canadian legal regime or require expertise (environmental, political, scientific, etc.), both of which impose financial barriers to Aboriginal participation. This can make strengthening Aboriginal-state relations that much more daunting, especially in an urban setting. Nonetheless, at the national and provincial level, governments have been more proactive.

For example, the federal government has developed "Guidelines for Federal Officials to Fulfill the Duty to Consult," based on eight guiding principles along with an action plan to streamline services and consultation mechanisms with federal-provincial-aboriginal stakeholders (Government of Canada, 2011). This document states that the federal government will engage with the provinces to explore the potential for developing memoranda of understanding (MOU) that will assist in streamlining services, encourage collaboration, assist in the sharing of information, and improve collaboration on Aboriginal consultation (Government of Canada, 2011, p. 18). Some provinces, such as Manitoba and Nova Scotia, have a memorandum of understanding in place with the federal government, local governments, and Aboriginal community leaders. Since the Crown's DTC also extends to provincial and territorial governments, to date most provincial governments have instituted their own Crown consultation processes, policies and guidelines for projects in their jurisdictions. More and more projects are

requiring a whole-of-government approach to consultation and policy-making because of the division of powers and blurring of responsibilities in relation to Aboriginal governance. One particular project is the UAS, which employs a whole-of-government and community-building approach to consultation and implementation. Both the Winnipeg and Toronto chapters have provincial duty to consult guidelines that have been developed in light of the Crown's DTC.

In 2009, Manitoba created its "Interim Provincial Policy for Crown Consultations with First Nations, Métis Communities and Other Aboriginal Communities," in order to meet its constitutional obligation to facilitate Crown-Aboriginal relations. Its policy statement states that:

> The Government of Manitoba recognizes it has a duty to consult in a meaningful way with First Nations, Métis communities and other Aboriginal communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of a treaty or aboriginal right of that First Nation, Métis community or other aboriginal community. (Manitoba Aboriginal and Northern Affairs, 2009, p. 1)

The main objectives of the provincial policy are:

- To ensure the Government of Manitoba informs itself and gains a proper understanding of the interests of First Nations, Métis communities and other aboriginal communities, with respect to a proposed government decision or action;

- To seek ways to address and/or accommodate those interests where appropriate through a process of consultation while continuing to work towards the best interests of the citizens of Manitoba;

- To advance the process of reconciliation between the Crown and First Nations, Métis communities and other aboriginal communities. (Manitoba Aboriginal and Northern Affairs, 2009, p. 1)

The document itself has 13 guiding principles for Crown-Aboriginal consultations. Some of the

principles include: respect for traditions, participation from participants, pre-consultation and

policy-making, effective and cost-efficient, timely, process is reasonable and workable,

participants' input is genuinely considered (Manitoba Aboriginal and Northern Affairs, 2009, p.

4–5). Unfortunately, like with the SCC decisions, there are no mechanisms guaranteeing

Aboriginal decision-making authority. The SCC in its past judgments has made it clear that the

DTC does not afford Aboriginal groups a veto, nor does it impose an obligation on the Crown to

reach an agreement. Thus, though it is in fact court mandated, the duty to consult is no more than

a legal promise to engage in discussion with Aboriginal groups on policies of concern, which

defines Manitoba's policy. Ontario Aboriginal groups have also experienced similar drawbacks.

In 2006, Ontario created its "Draft Guidelines for Ministries on Consultation with

Aboriginal Peoples Related to Aboriginal Rights and Treaty Rights". Unlike Manitoba's

guidelines, Ontario's do not employ guiding principles to Crown-Aboriginal consultation.

Instead, it is a document with guidelines for ministries and bureaucrats. Thus, whereas the

Manitoba version is more proactive, the Ontario document is reactive in that its

recommendations are in place for ministries to act after the important policy decisions have been

made. For example, some of the key considerations are the following:

> Government decision-makers must always assess particular circumstances to determine
>
> whether their ministry has an obligation to consult Aboriginal peoples. If the ministry
>
> does have a duty to consult, then it must determine the level and extent of consultation
>
> required, and how the consultation should be undertaken. This involves assessing how the
>
> government's proposed decisions and actions may affect Aboriginal peoples, as well as
>
> the nature and strength of any rights that Aboriginal communities have claimed or

asserted. (Government of Ontario, 2006, p. 10)

This illustrates consultation after the fact and is not prior to policy-making. In other words, the important decisions have already been made by the government by the time consultation occurs. At this stage, the government is merely soliciting opinions and inputs. There is not a legal duty to accommodate or reach an agreement. This is further evident in the guidelines that include some of the following consultation process activities:

- Providing information on the proposed project or government decision to the Aboriginal community

- Obtaining information on potentially affected rights

- Listening to any concerns raised by the Aboriginal community

- Attempting to minimize adverse impacts on Aboriginal and Treaty Rights. (Government of Ontario, 2006, p. 7)

Once again, there are no mechanisms for Aboriginal decision-making. This appears to be generally absent in the public consultation literature.

Though the legal DTC has been widely used in the policy area of natural resource and land management, Sheedy has stated that, "many Aboriginal groups have the view that these rulings also apply to all government decisions and policies that affect the lives of Aboriginal peoples, including health, social services, education and so on" (2008, p. 18). In other words, Aboriginal peoples should be consulted on all policy matters governing their lives, culture, socio-economic conditions, and communities in order for a renewed relationship to begin and then strengthen over time. The Government of Saskatchewan stated it best:

The purpose of consultation is to advance the process of reconciliation [between government and Aboriginal peoples]. It is not simply a step in a particular process, but an

attitude that needs to inform the manner in which the government does its business.

(Saskatchewan First Nations and Métis Relations Department, 2006, p. 2)

As such, consultation is now about changing the way government does business with Aboriginal peoples. Consultation should not be concerned with merely soliciting the opinions of Aboriginal groups. Instead, consultation needs to be conducted in good faith on the part of governments by actively inviting Aboriginal participation, making available the community-specific resources and taking into consideration and perhaps even implementing some of the ideas, wishes and opinions of the Aboriginal participants in the final agreement thus enabling effective participation. By allowing such input, the government can build trust and avoid future conflicts from arising. The research conducted here thus raises important concerns regarding implications that may arise when consultation is not conducted in good faith and participation is not supported. Sheedy stated it best in the following passage:

> Beyond the moral argument to engage Aboriginal peoples, there are strong pragmatic
>
> reasons to do so. The public and private sectors have realized that consulting with
>
> Aboriginal peoples before making and implementing policy can avoid problems, delays
>
> and ultimately resources required to mediate conflict . . . Other potential impacts from
>
> failing to consult Aboriginal peoples include: failing to address intended needs targeted
>
> by programming or policy; perpetuating or exacerbating tensions between Aboriginal and
>
> non-Aboriginal groups; legal action; and civil disobedience (i.e., as experienced in
>
> Caledonia). (2008, p. 18)

However, urban Aboriginal peoples present a particularly difficult case for researchers because consultation in an urban-setting poses several challenges that are not present in other settings. Specifically, there is no one single institution or leader that can claim to represent the urban

community as there is on a reserve or in a rural setting. The definition of an "urban Aboriginal community" itself is polemical as it includes members from various Aboriginal identities. Additionally, their historical relationship with the state, within which the bonds of trust have been broken, makes it difficult for Aboriginal participants to trust the consultation process. Furthermore, many face personal barriers to participation generally relating to socio-economic factors. As a result, Aboriginal peoples are generally excluded from mainstream political processes. As Peters stated, "urban Aboriginal people often do not participate in non-Aboriginal community organizations and consultations. This, in addition to their uneven access to political representative bodies, means that they often do not have a direct voice in public policy making" (2011, p. 18) Governments and policy-makers recognize the political exclusion suffered by Aboriginal peoples and so attempt to rectify the situation by engaging in consultation. However, this task is exceptionally difficult in an urban setting, where Aboriginal identities are numerous, the population is dispersed and without a land base, and where political representation is undesignated.

Urban Aboriginal Peoples

The literature on urban Aboriginal peoples is limited, and though all levels of government have recognized the importance of having improved and suitable public policies and services for the growing number of Aboriginal peoples moving into urban centers, there is little consensus as to whether such policies are successful and accommodating. Regardless, these policies, and the lack thereof, have been documented and acknowledged by governments and practitioners alike. For example, the *Royal Commission on Aboriginal Peoples* (RCAP, 1996) identified Aboriginal peoples as an important policy area requiring research and governance attention. However, Evelyn Peters noted that, "while a substantial body of literature exists on self-government for

Aboriginal peoples with a land base, there is relatively little published material on opportunities for Aboriginal peoples in cities" (1994, p. vii).

Peters has written extensively on the topic of urban Aboriginal governance and its implications for governments (see Peters 1992, 1994, 2004, 2005, 2011). McCaskill, FitzMaurice and Cidro (2012), Barman, Hébert, Newhouse (2003), and McCaskill (1986) are other academics who have engaged with and written extensively about urban Aboriginal peoples. Nevertheless, more research is required to understand both the policy and specific societal challenges experienced by Aboriginal peoples, in order to assist them with the realities of urban life. The need for further study in this area has been recognized by the federal government and was also addressed in a 2005 independent study by Alderson-Gill & Associates, who reported:

> the need for improvement in urban Aboriginal communities is so clear, the implications
>
> for provincial and municipal economies is now recognized as being significant, and the
>
> status quo in terms of government action is recognized as being insufficient. Urban
>
> Aboriginal affairs have fallen between the cracks of acknowledged federal and provincial
>
> responsibility for many years. (p. 25)

More specifically, it has been noted that the socio-economic disparities between the Aboriginal and non-Aboriginal populations in urban centres is a cause for concern. As Hanselmann stated,

> Urban Aboriginal people are consistently concentrated in core areas of Canadian cities
>
> and, if policy makers fail to address these [socio-economic] conditions, then Aboriginal-
>
> non-Aboriginal disparities will continue and may lead to serious inequalities within
>
> Canadian cities, including the possibility of ghettoization. Given that cities are generally
>
> acknowledged as the drivers of, and gateways to, the new economy, it is imperative that
>
> any decline in city life be arrested sooner rather than later by addressing urban

challenges, including those facing urban Aboriginal people. (2001, p. 2)

In writing of the need for improvements to the system, Peters highlighted that, "the apparent failure of general public service organizations to improve the socio-economic position of the urban Aboriginal population suggests that alternative approaches are required" (1994, p. vii). The extreme socio-economic inequalities of urban Aboriginal peoples compared to the rest of the Canadian population makes the community a unique ethnic minority group warranting analysis, particularly because of the groups' rights-based relationship with the state and their unique socio-economic position within urban society, both of which are not mutually exclusive. In regards to the former, Aboriginal peoples comprise a unique national minority group that the Canadian state has imposed itself upon (Kymlicka, 1998).

Unlike other ethnic minority groups, Aboriginal peoples were living in self-determining societies prior to contact. Peters stated that this part of Canadian history provides, "an impetus for urban planners to develop ways of incorporating the rights of self-determination and self-government into planning practices" (2005, p. 331). Within this context, both past and present municipalities continue to struggle to make meaningful contributions to the establishment of Aboriginal self-government without compromising the ability of municipalities to provide for all citizens (Peters, 2005). However, this is not an easy task. Newhouse argued that migrating Aboriginal peoples (i.e., those migrating from reserves to urban centres) have become one of the country's most disadvantaged groups because they suffer from, "social isolation, loss of identity, a low level of participation in community life and a lack of understanding of the basic processes and institutions of urban society" (2003, p. 236). It is indeed for this precise reason that Walker (2005) has maintained that urban planners cannot subsume Aboriginal peoples within the larger municipal planning discourse, "without an affirmation of the unique rights and circumstances of

this population group" (as cited in Peters, 2005, p. 331). Furthermore, Walker (2006) highlighted that "Aboriginal communities expect governments to work with them in different ways than they work with other minority groups in the city" (as cited in Peters, 2011, p. 12).

In relation to the group's socio-economic position, urban Aboriginal poverty has become a real concern for governments and city planners. Empirical research shows that in Canadian cities Aboriginal peoples are over-represented among the urban poor and are more likely than the non-Aboriginal population to live in poor neighbourhoods (RCAP, 1996; Graham & Peters, 2002; Drost & Richards, 2003, Peters, 2011). According to the 2006 Statistics Canada Census (see Table 2), the urban Aboriginal population is over half (623,470) of the total Aboriginal population (1,172,790). This population lives in major urban centres, with over one third (34%) residing in five major cities: Winnipeg, Edmonton, Vancouver, Calgary, and Toronto (AANDC, 2010c). More importantly, the urban Aboriginal population is disproportionately poor, with over 25% of urban Aboriginal families living under the low income bracket (AANDC, 2010c). This can be largely attributed to the fact that a significant portion of the population is excluded from labour markets. Specifically, over 10% of the urban Aboriginal population is unemployed (compared to approximately 6% for the non-Aboriginal population) and over 15% of the urban Aboriginal population receives government transfer payments (AANDC, 2010c). This means that as long as Aboriginal people are dependent on public support, they will be limited in creating initiatives that reflect their needs and priorities rather than those of government.

Table 2

Socio-Economic Indicators for Aboriginal and Non-Aboriginal Populations in Urban Areas

| Selected Indicators | Urban Areas With Less Than 100,000 Population | | | | Urban Areas With Greater Than 100,000 Population | | | |
| | Aboriginal Identity Population | | Non-Aboriginal | | Aboriginal Identity Population | | Non-Aboriginal | |
	2001	2006	2001	2006	2001	2006	2001	2006
Unemployment Rate	18.4%	12.7%	8.2%	6.6%	18.5%	10.6%	8.1%	6.1%
Average Total Income (All Sources)	$20,552	$26,134	$27,046	$32,331	$21,499	$27,029	$31,956	$37,594
Average Total Employment Income (Full Time)	$35,469	$41,406	$39,716	$46,204	$34,714	$41,861	$45,973	$54,267
% Receiving Government Transfer Payments	18.8%	16.5%	14.8%	14.3%	16.4%	15.0%	10.0%	9.6%
Incidence of Low Income Before Tax Among "Economic Families"	33.8%	25.5%	11.2%	9.2%	37.0%	31.2%	14.3%	13.8%

Note. Adapted from *Fact Sheet – Urban Aboriginal Population in Canada*, by AANDC (2010c).

Though Table 2 demonstrates that the urban Aboriginal population made significant improvements in their socio-economic status over a five-year period, the population continues to lag behind the non-Aboriginal population in all the selected indicators. Overall, proper socio-economic policies are not helping to alleviate the socio-economic concerns that plague urban Aboriginal peoples (e.g., employment, housing, education, violence and drugs) to bring Aboriginal populations at par with their non-Aboriginal counterparts. Porter argued that this will not begin to occur without the recognition of Aboriginal rights, or without "the material benefits that flow to indigenous nations when these rights are properly recognized" (2004, p. 104). The author further stated that, "no amount of inclusive, radical, or democratic planning practice will shift the effects of (post)colonial structures and relations of power of Indigenous nations without a fundamental recognition of rights" (2004, p. 104). In other words, Aboriginal peoples, specifically those in urban centres, will only begin to share in place prosperity with a redistribution of political power embedded in the recognition of their rights (e.g., DTC in urban centres).

In addition, urban Aboriginal peoples face political problems unique to their place of residence because Canadian cities are governed and judged by their ability to provide equitable policies to deliver community services to all residents (Frost, 1999, p. 124). As Richard Frost stated,

> Aboriginal people and communities have unquestionably fallen into the category of special interest groups in the minds of most civic administrators. As such, they have been treated as any other ethnic group that makes up the collective society. The inherent rights of Aboriginal peoples have not been taken into account. This attitude is gradually shifting . . . This change is probably due to issues raised by the constitutional debates, better

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organization of Aboriginal groups, and increased public support for Aboriginal rights.

(1999, p. 124)

Indeed, urban Aboriginal peoples are not like other citizens because of their relationship with the state, in that federal legislation provides the group with benefits that other citizens are not granted—but also importantly institutionalize their dependence on the state. Peters (2005) noted that, "many Aboriginal people arrive in cities expecting their histories and their status as Aboriginal people to make a difference to their access to institutions and services" (p. 327). Unfortunately, cities are generally ill-equipped to deal with the cultural and special needs of Aboriginal peoples, such as culturally-sensitive education curricula, structures for recognizing self-government, community gathering spaces, job and skills training, Aboriginal specific addiction services, and access to affordable housing. Because of this, urban Aboriginal peoples pose unique challenges to urban planners and theorists. According to Wherrett and Brown (1994):

> The urban Aboriginal population is growing rapidly, indeed, it has doubled in the past decade . . . Through a combination of social, economic, and political factors, migration to cities has increased and can be expected to continue with population growth on reserves. The urban Aboriginal population is younger, includes more women, and is more transient and more dependent on transfer income than the urban population in general . . . On the whole, however, the Aboriginal population in urban areas may be said to be economically and socially marginalized. (p. 91)

Calvin Hanselmann (2003) highlighted that this rapid growth has been a challenge faced by policy-makers who have not been successful at making the "urban dream"—the opportunities and quality of life that cities can offer—a reality (p. 167). In order for the "urban dream" to be

realized, Hanselmann argued, "federal and provincial governments must put aside their jurisdictional issues while urban Aboriginal peoples develop voices that can represent their interests" (2003, p. 167). Though Hanselmann has been critical of recent attempts and efforts by the various levels of governments, others (see Peters, 2004; Loxley & Wien, 2003; Wherrett & Brown, 1994) believe Aboriginal participation in policy-making is occurring on the ground independent of government involvement.

Specifically, Peters' (2004, 2011) research on urban Aboriginal governance speaks to the strength of the urban Aboriginal community, especially in Winnipeg. According to Peters, "since the 1950's, Aboriginal peoples in Winnipeg have organized a variety of institutions focused on improving social and economic opportunities for Aboriginal people in the city" (2004, p. 10). In their efforts, Aboriginal political organizations (e.g., the Assembly of Manitoba Chiefs, the Manitoba Metis Federation, the Aboriginal Council of Winnipeg, etc.) are building institutional capacity in Winnipeg. Specifically, According to John Loxley and Fred Wien (2003), such organizations attempt to build institutional capacity by "provide political direction, to lobby governments for resources, to provide services directly to the people, and to build an economic development planning and implementation capability" (p. 224). For the purposes of this research, Aboriginal political organizations and Aboriginal community organizations (ACOs) will be used interchangeably unless otherwise specified.

Nationally, Wherrett and Brown have stated that, "the problems – economic, social, and cultural – faced by Aboriginal peoples in Canadian urban centres has led them to develop services and institutions to suit their particular needs, and to redress their severe problems" (1994, p. 91). According to these authors, Aboriginal self-governance is occurring on the ground, albeit in a different context than that in on-reserve or rural settings, where a single body or

institution politically represents the group in question, common goals and priorities are agreed upon and set, and self-government can be and is legally recognized. In many urban centres, Aboriginal peoples are already involved in governing themselves. They are taking an active role in the administration and delivery of services, and have developed political institutions (e.g., ACW), many of which are status blind (Wherrett & Brown, 1994, p. 84). However, political representation of urban Aboriginal communities continues to be a contested site because the urban Aboriginal population is heterogeneous, diverse and, in some urban centres, widely dispersed. At times, this contestation prevents specific Aboriginal communities from effectively organizing, coordinating, and leveraging their political strength against policy-makers.

The problem of Aboriginal political representation resulting from a lack of community cohesion amongst Aboriginal community organizations (ACOs) in urban centres has been well documented in several studies with a specific focus on Toronto. In the Toronto case, inter-organizational conflicts are not unfamiliar to the Aboriginal landscape, and, as many studies (see Richardson, Dimaline, Blondin, MacLeod, & Lazore, 2002; Carter & McGregor, 2006; Jim Ward Associates, 2008; Abele, LaPointe, Leech, and McCrossan, 2011) have highlighted, there is a lack of cooperation and coordination of services between the City's Aboriginal organizations. For example, the research commissioned by Richardson, Dimaline, Blondin, MacLeod, and Lazore (2002), entitled *In the Spirit of Unity, A Synopsis of Programs and Services Available to the Urban Aboriginal Population in the Greater Toronto Area*, corroborated some of the earlier findings, such as:

Because of the high levels of poverty in the Toronto Aboriginal Community fundraising activities are not feasible; There is fragmentation in the Aboriginal community in Toronto at the agency and individual level; Urban Aboriginal agencies have often emerged as the

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representatives of the community by default sometimes resulting in fragmentation of the

community. A larger more representative body is therefore needed to be more

representative of the Aboriginal community. (as cited in TARP, 2012, p. 53)

The Clatworthy, Stewart, Hall, and Loughren (1994) study also shared similar findings,

highlighting that, "Toronto's organizations reported higher levels of dependency on government

resources and minimal levels of self-generated resources. Nearly 88 percent of the resources

managed by these organizations were derived from government sources" (p. 62). In other words,

obtaining and securing government funding is a continuous struggle for Aboriginal organizations

in the city.

However, some urban Aboriginal communities (e.g., in Vancouver, Edmonton, and

Winnipeg) have experienced great success in organizing, coordinating, and leveraging political

support, and have done so through the development of political institutions and Aboriginal

Community Organizations (ACOs). Several studies have taken stock of these success stories (see

Clatworthy et al., 1994; Newhouse, 2003; Peters, 2011; Abele, LaPointe, Leech, and McCrossan,

2011), and include in their reports organizations such as the Aboriginal Council of Winnipeg,

Native Counselling Services of Alberta, and the Vancouver Aboriginal Council of service

providers. This association consists of 14 organizations and agencies that work together as a

collaborative association of peer organizations and agencies to serve the Aboriginal community

in Vancouver, British Columbia (Newhouse, 2003, p. 250). Thus, governance in urban settings is

a complex and multi-faceted political sphere requiring several players in the delivery of services.

Conclusion

The ability to develop better socio-economic programmes to ensure the success of

Aboriginal peoples in urban contexts is largely dependent on the community's power to

effectively participate in the policy-making process, as is the case for land-based groups who have made great socio-economic and political strides for their communities (e.g., Inuvialuit, Mikisew Cree, James Bay Cree). What can be learned and borrowed from the literature on land-based Aboriginal groups is that, regardless of their affiliations to a land base, Aboriginal peoples are a unique and distinct ethnic minority group requiring control over their destinies, irrespective of their place of residence.

However, the ability to gain control over their lives in areas of self-government and self-determination is extremely difficult for both on- and off-reserve Aboriginal peoples as the electoral system is not a system friendly to Aboriginal voters. Their socio-economic circumstances, their lack of trust in political institutions, and the lack of knowledge about Aboriginal culture and their special needs make it difficult for Aboriginal peoples to access their political representations and benefit from the electoral system. For this reason, Aboriginal communities have looked outside the electoral system to gain political traction, culminating in such advancements as the court-mandated DTC. Unfortunately, the emerging DTC is still very much a politically charged and contested principle. Specifically, it has yet to have any bearing on urban Aboriginal peoples and provides no real political power for Aboriginal peoples within the Aboriginal-state consultative regime.

Urban Aboriginal peoples pose interesting theoretical and empirical questions for scholars and policy-makers as they are caught between their cultural communities on reserves and in rural areas, and the difficulties of adjusting to community life in cities. Aboriginal governance in urban settings highlights different players and several institutions involved in the delivery of services (e.g., education, housing, health), which makes decision-making and streamlining services a daunting task for community members and governments. In the absence

of a single representative political body, urban Aboriginal communities have largely been involved in governing themselves, and this is a phenomenon that is occurring in major Canadian cities. In light of this, governments are calling the local leaders to the consultation table through various channels. One channel of particular interest is the use of CACs in the implementation and delivery of the federal government's Urban Aboriginal Strategy, which is the focus of Chapter 4.

Chapter 4. The Urban Aboriginal Strategy: The Urban Answer to Self-Government?

What The '90s Brought

City life offers promises of new and exciting opportunity, such as better housing, more employment possibilities, increased access to services, and a larger community of people. However, for Aboriginal peoples who migrate to cities in hopes of fulfilling the urban dream, a majority of the time it is just that, a dream. As Aboriginal peoples began migrating to the cities in the 1950's, in search of better life opportunities, city planners and governments were not—and still are not—well-equipped to deal with the socio-economic conditions Aboriginal peoples face. In the early 1990s, under the leadership of a Liberal government (and Prime Minister Jean Chrétien, who was particularly sympathetic to the concerns of Aboriginal peoples), Aboriginal governance was put on the political agenda in light of changes to the *Constitution Act, 1982*—which recognized the group's inherent Aboriginal and treaty rights—and several key pieces of literature (Peters, 1994; RCAP, 1996). The *Royal Commission on Aboriginal Peoples* (RCAP) highlighted that,

> some urban Aboriginal people feel caught between two worlds. They are physically and socially removed from their Aboriginal communities and unrecognized in their urban neighbourhoods. The issues confronting urban Aboriginal people—governance, access to culturally appropriate services, cultural identity and intercultural relationships—have been woefully neglected by Canadian governments and Aboriginal authorities in the past. (Vol. 4 – Introduction)

Items placed on the political agenda included self-government structures, settlement of land claims, socio-economic conditions (e.g., housing, skills and job training, employment), preservation of culture, and urban Aboriginal governance. These items were closely linked

together in that urban Aboriginal governance existed in some forms of self-government, allowing communities to deliver culturally appropriate services to Aboriginal members (e.g., housing, education, job training), in order to improve the quality of life of their members in Canadian cities. Thus, literature on urban Aboriginal governance coming out of the 1990s rarely focused on these factors in isolation from each other (Peter, 1992; Wherrett & Brown, 1992; Kastes, 1993).

Specifically, literature from Peters (1994) and the RCAP (1996) both focused largely on social and economic needs, cultural preservation, and the coordination of service delivery in an urban setting, all through the implementation of self-government. For example, a workshop hosted by the Institute of Intergovernmental Relations at Queen's University, the proceedings of which were edited by Evelyn Peters (1994), and entitled *Aboriginal Self-Government in Urban Areas*, focused heavily on the prospects of self-government in an urban setting. The volume addressed the policy concerns related to the economic, social, and geographic profile of Aboriginal peoples living in urban cities; the range and depth of Aboriginal organizations and self-governing institutions operating in Canadian cities; models for urban self-government to meet the needs of all groups of urban Aboriginal peoples; and issues relating to the implementation of self-government (e.g., funding, administration, political representation) (Peters, 1994).

According to Peters, the importance of addressing these policy concerns is four-fold: First, limiting the discussion of Aboriginal self-government to land-base situations inadvertently reinforces a perspective that equates the urbanization of Aboriginal peoples with their assimilation into non-Aboriginal society. Second, the apparent failure of general public service organizations to improve the socio-economic position of the urban

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Aboriginal population suggests that alternative approaches are required. Third, while a

constitutional amendment is not necessarily a prerequisite, developments in the area of

rights to self-government should apply to Aboriginal people in urban areas. Finally, a

variety of urban Aboriginal institutions have developed since the early 1960s, and they

play an important role in emerging self-government arrangements. (1994, p. vii)

The findings, discussions, and research produced in these proceedings occurred during the

research undertaken for the RCAP (after the Oka crisis in the summer of 1990) and following the

failure to ratify the *Charlottetown Accord* (1992), which proposed a third order of government

for Aboriginal peoples. Peters acknowledged that while there is much discussion surrounding

self-government in Canada, the discussion is limited to land-based populations (1994). The

author identified the importance of a discussion pertaining to the inherent right of self-

government in urban areas, especially since the release of the 1991 *Aboriginal Peoples Survey*,

which found that more than half of the Aboriginal population lives in urban centres (Peters,

1994). Thus, a dialogue within the policy-making community began.

Critical to beginning this dialogue was the *Royal Commission on Aboriginal Peoples*

(RCAP, 1996). This pivotal piece of literature recommended a renewed relationship between

Aboriginal peoples and the state based on mutual respect and trust. The 4000-page document laid

out a 20-year plan for change with Volume 4, Chapter 7 being wholly dedicated to urban

Aboriginal governance. In regards to urban Aboriginal peoples, the critical focus in the RCAP

was how best to achieve the coordination and delivery of services in an urban setting, where no

land-base or established form of political representation exists for Aboriginal peoples. In other

words, the question was how to achieve self-government and urban Aboriginal governments in

city centres. Several approaches were put forth, such as: reforming local government services to

ensure Aboriginal influence; urban communities of interest would operate some government services; or Aboriginal nations would take responsibility for their members who live in cities (RCAP, Vol. 4, p. 7).

Of importance to this research are the recommendations focusing on the coordination of Aboriginal services and the representation of Aboriginal peoples in an urban setting. The RCAP highlighted the importance and need to streamline services because of the question of responsibility, in which the Commission recognized that many problems described by urban Aboriginal peoples stem from a lack of a coordinated approach to their concerns, or what Graham and Peters (2002) label as a "jurisdictional maze" of responsibility. Specifically, all three levels of government are responsible for the delivery of services to Aboriginal peoples living in cities; however, no one level of government claims responsibility for all Aboriginal communities. For example, the federal government maintains it is solely responsible for Aboriginal peoples living on reserves, and believes non-status Aboriginal peoples living off reserves are the responsibility of provincial governments. On the other hand, the provinces argue that Aboriginal peoples are the responsibility of the federal government because of their "fiduciary duty" as set out in the *Indian Act, 1876*. Municipalities claim no responsibility for Aboriginal peoples and maintain they are ill-equipped to handle the socio-economic conditions of Aboriginal peoples as some policy areas fall squarely within federal and provincial responsibility (e.g., funding, maintaining equality of services, cultural preservation, health care).

In light of this, the report advocated for the improvement in the quality of life for urban Aboriginal peoples through better employment and educational services, health care, business development, and some form of self-government, as recommended by the RCAP. More importantly, the RCAP identified the need for urban services and institutions to cater to the

cultural needs of Aboriginal peoples. Thus, the report called for the development of a network of service institutions to meet the needs of a growing urban Aboriginal population through better policy and service coordination. As the report stated: "Many Aboriginal agencies already exist. In some cases, they are competing for Aboriginal clients (and for funding based on the number of clients they attract) with non-Aboriginal agencies. Potential users are unaware of their services" (RCAP, Vol. 1, p. 556). With this in mind, the RCAP recommended better streamlining of services, highlighting that:

> The maze of assistance programs available in urban centres could be simplified through single-window service delivery. Funds now available for life skills, job training, job finding, child care and income maintenance could be pooled to support holistic planning to help individuals make changes in their lives. (AANDC, 2010a)

Thus, in the 1990s, the Canadian government went through a series of pushes (RCAP) and pulls (Aboriginal demands), requiring that the federal government act to address the dire conditions of urban Aboriginal communities.

In Comes the Urban Aboriginal Strategy

One particular project that was a direct response to the RCAP was the Urban Aboriginal Strategy (1998), which employs a whole-of-government and community approach to Aboriginal governance (also known as tripartite agreements). As such, the UAS was designed to use local communities to address local problems. Prior to its implementation, in 1997 the federal government tabled the idea of a UAS to address the challenges facing the growing number of Aboriginal peoples living in urban centres. The proposal of a UAS was a response to the RCAP, specifically, Volume 3, entitled *Gathering Strength: Canada's Aboriginal Action Plan* (Alderson-Gill & Associates, 2005, p. 2). The Strategy was categorized as a government-wide

policy established to address social, economic and political concerns of the urban Aboriginal community through greater internal coordination of federal activities and through partnerships with provinces, municipalities and Aboriginal stakeholders (Alderson-Gill & Associates, 2005). The Strategy is designed to focus on three priority areas: improving life skills; promoting job training, skills and entrepreneurship; and supporting Aboriginal women, children and families. These priority areas meet the objective of the UAS, which is to "promote self-reliance and increase life choices for Aboriginal peoples in urban centres" (INAC, 2010b, p. i). According to the AANDC, this is to be achieved through the following outcomes:

- Urban Aboriginal socio-economic needs are targeted within new and renewed federal initiatives, where appropriate.

- Access to and coordination of programs and services is improved.

- Partners coordinate development and communication of research, policies and knowledge.

- Horizontal linkages and policy integration within the federal government are improved, leading to better opportunities for partnership (e.g., the federal government, provincial and municipal governments, Aboriginal groups, and private sector). (AANDC, 2014b)

Some of the above outcomes have been realized with great success. For example, in 2012 the federal government achieved greater horizontal policy integration when it transferred the Aboriginal Friendship Centres Program, Cultural Connections for Aboriginal Youth, and the Young Canada Works for Aboriginal Urban Youth Program from Canadian Heritage to AANDC and thus allowed "for greater focus and coordination of federal efforts to help urban and off-reserve Aboriginal people increase their participation in the Canadian economy" (AANDC,

2014b).As well, there is an emphasis on forging relationships between the UAS chapters, all three levels of government, and the community at large. This being one of the main objectives of the UAS as stated in the Alderson-Gill & Associates report, "Develop partnerships with provincial and municipal governments, urban Aboriginal organizations, groups and communities in order to engage in sustainable community development" (2005, p. 4).

One thing should be clarified at this point: the UAS is not an exercise of self-determination and self-government nor do the UAS goals align with the goals inherent in self-determination and self-government. Rather, it attempts to reduce Aboriginal poverty in urban settings by making Aboriginal peoples less reliant on the state (Walker, 2005, p. 410). To date, there are 13 sites under the UAS umbrella: Vancouver, Prince George, Lethbridge, Calgary, Edmonton, Prince Albert, Regina, Saskatoon, Thompson, Winnipeg, Thunder Bay, Toronto and Ottawa. Winnipeg, due to its large Aboriginal population, was the testing grounds for the Strategy and implemented the UAS in 1998, with Toronto following in 2003.

In 1997, Manitoba held a roundtable on Environment and Economy that focused on an urban Aboriginal strategy as part of its sustainable development initiative. The Roundtable noted that sustainable development represents a new development path that requires progress in the areas of environment, economy, social and political policies in order to enhance citizens' quality of life (Government of Manitoba, 1997, p. 15). Specifically, sustainable development requires social equity to be part of the decisions being made about the economy and the environment in order to improve people's well-being (Government of Manitoba, 1997, p. 15). The UAS became part and parcel of the Roundtable stemming from the Winnipeg Development Agreement (WDA) of 1997.

Contained in the WDA—which later became the Winnipeg Partnership Agreement

(WPA) in 2004—was a framework for an urban Aboriginal strategy. Originally, the Strategy was directed at, "creating more effective working relationships, providing better communication, improving consultation processes and developing mutual trust and understanding between Aboriginal people in Winnipeg and governments in Manitoba" (Government of Manitoba, 1997, p. 1). This was to be part and parcel of the "Aboriginal Participation" aspect of the WPA, which included four components: 1) Aboriginal Participation, 2) Building Sustainable Neighbourhoods, 3) Downtown Renewal, and 4) Supporting Technology and Innovation (Walker et al., 2011, p. 175). According to Walker, Moore and Linklater (2011), the aim of the WPA is to increase economic development and improve the over-all quality of life in Winnipeg (p. 175). Prior to officially launching the UAS, community consultation was undertaken as a prerequisite of the WPA's first component, Aboriginal Participation. This is in contrast to the Toronto case, where no consultation was undertaken prior to introducing and implementing the Strategy.

The Roundtable utilized public opinion to gather public input regarding the possibility of implementing an urban Aboriginal strategy. The Roundtable established a sub-committee comprised of Roundtable members to conduct the consultation. The sub-committee asked for public participants to review policy issues and recommend courses of action (Government of Manitoba, 1997, p. 3). This resulted in the Manitoba Roundtable on Environment & Economy's Final Report, entitled *Towards a Strategy for Aboriginal People Living in Winnipeg* (1998). The Roundtable public consultation process solicited the input of over 100 grassroots participants and attracted over 1000 participants who attended six public gathering workshops (Government of Manitoba, 1998, p. 1). Each workshop focused on a different topic per session: the environment, economy, healthy communities, community partnerships, priorities for action, and action plan (Government of Manitoba, 1998, p. 9). At the sixth workshop, the sub-committee returned a

draft report of the previous workshops and developed recommendations for an action plan with the participants (Government of Manitoba, 1998, p. 9).

An important point stated by the Government of Manitoba was that: "Implementation of the Strategy is a partnership of citizens and their governments that takes place concurrent to the consultation process" (Government of Manitoba, 1998, p. 9). One of the main objectives identified by the Aboriginal community during the consultation process was to "improve the participation of Aboriginal people in the decision-making process of government(s), businesses and community and direct involvement in the implementations of the decisions" (Government of Manitoba, 1998, p. 11). This became one of the main pillars of the Strategy and became an integral part of the UAS mandate, which, as stated below:

> is to address socio-economic needs, coordinate and improve access to programs and services, raise awareness of urban Aboriginal people, coordinate policy research, knowledge, information and improve linkages and policy integration within the federal government and develop partnerships with other stakeholders including provincial and municipal governments, Aboriginal groups and the private sector. (2012, p. 51)

This mandate is to be achieved through continuous consultation and community engagement with the urban Aboriginal community. Based on a CAC model, each chapter of the UAS consists of a Steering Committee that plans and implements the strategic plan. Designing the strategic plan requires input and feedback from the community and this is obtained through community engagement sessions carried out by each Steering Committee at least once a year with their respective urban Aboriginal community. This activity is part and parcel of the principle of community engagement set forth in the UAS mandate.

The Role and Responsibilities of the UAS Steering Committee

The rationale for using community input to solve community concerns is part of the move towards greater self-government for urban Aboriginal communities. The federal government has been aware that the well-being of Aboriginal peoples in cities has a direct impact on the well-being of cities themselves (Alderson-Gill & Associates, 2005, p. 2). In an effort to rectify the socio-economic conditions of urban Aboriginal peoples, and in a manner consistent with the recommendations in the RCAP, the federal government employed a CAC structure for consultation and the implementation of the Strategy. At first glance, this may appear to be a willingness on the part of government to return decision-making authority back to Aboriginal communities, which indeed is partially the case. However, the impetus for employing the CAC structure also lies in the fact that governments cannot dictate methods of community engagement and policy implementation to urban Aboriginal communities. If governments did attempt to dictate this area of Aboriginal governance to urban Aboriginal communities, doing so would make the UAS a recognized structure of governance, the result being that participating urban communities would be giving up their right to self-governance by agreeing to the terms and conditions put forth by governments. This would have too many legal implications and ramifications for governments and their dealings with urban Aboriginal communities. Therefore, every community, through the employment of a CAC, was allowed to choose their own way forward in terms of how each CAC would engage with their respective community.

According to AANDC, the governance structure or representation of the Steering committees should reflect the diversity of the Aboriginal community in a particular urban centre and allow for greater input from the community at the consultation table. As AANDC stated:

Steering committees are the catalysts for planning, making funding decisions and

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coordinating work through the UAS—along with other community activities—to respond to urban Aboriginal issues. Each UAS steering committee comprises a cross-section of the Aboriginal community to ensure the steering committee's decisions reflect broad community concerns and priorities. While the steering committee structure is meant to reflect local circumstances, each steering committee includes representation from the local Aboriginal community, the federal government, other levels of government and the private sector. The inclusive nature of the steering committees is indicative of the principle of partnership that underlies the UAS, particularly in keeping with the objective to establish strong and active partnerships between government and community. (AANDC, 2014b)

More specifically, as an Aboriginal community-driven initiative, the UAS meant that: "Aboriginal communities would set priorities, determine how best to organize the long-term strategic planning inherent in the initiative, and make decisions about how to target expenditures, subject to UAS and other program terms and conditions" (Alderson-Gill & Associates, 2005, p. 19). Aboriginal communities were also allowed to select their community representatives and received the power to decide project adjudication. This is in line with the organizational arrangements of CACs, in which participation on the committee allows for decision-making authority in final policy outcomes. For example, the final report by Alderson-Gill & Associates, entitled *Urban Aboriginal Strategy Pilot Projects Formative Evaluation*, prepared for the OFI, noted that federal officials and Aboriginal participants involved in the UAS created formal decision-making processes and that conflict of interest guidelines had been established (2005, p. 21). Thus, the UAS is characteristic of a CAC, and thereby offers to shift decision-making power to the community, which is a fairly new interface in Aboriginal-state relations.

The federal government designed a Strategy that was relatively new in terms of its interactions with Aboriginal communities by using a community-based approach. As INAC stated:

> Recognizing that urban Aboriginal communities have traditionally been forced to acquiesce to the policy framework of governments, the UAS attempts to meet the unique demands of each community in order to create new relationships with urban Aboriginal peoples and communities. (INAC, 2010b, p. 1–2)

This is to be achieved through the establishment of broad national priority areas allowing communities flexibility to develop regionally responsive strategies. The federal government believes this is crucial to the success of the UAS. Thus, management and delivery of the UAS was accomplished through two options for programme delivery: the Community Entity Model and the Shared Delivery Model. The decision to use one model over the other is made by the community in consultation with OFI regional offices (CGC, 2010, section. 3.2, p. 2). All but one of the designated communities employs the Shared Delivery Model, including Winnipeg and Toronto (Toronto transitioned to a Community Entity Model in 2012).

The two models do not differ greatly from each other. The Community Entity Model employs a recognized organization as a flow-through agency, which is used to manage all of the UAS projects in the designated city. The organization is responsible for managing the UAS Community Investment Fund (provides funding for projects that increase the self-reliance of urban Aboriginal peoples, such as job training), the Capacity Fund (supports the maintenance and growth of organizations that provide services to Aboriginal peoples), and identifying projects and opportunities that respond to national priorities. As well, the Community Entity is responsible for consulting with stakeholders and creating and implementing comprehensive

funding arrangements (AANDC, 2010b). More specifically, according to AANDC:

> The UAS Community Entity will conduct due diligence processes and review the
> proposed projects, in part to ensure that the proposed projects will contribute towards
> achieving the objectives of the UAS program and to track progress on results. The
> Community Entity will inform the Regional Office of the Federal Interlocutor of all
> proposed projects identified by the Community Entity for funding. (2010b)

In contrast, a Shared Entity Model does not use a flow-through agency. Instead, a local UAS
community committee is established in the designated city to be responsible for the local
delivery of the UAS and the management of the Community Investment Fund and Capacity
Fund, through activities such as engaging with the Aboriginal community, responding to
Aboriginal community needs by funding projects, and reviewing UAS project proposals
submitted by local organizations to ensure they meet the national priorities as set out in a
community plan or otherwise (AANDC, 2014a). Once projects have been selected, the
committee will then recommend to the Regional Office of the Federal Interlocutor those projects
for processing which meet community and national priorities and which can demonstrate that
they can lead to results and value for the money (AANDC, 2011, p. 5).

The community committee is comprised of individuals from the community and
representatives from all three levels of government. The primary role of the community
committee is to:

> Identify and prioritize areas of concern within the urban Aboriginal community; Develop
> and implement community strategic plans; Solicit and review project proposals submitted
> by recipients in the community and; Assess those proposals against the defined
> community priorities and plans and recommend projects to OFI. (INAC, 2010b, p. 3)

Thus, the community committee is a CAC empowered to influence the decision-making process, making the UAS a good unit of analysis. Each of the 13 sites is different based on the demographic composition of the urban Aboriginal community, the influence of Aboriginal organizations, and the participation of the public and private sectors, amongst other community characteristics. According to Walker et al. (2011), the composition of the CAC can be as follows:

> A Community Advisory Board makes recommendations on the selection of project proposals . . . The board advises on all project proposals, Aboriginal and non-Aboriginal. Thirty-five per cent of members are appointed (for example, municipal and provincial officials) and sixty-five per cent elected by a Selection Committee chosen by HRSDC, following an open call to community members to invite applicants to express their interest and present qualifications. (p. 182)

It should be noted that the ratio of appointed to elected members is different from chapter to chapter.

In Winnipeg, the Shared Entity Model is delivered by a Collaboration Strategy that is designed to inform the cooperation and partnerships necessary to implement the objectives of the Outcomes Sub-Committee (OSC), which is part of the Aboriginal Partnership Committee of Winnipeg (APC). The APC was established to provide guidance to activities under the "Aboriginal Participation Component 1" of the 2004 Winnipeg Partnership Agreement (WPA) (originally the WDA), which was signed by the governments of Canada, Manitoba and the City of Winnipeg (City of Winnipeg, 2013). The WPC was the advisory body to the Management Committee (made up of senior government officials) and was originally used as the decision-making body for the UAS in Winnipeg (Walker et al., 2011, p. 179). Its purpose is to negotiate a renewed urban development agreement for the City of Winnipeg with Aboriginal Participation

being Component Program 1 (Leskiw & Associates, 2007, p. 1). As part of the Government of Canada's involvement in the WPA, the Western Economic Diversification of Canada's (or WD, an agency mandated to improve the long-term economic competitiveness of the West) regional office in Winnipeg agreed to carry out and provide federal funding to the UAS in Winnipeg (Leskiw & Associates, 2007, p. 1). That is, the UAS became the federal government's contribution to the WPA (Walker et al., 2001, p. 176) The APC works in coordination with the Aboriginal community, other levels of government, stakeholders, and Elders to deliver the Urban Aboriginal Strategy in Winnipeg.

Essentially, the OSC's *raison d'etre* is to advise the APC in order to develop an urban Aboriginal collaboration strategy to support community socio-economic development and cultural well-being in Winnipeg (Celeste McKay Consulting, 2009, p. 3). The OSC drives the community engagement activities that are informed by the APC and the UAS. According to Celeste McKay Consulting,

> The community engagement process has been carried out through "an extensive
> consultation process in 2007 and early 2008" involving focus groups with people who
> were experiencing the conditions that the UAS seeks to address, people who had
> overcome major obstacles, service providers and other community and government
> stakeholders. (2009, p. 15)

This engagement process helps each site identify and fill gaps in service delivery (e.g., the need for culturally appropriate addiction recovery). More specifically, in 2008, the APC completed a Comprehensive Community Initiative (CCI) that provided the OSC with important information pertaining to the need to increase urban Aboriginal participation in the economy. This was achieved through various consultation sessions. For example, the CCI involved a two-day

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gathering held with Elders from diverse cultural groups, a stakeholders' gathering seeking advice on service direction, and a community gathering to review and endorse the directions and plans of the CCI for 2009–2012 (Celeste McKay Consulting, 2009, p. 15).

Each site hosts their own community forum each year to assess the needs of the community. Community forums usually occur in January to ensure funding is allocated by spring (March is the end of the government's fiscal year). Once the Steering Committee has assessed the local priorities of the community and identified the priorities in its Strategic Plan, the Committee will release a "call for proposals". Funding is adjudicated through a project review process, usually conducted by a "projects selection sub-committee", in which applicants (local organizations) will submit project proposals within a given year. The sub-committee will make its recommendations to the Steering Committee and the regional OFI to be decided as a whole. Projects must demonstrate how they will address at least one or more of the three priority areas (Improving life skills; Promoting job training, skills and entrepreneurship; and Supporting Aboriginal women, children and families) and must demonstrate how they will achieve the following objectives:

- Enhance existing relationships;

- Build new partnerships;

- Strategically focus investments to enable urban Aboriginal communities to be more self-reliant within strong and vibrant cities across Canada;

- Better align federal initiatives internally and externally with provincial-municipal and other initiatives in order to implement regionally responsive strategies to fulfilling federal objectives and addressing community needs; and,

- Enhance and support ongoing awareness of urban Aboriginal issues. (CGC, 2010,

section. 3.2, p. 3)

Those eligible to receive UAS funding according to the Government of Canada included:

Not-for-profit organizations, municipal governments, educational institutions, Aboriginal

organizations and service providers and service organizations that serve Aboriginal

people. Research organizations and research institutes are eligible to

receive UAS program funding through the UAS Community Investment Fund and/or

through the UAS Central Fund. Only local Aboriginal organizations in

designated UAS communities are eligible to receive UAS program funds under

the UAS Community Capacity Fund. For-profit enterprises are eligible for UAS program

funding provided that the nature and intent of the activity is to address the needs and

priorities of the urban Aboriginal community, as identified by the UAS Community

Committee or which addresses national priorities. (Government of Canada, ND)

Though the criteria for eligibility is vast, it is important to keep in mind that the ability of any

Steering Committee to identify and assess community needs and priorities will depend largely on

community attendance and participation during community engagement forums. This has proven

difficult for some chapters based on the density and composition of the Aboriginal population in

the area. For example, forums in Thunder Bay and Ottawa are well attended because the

Aboriginal community is smaller, geographically closer in proximity, and generally homogenous

in terms of Aboriginal identity. Whereas Toronto and Winnipeg have larger Aboriginal

communities, which are more geographically dispersed, and therefore these forums tend to

experience lower turnout.

Lower turnout is both a democratic problem and an administrative problem for the UAS.

Specifically, a strategy based on a community-building approach and which relies on community

engagement will be ineffective if the community experiences lower participation rates, because steering committees will have difficulties identifying members of the Aboriginal community, pinpointing the needs of the Aboriginal community, bridging service delivery gaps, and forging partnerships. Without these features in effect, it can be difficult for the steering committee to leverage decision-making authority. This will be discussed at greater lengths in Chapters 6 and 7.

Funding

Under the Strategy, the Office of the Federal Interlocutor (OFI) was responsible for implementing the UAS in the eight chapters that were involved by 2003 (Vancouver, Edmonton, Calgary, Regina, Saskatoon, Winnipeg, Thunder Bay, and Toronto). The OFI's general mandate is to conduct research and provide advice to governments on the socio-economic conditions for off-reserve Aboriginal people, who include Metis, non-status Indian, and urban Aboriginal people. More importantly, for the purposes of this research, a key activity of the office is to create "partnerships with other governments – whether provincial or municipal – as well as with other external stakeholders" (INAC, 2008). At first the Strategy was not dedicated any actual funding nor was it given an independent department to focus on the Strategy. Because of this, Hanselmann (2003) argued that, prior to 2003, there was an absence of strong political backing by the Government of Canada since the OFI "ha[d] no department of government and no significant budget to work with [and] no legal authority" (p. 170). That is, prior to 2006/2007, the OFI directed the UAS from its National Capital Region (NCR) office, which delivered on-the-ground services through the regional offices of Western Economic Diversification Canada and Service Canada (INAC, 2010b, p. i).

Though the Strategy was announced in 1997, no actual funding was allocated for the project until 2003 (see Table 3). Prior to 2003, the UAS was a strategy designed to streamline

government departments (e.g., Heritage Canada, HRSDC, AANDC) and projects dealing with urban Aboriginal policy concerns, in order to avoid duplication and coordinate funding. Its *raison d'etre* was to encourage collaboration between governments and urban Aboriginal communities in an attempt to reduce government funding and promote service-delivery alignment between Aboriginal communities and organizations—but, in reality, the Strategy was not receiving any money from other departments and ministries at first. For this reason, the federal government did not allocate any new funding to the UAS prior to 2003; rather, UAS funding was a reorganization of existing funding for Aboriginal programs (Leo et al., 2007, as cited in Walker et al., 2011, p. 175). However, over time, the federal government realized the importance and effectiveness of the Strategy, and, by 2003, it had promised funding to the Strategy over a 4-year period, and had opened several offices under the Office of the Federal Interlocutor to supervise the Strategy.

In 2003, the federal government announced that $25 million would be dedicated to the UAS over a three-year period, which was later increased to $50 million in 2004 over a four-year period (INAC, 2010, p. i). At this time, UAS communities were making progress in terms of project coordination and collaboration and so federal funding was prompted by UAS success. For example, the UAS National Director explained this in the following interview:

> The federal government believed some good collaboration projects were coming up but had no funding. No one funds collaboration so we [the federal government] were funding that. We funded a gang strategy in Regina involving the local police service and local governments who were interested. We are also funding a community voicemail program for endangered persons [physically abused women, prostitutes] so they can leave messages and get messages from a secret number that is not their personal number.

Another example is housing. We cannot create more social housing [that's a provincial responsibility]. However, the UAS will develop an exit strategy on how to get them to leave social housing, which is a program happening in British Columbia. That's the kind of stuff we were trying to do. In 1997 they were only talking to people to collaborate, no project adjudication because there was no allocated federal funding. (Personal interview with UAS National Director, Ottawa, November 12, 2013)

However, once funding was announced, steering committees began to operate as project adjudicating committees and there became less of a focus on service-delivery coordination and long-term strategic planning, given the uncertainty of the year-to-year funding envelopes and time-consuming renewal process.

Once dedicated funding was allocated in 2003, committees across the country began holding extensive consultations with their respective Aboriginal communities. The purpose of these community consultations, referred to as community forums, was to design local strategies that would involve collaborating with other governments, community organizations, and Aboriginal peoples to support projects that would respond to local priorities (MVUAS, 2010). It was not until April 2007 that the OFI assumed full responsibility for all aspects of the UAS, followed by the establishment of regional offices in Ontario and the four Western provinces (INAC, 2010b, p. i). In March 2007, the UAS was renewed for another five years (costing $68 million) with a projected annual funding of $13.7 million per year (INAC, 2010b, p. i), and moved from being a pilot project to a government programme. At this time the Strategy had grown to 13 sites, in which the Aboriginal population represents more than 25% of Canada's total Aboriginal population and 45% of Canada's urban Aboriginal population (AANDC, 2011, p. 2). More recently, in March 2012, the federal government committed another $27 million over

a two-year renewal period. Funding for this programme has not seen major cuts in an era of economic uncertainty and government cutbacks, which seems promising for the future of the UAS (see Table 3).

Table 3

Federal Funding – UAS

Funding Period	Amount in Millions	Per Year
1998–2003	$0	$0
2003–2007	$50	$12.5
2007–2012	$68	$13.7
2012–2014	$27	$13.5

Note. Adapted from *Urban Aboriginal Strategy Pilot Projects Formative Evaluation – Final Report*, by Alderson-Gill & Associates Consulting Inc., March 2005, and *Internal Audit Report – Audit of Implementation of the Urban Aboriginal Strategy - Project 09/62*, by INAC, 2010b; 2012-2014 figure information sourced from author's interview with government official for Toronto.

As an OFI representative stated, "the mentioning of the UAS in the budget demonstrates that the UAS is here to stay – whatever we're doing is positive" (Aboriginal Strategic Planning Committee (ASPC) meeting, April 2012). However, it should be noted that the UAS is not designed to be a permanent strategy. Rather its intent is to provide community members with the funding and capacity to bridge service delivery gaps (i.e., better service coordination) and build community capacity. As stated by AANDC,

> The UAS works in partnership with other federal departments, provincial and municipal governments, Aboriginal communities and the private sector to make strategic investments designed to enhance the economic and social participation of Aboriginal people in Canada's urban centres. (AANDC, 2014b)

It should also be noted that since April 2014 the administration of the UAS has been devolved to the Canadian National Association of Friendship Centres and thus no longer employs the CAC mechanism for consultation.

Conclusion

Given the complexity and overlapping of governance (i.e., between the three levels of government) when dealing with Aboriginal groups and policy-making, the ability to make policy decisions cannot occur independent of stakeholders nor can Aboriginal policy-making operate in silos. This has not proven effective in the past, nor is it proving effective in the present, given the socio-economic and political marginalization experienced by Aboriginal peoples in Canada, whether urban or not. This new collaborative relationship that the UAS is attempting to forge must involve the effective participation of Aboriginal peoples in policy-making. However, the degree to which Aboriginal peoples can participate and chart their own course of development is still largely dependent on the government's willingness to decentralize policy-making control. In

other words, consultation without provisions for removing barriers to participation remains tokenistic by nature.

The UAS and its employment of CACs is attempting to forge and rebuild the damaged Aboriginal-state relationship, by allowing urban Aboriginal communities the ability to make important socio-economic policy decisions concerning their communities and at times, these decisions are near-binding. The main purpose is to increase the participation of Aboriginal peoples in the economy. The federal government has entrusted a locally representative Aboriginal Steering Committee to design, implement, and decide the direction the Strategy will take in each designated city. Since its inception, the federal government has provided $145 million to fund the project across Canada. However, whether or not employing a CAC channel to achieve socio-economic change and empower Aboriginal peoples to become increasing participants in their local communities and the economy in general is effective is yet to be determined. Chapter 5 investigates the ability for CACs to be vehicles for greater democratic and socio-economic change by examining the overarching literature in the area of public consultation and developing an evaluation framework, Components of Effective Aboriginal Participation (CEAP), which is used to measure the ability of a consultation mechanism to enable effective participation by Aboriginal peoples.

Chapter 5. Methodology: Unpacking Public Consultation

Introduction

For the most part, the urban Aboriginal experience has been examined through the lenses of sociology and political science as it pertains to cultural disintegration, socio-economic analysis, and issues of self-governance. Little is known about the urban Aboriginal community and all the attendant structures and processes (Newhouse, 2003). As Newhouse stated, "Urban Aboriginal research tended to focus upon the experiences of individuals and their adjustment to urban life, paying only incidental attentions to community" (2003, p. 247). This is evident in the research flowing from the RCAP (1996), Peters (1994, 2005, 2009, 2011), and the *Urban Aboriginal Peoples Study* (UAPS) (2010, 2011). Newhouse further argued that the two missing sets of issues in the research on urban Aboriginal governance revolve around the urban Aboriginal community (i.e., who they are, what constitutes them, and how they develop and change) and around institutions (i.e., what the institutions of urban Aboriginal life are, what function and roles they serve, and how they develop and change).

This comparative research does not attempt to understand and define these key issues. However, both sets are an important part of the analysis conducted here. For the purposes of this research, when an urban Aboriginal community is referred to, this includes its members (i.e., First Nations, Metis, Inuit, status, and non-status) and Aboriginal organizations who assume key roles in the delivery of services (i.e., health, housing, and education), in cultural and community development (i.e., network of friendship centres, cultural education centres), and political representation (i.e., CACs, Aboriginal Council of Winnipeg, Toronto Aboriginal Support Services Council). These elements make up the urban Aboriginal communities in both Winnipeg and Toronto, and participation in these organizations defines the vibrancy and strength of the

community. As Newhouse stated,

> The experience of urban Aboriginal life is mediated through community institutions. Participation in them gives a sense of community, a sense of history and a sense of shared values. They connect people to each other, both in the cities and in rural/reserve communities. They also give people a sense of influence and control as well as providing opportunities for employment, volunteer work, and leadership. They provide a way in which one can begin to shape the contours of everyday life. (2003, p. 252)

If participation within urban Aboriginal communities gives Aboriginal peoples a sense of influence and control over their lives, does participation on CACs provide for the same? That is, have CAC structures allowed for the shifting of decision-making power and the building of trust in the case of the UAS? This is the central question informing the research conducted here in an attempt to enrich and expand the existing literature.

The comparative case research presented here attempts to fill the gap in the urban Aboriginal literature by examining and analyzing the experiences of urban Aboriginal peoples based on their participation on CACs, specifically within the context of the UAS. In order to determine the effectiveness of CACs—in terms of reordering power relations from governments to Aboriginal peoples, and in terms of building trust between governments and Aboriginal peoples—an evaluation of the consultation process itself was conducted. The evaluation was qualitative in nature, consisting of semi-structured personal interviews where each respondent was asked a series of interview questions (see Appendices A and B) stemming from the framework of analysis, Components of Effective Aboriginal Participation (CEAP). The framework (see Table 8) uses a process-oriented evaluation methodology to measure quality of participation. The aim is to compare how actual participatory processes (CACs) compare to the

participatory ideal as set out in Arnstein's Ladder. Chess and Purcell (1999) defined process-oriented evaluation as evaluating public participation success not by outcomes, but rather by *participatory processes* used in programmes. As the authors noted, "According to this perspective, the characteristics of the means – rather than the results – used in public participation programs define success. Such studies explore issues such as fairness, information exchange, group process, and procedures" (1999, p. 2685).

CEAP, as the main research instrument used to measure the participatory process is based on the theoretical premises and hypotheses identified in the prevalent public consultation literature. The main arguments extracted from the literature were used to characterize key components of the consultation process that would identify the presence and depth of power redistribution and building trust. Questions were then developed to gauge and measure the presence of these two key factors. The questions sought to deconstruct participants' statements articulating their sentiments and experiences with the process. The questions were then tailored to be Aboriginal specific and then city specific. Winnipeg and Toronto warrant analysis because of differences in socio-demographics, differences in political-institutional arrangements, and the political relationships that have ensued as a result of these differences.

Defining the Urban Aboriginal Community in Winnipeg and Toronto

Winnipeg and Toronto pose an interesting comparison given the significant and analytically useful differences in demographic composition, goals and attitudes of the Aboriginal community, as well as differences in organizational and institutional capacity. However, their similarities as units of analysis (e.g., large urban centres, small Aboriginal population) make this comparative case study one of a most similar case approach. With that being said, the contextual factors in which the two communities are different explain differences in UAS outcomes. These

community differences are documented in two major studies: *The Urban Aboriginal Peoples Study* (UAPS), conducted by the Environics Institute (2010a), and the Clatworthy et al. study, "Urban Aboriginal Organizations: Edmonton, Toronto, and Winnipeg," Part I of *Aboriginal Self-Government in Urban Areas: Proceedings of a Workshop* (1994). The UAPS is a comprehensive research study documenting the values, experiences, aspirations and identities of Aboriginal people living in Canadian cities today (2010a, p. 12). Conducted in eleven of Canada's major urban cities—Vancouver, Edmonton, Calgary, Regina, Saskatoon, Winnipeg, Thunder Bay, Montreal, Toronto, Halifax and Ottawa (Inuit only)—between March and October 2009, this research highlighted the differences and attitudes of the lived experiences of urban Aboriginal peoples (Environics, 2010a, p. 14). Based on census data and research uncovered from the two major studies, the urban Aboriginal populations in Winnipeg and Toronto are different both demographically and in the infrastructure of their ACOs (see Table 4 and 5).

Winnipeg has the largest urban Aboriginal population of any major urban centre in Canada. In Winnipeg, the total population is approximately 650,000, with the Aboriginal population being close to 68,385 (Statistics Canada, 2006), making the city's Aboriginal population over 10% of the total population, with the majority being Metis and First Nation. In its 2010 findings, the UAPS found that in Winnipeg, more first generation Aboriginal peoples considered the city to be home (86% of respondents) than those in Toronto (64% of respondents) (Environics, 2010a, p. 19–21). In Toronto, with its overall population around three million people, the urban Aboriginal community has a population of approximately 26,575 (making up less than 1% of the Toronto population), with the majority identifying themselves as First Nation or Metis (Statistics Canada, 2006). In Ontario, Toronto has the largest Aboriginal population of any city in the province. However, it is important to note that census data on urban Aboriginal

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peoples is not accurate as the population tends to be extremely mobile and individuals may not

self-identify. As Hanselmann (2001) stated,

> the problem with determining an accurate portrait of the urban Aboriginal population is
>
> related to the mobility of Aboriginal people. Studies based on Census data show that a
>
> significant number of Aboriginal people move from rural and reserve areas to cities, and
>
> back and forth. Urban Aboriginal people also often move within and among cities. This
>
> mobility makes it difficult to get a firm count of the Aboriginal population of a city. (p. 3)

Nevertheless, when briefly examining the mobility rates between the two cities it appears

Toronto Aboriginal residents are more likely to travel between the city and their First Nation

reserve, which may account for differences in the expression of strong Aboriginal pride. For

example, Toronto-based Aboriginal people were least likely to express strong pride in being

Canadian, which may suggest that the return to cultural land-bases may reinforce their

Aboriginal identity (Environics, 2010a, p. 10). While those in Winnipeg were proud of being

both Canadian and Aboriginal (Environics, 2010a, p. 24). Comparatively, Toronto and Winnipeg

ranked the highest across all 11 cities in terms of attention paid to Aboriginal politics. This

number was shown to be highest in Toronto (67% pay at least some attention) and Winnipeg

(65%), and lowest in Regina (46%) and Edmonton (47%) (Environics, 2010a, p. 87). For all the

cities' Aboriginal residents, achieving a higher level of education is the top reason for moving

and staying in an urban centre (Environics, 2010a, p. 106).

However, the mobility rates account for a more substantial difference in terms of

examining socio-economic differences. For example, Winnipeg's urban Aboriginal population

tends to be more settled, or what the Privy Council Office labels as "a 'settler' group that views

the city as their home community and is socio-economically less marginalized" (Privy Council

Office, 2002, p. 06, as cited in Grahams and Peters, 2002, p. 20). In contrast, Toronto's urban

Aboriginal population is considered to be a "transient" group that tends to have limited

education, skills, community interactions, and face marginal living conditions (Privy Council

Office, 2002, p. 06, as cited in Grahams and Peters, 2002, p. 20). This may play a significant role

in the inability of the urban Aboriginal community to effectively coordinate programs without

the presence of strong leadership and thus limit the community's ability to successfully

communicate with the state.

Table 4

Aboriginal Population and Identity

	Aboriginal Population	Population Growth from 2001–2006	Aboriginal Identity			
			Metis	First Nation	Inuit	Multiple
Winnipeg	68,385	22%	60%	38%	> 1%	2%
Toronto	26,575	31%	29%	65%	1%	5%

Note. Adapted from *Fact Sheet – Urban Aboriginal Population in Canada*, by AANDC (2010c).

In regards to Aboriginal organizations, the research conducted by Clatworthy et al. (1994) highlighted differences in the number of urban Aboriginal organizations evident in the two cities and their focus on Aboriginal exclusivity. Urban Aboriginal organizations in Winnipeg identified a greater focus on Aboriginal exclusivity in relation to their members and the delivery of services. Greater Aboriginal exclusivity may be a by-product of the sentiments felt towards the Aboriginal quality of life in urban centres. For example, Aboriginal people in Winnipeg expressed lower satisfaction in the general quality of life (55% of respondents) with the major concern being crime (Environics, 2011, p. 52). On the other hand, those in Toronto "liked living in Toronto a lot" (67% of respondents), due in part to the social acceptance they felt they received, which was a view almost exclusive to Toronto (Environics, 2010b, p. 52). These sentiments may be attributed to the multiculturalism evident in Toronto in which the city's acceptance of and pride in being multicultural appear to extend to the urban Aboriginal community as well.

Clatworthy et al.'s research (1994) looked at ACOs in three major cities: Edmonton, Winnipeg and Toronto (though only Winnipeg and Toronto are of importance here), and demonstrated the initiatives taken on by Aboriginal peoples through Aboriginal organizations, and documented a total of 18 urban Aboriginal organizations in Toronto and 22 in Winnipeg (1994, p. 61–62). The major illustrated differences between the two cities in regards to the nature of these Aboriginal organizations were that, in Toronto, the organizations exhibited a much lower level of Aboriginal exclusivity in terms of clients and membership, and appeared more integrated into the broader urban community. In Winnipeg, the organizations demonstrated a high level of Aboriginal exclusivity in terms of clients, management, and staffing (Clatworthy et al., 1994, p. 61–62).

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Looking specifically at the nature of Aboriginal organizations, Clatworthy et al.'s

research also took stock of the existing urban Aboriginal organizations in the three major cities.

The research illustrated several key findings that are complementary to the research findings

examined here. First, Clatworthy et al. noted that the majority of these organizations in all three

cities were relatively young, having been formed during the mid to late 1980s (1994, p. 33). The

authors also suggested, though not explicitly, that Winnipeg tends to have a stronger political

relationship with the province, which may explain why organizations in Winnipeg are, "much

more likely to have been formed through the efforts of existing organizations, especially other

Aboriginal organizations" (1994, p. 33). In contrast, organizations in Toronto traced their origins

to the efforts of individuals or groups of individuals that were not linked to existing

organizations (1994, p. 33). The authors concluded that this might be the case in Toronto for two

reasons: 1. the Aboriginal organizations were relatively new and sufficient time had not elapsed

to develop spin-off organizations; and 2. the Aboriginal organizations in Toronto, much like the

Aboriginal population itself, were dispersed and seemed to have less interaction with each other

than those in Winnipeg and Edmonton (1994, p. 33, 36). This may also be a result of the

differences in mobility rates identified earlier in the chapter which highlighted the transient

nature of Toronto's urban Aboriginal population.

Furthermore, the research by Clatworthy et al. found that, "Toronto's organizations

reported higher levels of dependency on government resources and minimal levels of self-

generated resources. Nearly 88 percent of the resources managed by these organizations were

derived from government sources" (1994, p. 62) (see Table 5). This may be attributed to the fact

that Aboriginal organizations in Toronto were relatively new at the time and leadership relatively

young, and were without enough institutional capacity and experience to secure non-government

funding and/or fundraise. There is an important point to be made about Aboriginal organizations

that have a higher dependency on government resources. These organizations will find it difficult

to promote and advocate for exclusive Aboriginal agendas, to maintain Aboriginal exclusivity in

terms of members, clients, and services, and to have complete control of the organization's

administration without jeopardizing funding (Clatworthy et al. 1994. p. 61).

On the other hand, since some of the UAS members in Winnipeg had played an active

leadership role within the community, they also had deep ties to the community, and this might

explain why more organizations in Winnipeg had a stronger presence of Aboriginal participation

on their board of directors and executive committees in comparison to their Toronto counterparts

(see Table 6). This might also explain the overall, stronger, albeit independent relationships

forged with the governments, and the Aboriginal community's ability to negotiate with, and take

power from, governments. This suggests that Aboriginal organizations in Winnipeg may have

more avenues and opportunities to find and secure alternative means, aside from government

funding, to finance their projects and programmes, thus providing the organizations with greater

control over their internal affairs. In addition to their avenues to alternative funding, however,

there were also distinct differences in UAS federal funding in Winnipeg and Toronto, as shown

in Table 7, which may explain the success in one city, Winnipeg, and the unsuccessful

experience in another, Toronto. Table 8 illustrates Winnipeg as the UAS city with the most UAS

projects (39) and Toronto having one of the lowest (7), with only Thunder Bay being lower (2).

Some of these observations were uncovered during the interview process and are critical to the

conclusions arrived at in this research.

Table 5

Average Share of Revenue by Source of Urban Aboriginal Organizations

	Average Share (%) of 1993 Revenue	
Revenue Source	Winnipeg	Toronto
Government contributions and grants	59.3	87.5
User or service fees	20	7.9
Private foundations/charities	10	1.7
Self-generated sources	11.7	2.9

Note. Adapted from "Urban Aboriginal Organizations: Edmonton, Toronto, and Winnipeg," by Clatworthy et al., 1994, p. 54. Part 1 of E. Peters (Ed.), *Aboriginal Self-Government in Urban Areas: Proceedings of a Workshop May 25 and 26*.

Table 6

Aboriginal Participation in Management-Level Positions

	Toronto		Winnipeg	
Aboriginal Board Members	Board of Directors	Board of Executives	Board of Directors	Board of Executives
50% or less	0	0	0	0
51–79%	5	2	3	2
80–99%	4	1	2	1
100%	8	10	17	15

Note. Adapted from "Urban Aboriginal Organizations: Edmonton, Toronto, and Winnipeg," by Clatworthy et al., 1994, Tables 15 and 16, p. 55–52. Part 1 of E. Peters (Ed.), *Aboriginal Self-Government in Urban Areas: Proceedings of a Workshop May 25 and 26*.

Table 7

UAS Project Funding by Fiscal Year – Winnipeg and Toronto

Fiscal Years	Winnipeg	Toronto
2003–2004	$617,989	$75,000
2004–2005	$2,014,507	$284,660
2005–2006	$2,173,181	$987,278
2006–2007	$1,811,503	$803,307
2007–2008	$815,403	$528,687
2008–2009	$1,515,203	$336,766
2009–2010	$848,496	$561,158
2010–2011	$1,206,568	$492,432
2011–2012	$1,141,575	$519,237

Note. Adapted from *Urban Aboriginal Strategy – Past Projects*, by AANDC, 2012.

Table 8

Number of UAS –Funded Projects by Community – 2003 to 2006

Community	Number of UAS-Funded Projects
Vancouver	18
Edmonton	2
Calgary	7
Regina	8
Saskatoon	10
Winnipeg	39
Thunder Bay	2
Toronto	7
TOTAL	93

Note. Adapted from *Urban Aboriginal Strategy Pilot Projects Approved (fiscal year 2003-2006)*, by Alderson-Gill & Associates, 2005, p. 38.

The Interviews

Both sets of data (see Table 8) are based on face-to-face personal interviews or telephone interviews with Steering Committee members (see Appendices C and D). Steering Committees are volunteer based (except for government representatives), and generally consist of 15 members: 10 or 12 members from the community who must identify as being Aboriginal, including two youth representatives, and three to five government members who are Aboriginal (only accounting for three votes), each representing one of the three levels of government. In addition, each member sits on a sub-committee (i.e., selections sub-committee, project selections sub-committee); there are two Co-Chairs, one government member (each level of government will co-chair on a rotating basis) and one community member chosen by the Steering Committee membership; one member acts as the national caucus representative; and each community member represents one vote at the table. It should be noted that the composition of each Steering Committee will differ from chapter to chapter.

According to the CGC (2010), the Co-Chair's responsibility is to:

1. Coordinate meeting agendas and details with Sub-Committees (as required) and government representatives.

2. Facilitate orderly conduct of meetings.

3. Ensure guiding principles are respected during Committee meetings.

4. Ensure that quorum is maintained. (section. 4.3.1., p. 3)

In addition, the UAS national caucus consists of representatives from each of the 13 UAS sites and is organized by the OFI. The caucus meets at least once a year to discuss and share each site's initiatives, progress, and obstacles experienced throughout the year.

All interviews lasted between one to one and a half hours. All interviewees signed an

ethics form and were promised anonymity throughout the whole process. In order to ensure

anonymity, each interview was recorded and transcribed and then kept in a password-protected

file. The files will be kept for 5 years after the completion of this dissertation and will then be

deleted. Any direct quotes and statements used in this research do not make mention of any

individual names, but for analytical purposes, each individual's position on the Steering

Committee is provided, as per the information on the ethics forms. Once completed, interviews

were transcribed for accuracy purposes. However, anything mentioned off the record is not

quoted in this research.

Table 9

Number of Interviews by Participant Category – Winnipeg and Toronto

Community	# of Federal Government Interviews	# of Provincial and Municipal Government Interviews	# of Interviews with Aboriginal Community Members	Total # of Interviews
Winnipeg	3	3	8	15
Toronto	2	1	5	8

Winnipeg interviews.

The personal interviews conducted in Winnipeg were carried out individually with each Steering Committee member, whether community members or government representatives, and one former committee member. All current committee members except for two were interviewed. Fifteen interviews were conducted in total, in which two of the sessions were done in pairs. These dual interviews were done in an effort to save time for the respondents who belonged to the same organization, or in this case specifically, the same level of government. Interviews lasted between an hour to an hour and a half. All recent members of the Winnipeg chapter were personally interviewed at their place of work, except for three interviews that were conducted by telephone, and each member answered a series of questions (see Appendix A). Two members never responded to any correspondence. In total, eight community members, including one youth representative were interviewed, with one member also acting as Co-Chair. Representatives from all three levels of government were interviewed, including three from the OFI (former and present OFI regional directors and the current development officer), one from the Government of Manitoba, and two from the Government of Winnipeg (these are rotating seats, but consist of only one vote). All personal and telephone interviews were conducted from May 2011 to May of 2012.

All interviewees identified as Aboriginal and were employed full-time with an Aboriginal organization - one non-Aboriginal organization (Manitoba Hydro) or at one of the three levels of government. In addition, all members including the government members were actively involved in the community, either through employment with an Aboriginal organization (many held executive positions in their organizations) or as volunteers on Aboriginal-based committees. All members were 21 years of age or older. The majority of members were middle-aged and had a

long history of involvement with the Aboriginal community in Winnipeg. All members came

from different Aboriginal backgrounds, and many were second or third generation urban

residents. All members all had deep roots in the community, and therefore were somewhat

invested in the process.

As the principal investigator, I first communicated with Steering Committee members in

the spring of 2011 upon my first trip to Winnipeg in May. At this point I had not spoken to any

of the members, so I proceeded to first email the government representatives, believing that they

would be more willing to speak with me and would eventually be the bridge between the

Aboriginal community representatives—who at this time were unknown to me—and myself. At

this point in my field research, I was able to speak to the OFI regional director (prior to the

individual's retirement) and the Government of Manitoba representative. For confidentiality

reasons, both members were hesitant to provide additional contact information for the other

Steering Committee members. Upon persisting with the OFI regional director, I was able to have

the individual forward a few names to me by the end of my two-week stay in Winnipeg. At that

point I was leaving the city, so correspondence was only possible through email and telephone.

Upon my return to Toronto, I proceeded to email the individuals explaining who I was, the

purpose of my communication, and that I had received their information from the director. Once

the individuals realized I had spoken to the director, they were more willing to communicate

with me.

After emailing the two contacts I received from the regional director, I was able to

interview both individuals via telephone. Each individual provided me with additional contact

information for other members. I followed up with correspondence to these additional

individuals, but did not hear back. However, by the fall of 2011, I was beginning my Toronto

interviews and so the Winnipeg chapter was put on hold until the spring of 2012. I arranged

another trip to Winnipeg in May of 2012. Prior to my trip, I touched base once again with the

regional director, who at this time had retired, but who forwarded me the name of the

administrative assistant to the present director. I informed the assistant that I would be coming to

Winnipeg, and that I would like to meet with any members who would be willing to speak to me,

as well as attend one of the meetings. The assistant put me in contact with the regional director,

who then gave me permission to attend a UAS-funded guest speaker presentation and the

monthly scheduled UAS meeting happening on the same day.

At the presentation, I was able to meet and speak with some of the other government

representatives and Aboriginal community representatives. Once I was at the monthly UAS

meeting, the OFI regional director introduced myself and the nature of my research to the entire

committee. At the meeting, I was able to observe the consultation process and obtain the contact

information for all the members. For the next three weeks, I proceeded to set up personal

interviews with all the members. Though members were hesitant to speak to me at first, I found

that by demonstrating persistence (by continuing to email and call) and initiative (by attending

the meetings and explaining the nature of my research, and by promising anonymity), I was able

to put members, especially Aboriginal community representatives, at ease, and this made them

more willing to speak candidly with me.

Toronto interviews.

In Toronto, it was only possible to conduct a total of eight interviews. Fourteen members

exist in total; however, almost half of the Steering Committee members did not respond to any

communications. Those interviewed were members of the third cycle of the Steering Committee,

as the original two committees were dismantled because of differing priorities. According to the

regional director I spoke to the original committee was disbanded because they were embarking on urban Aboriginal self-government models which is outside the purview of the UAS mandate. A similar situation occurred with the second group of members. For the third group all interviews were conducted in the Fall and Winter of 2011–2012. The interviews were conducted in person, either at the interviewee's place of work, residence, or in a public place, and each lasted approximately one to one and a half hours. Six other Aboriginal committee members were inaccessible via email. Community representatives that were interviewed all worked for Aboriginal organizations throughout the city, such as Aboriginal Legal Services of Toronto. All respondents worked in a professional or managerial capacity, but did not hold any executive positions within the organizations. Government representatives were more readily available to be interviewed and to answer questions, except for the federal government representative for AANDC. She/he was the regional director and Co-Chair of the Toronto chapter and asked to be interviewed off the record.

Included in the eight interviews were three interviews with representatives from the three levels of government (i.e., from the federal government, Government of Ontario, and the City of Toronto) who did not identify as Aboriginal but stated they were of Aboriginal descent. Of the other five, the national caucus representative, the Co-Chair, the Toronto UAS Management Committee (TUMC) UAS Project Officer, and two community members were interviewed. All five members identified as being Aboriginal. Since that time, the Steering Committee has been officially dismantled (as of April 2013) under the advisement of the AANDC regional director. One last interview was conducted with the UAS National Director in Quebec on November 12, 2013, but is not included in the totals in Table 3 because he was not interviewed regarding the consultation process. Rather, he provided background information on the development of the

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Strategy.

I began my field research searching for contact information for members of the Toronto Steering Committee through an internet search. The Toronto UAS does not have a website and so any information found was through the official AANDC website. I emailed AANDC's press secretary asking to obtain more information on the Strategy in Toronto. I was directed to the senior development officer whom I proceeded to email. In the fall of 2011, I got into contact with the senior development officer who provided me with background information on the UAS. Though our communication was slow to start, I continued to ask for contact information for members of the Toronto UAS, and upon my persistence, the individual provided me with the information for Toronto's UAS project officer. After emailing the project officer, I was able to set up a personal interview. At the interview, I was able to obtain contact information for other members as well. I also asked to attend a UAS meeting if possible. The project officer agreed after speaking to me and understanding the nature of my research. In January 2012, I attended the TUMC monthly meeting, where members were able meet me personally.

Once the members, both government and community, saw who I was and understood the nature of my research, those that attended the meeting were more willing to speak to me. In addition, my presence at the meetings demonstrated to the members my commitment to the research and respect for the process. Upon receiving contact information for all members at the meeting, I proceeded to email them to set up interviews, which I successfully accomplished. I continued to email members that were not present at the meetings, but this was unsuccessful. Members absent from the meetings were members who were disengaged with the process, as was told to me by other members who attended regularly. So it is not surprising I did not receive responses to my emails.

Final thoughts.

In both cases, government representatives were the first members of the Steering Committees who agreed to meet and speak with me. They were also the first point of contact in relation to the UAS. Emailing individual members prior to attending the meetings was not fruitful—and for good reason, given the understandable skepticism Aboriginal peoples have regarding authority, researchers, and outsiders in general. Gaining access to the community required persistence and a demonstration of respect for the process: persistence, in that members became aware of me as a researcher and I became known to the committee through emails, word of mouth, and most importantly, my personal attendance at interviews and meetings. Respect for the process was illustrated by my willingness to physically go into the communities, or in this instance, to the UAS meetings, to make my research and myself known to the Aboriginal community.

Once I was able to physically attend meetings and explain that I was a doctoral student and that my research was designed to highlight the importance of Aboriginal participation in the political decision-making process, and not to report back to any authority (i.e., government representatives), members were less guarded and provided me with greater access to themselves and official documents. However, it is important to stress that providing an ethics form and a privacy agreement to each interviewee gave the members reassurance that whatever was revealed during the interview process would not be linked back to the individual; this put members at ease in such a way that they felt that speaking to me provided them with an outlet to express either satisfaction, fulfilment, dissatisfaction, or frustration with the process. These unfiltered sentiments provided important insights into the complexities of the Aboriginal-state consultation process—insights that can prove useful for future initiatives.

Analysis

A case of most similar cases.

The comparative case study performed in this analysis is one based on a "most-similar systems design," also known as Mill's "Method of Agreement" (Mill, 1859). The two cities are similar in key factors for classification (i.e., both are large urban cities in southern Canada, multiple Aboriginal identities are present, and relatively small Aboriginal population compared to overall population); therefore, they are similar in terms of outcomes (e.g., lack of resources and funding, ability to select committee representatives, lack of training), which is explored in Chapters 6 and 7. In addition, those key factors in which they are least similar or vary (e.g., presence/absence of pre-consultation, communication process, decision-making authority, strength of ACOs) explain different outcomes and are the source of observation, and these are discussed further in Chapter 8.

This case study is a semi-structured comparison in that I have created general interview questions that reflect both my research objective of how to study Aboriginal-state public consultations, and the theoretical focus of my inquiry, which is to determine whether participation on CACs allows for effective participation. Specifically, the research seeks to identify the community-specific variables (criteria set out in Table 9) that will lead to or produce effective participation, (i.e., shifting decision-making power from the state to Aboriginal participants and building Aboriginal-state trust). These questions are asked of each case to guide and standardize the data.

Evaluation framework.

Given the social, economic, and, even more importantly, political alienation of Aboriginal peoples in these arenas of Canadian life, it is important to evaluate whether the

process of CACs will bridge the gap between governments and Aboriginal communities in

regards to redistributing power and building trust. This dissertation sets out to do just that

through the development of a preliminary framework for evaluating consultation processes,

Components of Effective Aboriginal Participation (CEAP), which is Aboriginal specific. It does

so by employing Sherry Arnstein's (1969) "Ladder of Citizen Participation" as a benchmark for

"effective participation" (i.e., through re-ordering power relations and building state trust), as

well as by extracting various criteria evident in the public consultation literature. Generally, this

framework is designed to determine whether the UAS allows for the effective participation of

Aboriginal participants by asking questions related to the process. The framework is divided into

three components, *development*, *empowerment*, and *relationship-building*, which represent

different albeit crucial features of the consultation process. From here, I devised a set of criteria

for each component that measures effectiveness in terms of redistributing power from, and

building trust between, the parties. The questions put to the interviewees are then mapped to the

criteria, as shown in Table 10.

Table 10

Components of Effective Aboriginal Participation – Sub-Components

Component	Criteria	Corresponding Interview Question(s)
1. Developmental	a) Deciding subject matter	Questions 1 i, ii
	b) Deciding consultation mechanism	Questions 2 i
2. Empowerment	a) Selecting representatives	Questions 3 i, ii, iii
	b) Availability of resources and training provided	Questions 4 i, ii
	c) Communication process	Questions 5 i, ii, iii
3. Relationship-building	a) Political will	Questions 6 i–vii
	b) Decision-making authority	Questions 7 i, ii, iii

Component one: the developmental-component.

The *developmental-component* ultimately sets the agenda. At this stage of the framework, the questions that need to be asked are: which party decides the purpose and form of consultation, Aboriginal participants or the state (Questions 1 and 2)? In other words, do Aboriginal peoples have a voice in determining the subject matter of consultation and the form to be employed?

Deciding subject matter.

According to Atkinson and Willis, the importance of this feature is the fact that, by nature, community life is complex, with differing socio-economic and political environments in which there is no single solution that will suit all communities (2005, p. 4). The authors have argued that this "highlights how important it is to ensure that communities identify their own agendas for capacity building rather than receiving instructions or aims that are parachuted in and which then may have little legitimacy or community 'voice' to back them" (2005, p. 4). This is the basis for Questions 1i and 1ii. If Aboriginal communities cannot set their own agendas, it can render the consultation process ineffective. For example, when conducting its research entitled *Environment Canada's Aboriginal Consultation on Wastewater* (2008), Environment Canada found that Aboriginal groups understood consultation to be akin to negotiations, and therefore they found the process misleading. On the other hand, the Department of the Environment believed the department was fulfilling its consultation duties by encouraging dialogue and exchanging information (Environment Canada, 2008, p. 8). Because of the different perspectives on what it means to "consult," the consultation process was hindered and ultimately rendered ineffective, as the Aboriginal groups believed that accepting the department's consultation method would also mean they were agreeing to participate, which they felt would

have a negative impact on future consultations and negotiations on other matters. This concern is not Aboriginal-specific, but rather a common criticism within the consultation literature, due to the fact that those initiating consultation, usually the state, will control the process, thereby limiting input from participants.

In this regard, King et al. defined authentic (here, the terms effective and authentic will be used interchangeably) participation "as the ability and the opportunity to have an impact on the decision-making process" (1998, p. 320). Arnstein would describe this as redistributing power from the "haves" to the "have-nots." However, King et al.'s view is that many efforts at public consultation are ineffective and unauthentic because of what the authors call the "practitioner-client hierarchy," in which decision-making, agenda-setting and gate-keeping authority remains in the hands of the administrator (1998, p. 320). Therefore, authentic participation requires participants to be part of the deliberation process, from issue-framing to decision-making (King et al., 1998, p. 320). If this participation occurs at this stage of the process, it demonstrates willingness by powerholders (i.e., governments) to negotiate the terms and conditions of the process, and thus reallocates some degree of power to stakeholders who then possess the ability to make decisions regarding the process. As King et al. stated:

> Effective, or authentic public participation implies more than simply finding the right tools and techniques for increasing public involvement in public decisions. Authentic public participation, that is participation that works for all parties and stimulates interest and investment in both administrators and citizens, requires rethinking the underlying roles of, and relationship between, administrators and citizens. (1998, p. 317)

King et al. go on to list the barriers to effective participation, which include: the nature of life in contemporary society, administrative processes, and current practices and techniques of

participation (1998, p. 322).

Arnstein also examined the roadblocks to effective participation and argued that these roadblocks occur on both the administrative and citizen side. As Arnstein stated:

On the powerholders' side, they include racism, paternalism, and resistance to power redistribution. On the have-nots' side, they include inadequacies of the poor community's socioeconomic infrastructure and knowledge-base, plus difficulties of organizing a representative and accountable citizens' group in the face of futility, alienation, and distrust. (1969, p. 217)

This especially holds true for Aboriginal communities in Canada. One major obstacle to authentic participation which intersects all the barriers above and is a major concern for Aboriginal communities is the political motives behind initiating citizen engagement. In writing of this barrier, Brian Head (2007) argued that:

If community engagement is largely at the discretion of the state – and, indeed, is largely organized, shaped and subsidized by the state . . . community groups commonly report unhappy experiences of "participation", owing to poor project management or even bad faith by governments . . . there is an absence of genuine devolution or meaningful involvement because the governmental sector has been unwilling to forego control over the processes and the shaping of results. (p. 449)

Head further stated that:

There is little evidence that the widespread advocacy and adoption of "community engagement" and "partnership" approaches have yet involved substantial power-sharing. There are two reasons for this. First, governments tend to retain control of these processes through funding, service contracts and regulation. Government institutions find it difficult

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to devolve power and control. Second, the capacity and motivation of citizens to

participate effectively, or to create alternative forums, remains a weakness in community

engagement strategies. (p. 452)

These criticisms are central to the movement towards self-government for Aboriginal

communities as governments have always acted in a paternalistic manner towards Aboriginal

peoples and this has been to the group's detriment. With this in mind, this research will

demonstrate that such criticisms of community engagement strategies can apply to the

Aboriginal case as well, as will be discussed in Chapter 8.

Deciding consultation mechanism.

The second question asked (Question 2i), pertains to the form of consultation employed,

and more importantly, to which party decides the consultation mechanism that will be adopted.

This is important because the form chosen, specifically how decisions will be decided upon, will

determine the degree of influence participants will have on the outcomes. For example,

examining Arnstein's typology, at the bottom of the Ladder, the rungs *therapy* and *manipulation*

are considered to invoke "nonparticipation" as "their real objective is not to enable people to

participate in planning or conducting programs, but to enable powerholders to 'educate' or 'cure'

participants" (1969, p. 217). On the other hand, the top rungs of *delegated power* and *citizen-

control* empower have-not citizens with "the majority of decision-making seats or full

managerial control" (Arnstein, 1969, p. 217). Thus, the ability to choose which form of

consultation will be adopted can allow participants a greater role in determining the final policy

outcomes. In addition, allowing all parties a say in the selection process removes the ability for

one party, usually the government, to retain a hegemonic position over the process.

The Treasury Board of Canada Secretariat understands the importance of this step, as was

noted in the department's report, *Guidelines to Effective Regulatory Consultations*, which stated:

> The consultation plan should include an assessment of the most appropriate consultation
> tool based on the size and scope of the proposal, regional considerations, and the types of
> stakeholders. Engaging stakeholders early in the pre-consultations gives them the
> opportunity to help decide which consultation tools would be best. (Treasury Board of
> Canada Secretariat, 2007, p. 12)

This is crucial in the Aboriginal context as governments and Aboriginal peoples have commonly
encountered roadblocks during the negotiations process (Turcotte & Zhao, 2004). As Van Den
Burg argued:

> A substantial part of the problem with consultation is that the government has failed to
> devise an appropriate mechanism for consultations. A method of joint decision-making
> between Aboriginals and non-Aboriginals must be conducted. Few policy-makers . . .
> possess the field experience to understand their target population, making it difficult to
> design programs that properly address Aboriginals' needs. (2009, p. 20)

In other words, evading pre-consultation undermines the objectives of the consultation process
because it demonstrates the government's unwillingness to share decision-making power from
the start. As Atkinson and Willis stated,

> it is again important that the community has ownership over the process, that it is not
> something imposed from outside without consultation . . . the direction of approaches by
> personnel from outside the community will undermine the longer-term effectiveness of
> approaches which are importantly about what communities determine for themselves as
> the key goals of capacity building. (2005, p. 10)

For public consultations to be fruitful, governments must negotiate the process with Aboriginal

stakeholders prior to the actual consultation. Doing so demonstrates the government's readiness to consult in good faith, a minimum requirement for regaining Aboriginal peoples' trust and redistributing power.

Component two: the empowerment component.

The *empowerment-component* focuses on the issues of political inclusivity, mechanisms for enabling participation, including resources and providing training, and having an open and transparent communication process. At this point, evaluators need to determine: first, who was called for participation, and how the representatives of the group in question were chosen (Questions 3ii and iii); second, if the necessary tools for empowerment (i.e., participation) were made available to participants (Question 4i); and third, if the communication process was open and transparent (Question 5i). This is an important component because changing the power dynamic is not merely concerned with outcomes, as is the case with Arnstein's analysis. Power-sharing can also occur, and is most important, particularly on an internal level where effective participation takes place. In Arnstein's framework, she placed CACs at the lowest rung (manipulation) of her ladder, for which she stated:

> In the name of citizen participation, people are placed on rubber-stamp advisory committees or advisory boards for the express purpose of "educating" them or engineering their support. Instead of genuine citizen participation, (advisory committees) signify the distortion of participation into a public relations vehicle by powerholders. (1969, p. 218)

However, Arnstein was mainly concerned with the external policy powers of citizen groups. Hannah and Lewis (1982) argued this type of analysis to be one-dimensional in relation to citizen power, and further that citizen power has a second dimension, which is the degree of

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citizen power over the internal decision-making process (e.g., membership, internal committee dynamics, committee goals and objectives). The research conducted here agrees with the authors' arguments, in that power-sharing can occur both internally and externally. More specifically, it is the internal decision-making process that will determine the success, i.e., the ability to promote effective participation, of any CAC structure.

Selecting representatives.

In regards to the first set of questions in the *empowerment component*, Turnbull and Aucoin stated that one of the limitations of public consultations is that "they offer a role only to those citizens who volunteer to participate. Governments do not always actively recruit a diverse set of opinions" (2006, p. 1). Furthermore, according to Catt and Murphy, the failure of governments to seek input from members of ethnic, national and religious minorities will result in major obstacles in the domain of both legitimacy and efficacy (2003, p. 411). In the Canadian case, this would apply to Aboriginal peoples. In looking at the question of group representation, Catt and Murphy stated that the questions to be asked here are "who speaks for or represents the group, and how are these representatives to be chosen?" (2003, p. 411). Governments have several ways to go about this task, such as through random sampling. However, though this mechanism has its merits, as it best approximates the principle of individual equality, it provides Aboriginal groups with no choice in the matter. Catt and Murphy argued that allowing parties to pick their own representatives is most effective, and moreover, that it is especially important "for historically disadvantaged or marginalized groups who may not trust the government to choose representatives who will honestly and effectively represent their interests" (2003, p. 412). Therefore, a better mechanism put forth by the authors is to have governments provide for a process of *group selection*, "wherein particular government-designated groups or associations

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would choose their own representatives to speak on their behalf" (Catt & Murphy, 2003, p. 412).

In these cases, the group in question may choose to elect their representatives or choose them through informal methods. Catt and Murphy argued that the importance and benefits of this mechanism of *group selection* is that it allows representatives to be directly accountable to the members it represents, and ensures that those representatives provide an accurate account of the perspectives and priorities they represent (2003, p. 412). The authors note this is vital "to the group whose interests are at stake and to the government that is seeking as accurate an account as possible of these interests in order to facilitate efficacy and legitimacy in the policy-making process" (Catt & Murphy, 2003, p. 412). To this end, given the cultural sensitivity of Aboriginal policies, genuine Aboriginal participation will occur if Aboriginal communities can appoint/elect those whom they believe will best represent their interests at the table. In addition, entrusting members to choose their own representatives demonstrates the decentralization of power on the part of government. This will lead to greater trust in the process and thus greater trust in government. This is a prerequisite for successful CACs, which can be made up of a variety of different organizations intended to represent the broader public.

However, the ability to choose committee representatives does not guarantee internal decision-making power by default. When governments delegate this responsibility to the committee, it does not simply ensure that participants will be able to take power, as Arnstein believed. Rather, Hannah and Lewis found in their own research on CACs that membership will affect the degree of internal citizen control among CACs. Specifically, the authors found that there was a correlation between the success of citizen groups and the socio-economic status of their members. That is, the higher the socio-economic status of the members, "the more likely the active and effective participation in the group" (Hannah & Lewis, 1982, p. 41). The authors

explained this finding in the following:

> The relationship is customarily explained by asserting that elite groups are more likely to
> work within the system, know how to appeal to power-holders who also have high social
> status, and are not likely to propose anything antagonistic to the power-holders. We
> hypothesize that groups whose members have high socio-economic status characteristics
> (professional occupation, male) will have a high degree of internal citizen control. We
> also hypothesize that groups with a high proportion of long-time members will have a
> high degree of internal citizen control by virtue of having learned through long time
> experience to work within the system and negotiate with power-holders. (1982, p. 41)

This statement aligns with Arnstein's argument, in which she cited instances where, when members possessed decision-making authority, it had been seized by the members and not simply delegated to the members (1969, p. 222). However, this is not always the case because the decentralization of power by governments does not on its own guarantee the group in question can take power without being provided the resources to do so. Therefore, though having the ability to choose group representation signifies a change in the power dynamic between citizens and the state, it does not guarantee a significant shift in the power dynamic. A shift that will change the power relations will depend on who the members that have been chosen are, and their experience with the policy-making process. This fact informs Interview Questions 3i and ii.

Availability of resources and training provided.

The second set of questions in this section is concerned with determining the availability of avenues/resources needed to allow for meaningful/effective participation to occur. Participation cannot be meaningful if the appropriate resources (e.g., internet, transportation cost, access to information, sufficient time, etc.) and information pertaining to the issue are not made

available to participants. This point is the source of Interview Question 4i. As Turnbull and Aucoin stated, "the effort to make participants as informed as possible enhances the civic education aspect of the deliberation exercise. It also helps to 'level the playing field' between those participants who initially are knowledgeable about the issue and those who are not" (2006, p. 9). For Aboriginal-state relations, this is especially critical because governments have the resources to become informed and are thus generally more informed in regards to policy-making than participants, who may lack the means to become informed. In this regard, the Treasury Board of Canada Secretariat stated: "To make meaningful contributions, participants must have access to neutral, timely, and relevant information. Inherent in the notion of accessibility is the need for terminology and language to be appropriate, relevant, and understandable to the stakeholders" (2007, p. 19).

In addition, the Treasury Board noted that stakeholders should be provided with documents supporting the consultation effort, all information needed during the process, supporting rationales, technical or scientific information, analyses performed, costs and benefits, and potential impacts and consequences (2007, p. 19). Without these resources, knowledgeable input cannot and will not occur, which will result in government officials pushing their agenda on Aboriginal participants (Van Den Burg, 2009, p. 20). Therefore, access to information will allow for political inclusion and equality in the process. As Catt (1999) argued, "the ability to take part in the democratic process is an important step in attaining equality . . . Even if all have the same access to the democratic procedures there are other conditions that need to be met, such as availability of information" (p. 9).

The report by Hill Sloan Associates, entitled *First Nation Consultation Framework*, highlighted similar findings in the case of First Nations:

Lack of resources and funding has been a major stumbling block to meaningful and valid

consultation and accommodation with First Nations. The duty to consult and

accommodate, carries with it obligation to ensure adequate and sustained funding for

First Nations to carry ongoing work of identifying and articulating their interests and to

participate in the decision-making process. (2008, section 3.1)

Some other important criteria that emerged from the Hill Sloan Associates report that are

important for the purposes of this research include: Timing – Consultation must be undertaken in

a timely manner and as early in the decision/planning process as possible; Information Sharing –

Information must be comprehensive and understandable; Funding – Crown should provide

funding for First Nation participation; and Feedback – Provide feedback and offer reasons for a

decision, if necessary (2008, section 2.4.1).

Atkinson and Willis made similar observations in relation to public consultations in the

policy area of housing, stating that,

the process needs to be seen as long-term and organizations working with or setting up

programs within communities need to be there for the long haul and work in a context

that may not be easy . . . Funding withdrawals may also compromise longer-term trust by

communities in housing and other agencies so it is important to engage in sustainable

courses of action. (2005, p. 4)

In relation to the importance of adequate funding, Peters (2011) has argued that,

unstable and fragmented funding arrangements make it difficult for [Aboriginal]

organizations to plan and deliver services. Staff are trained, collaborative relationships

are established, clients become aware of programs, and then the end of the project means

either the staff are let go or organizations scramble to reconfigure programs to meet new

granting criteria in order to retain staff and support clients. A large amount of time that

should be directed towards service delivery is diverted to applying for funding and

writing reports. (p. 21-22)

In other words, without these appropriate resources, especially funding, constructive and

concrete input cannot occur on the part of Aboriginal participants. Thus, Aboriginal participants

experience barriers to participation that can be removed when participants are equipped with the

necessary resources. To this end, it is the government's responsibility to provide adequate

resources as the party requesting Aboriginal presence at the table.

One such resource that is of particular focus in this case research is training for

participation or leadership in CACs, a component that King et al. (1998) highlighted that is

missing elsewhere in the literature, and which informs Interview Question 4ii. Though

information and resources may be made available to participants, without training specific to the

requirements of the process, participants may not possess the capacity to participate, whether

effectively or not. In other words, participation is futile if participants do not have the democratic

background to inform their participation. On this note, Atkinson and Willis argued that,

training residents in generating their own research and recommendations not only helps

communities to communicate to themselves the results of community building activities

but also raises the skills base of members of the community trained in, for example, the

use of surveys and their analysis. (2005, p. 11)

For many Aboriginal peoples, this is the case in that training specific to the requirements of the

process is absent, making it difficult for Aboriginal peoples to achieve effective participation.

Fletcher, McKennitt, and Baydala (2008) took stock of this feature in their case research,

"Community Capacity Building: An Aboriginal Exploratory Case Research."

Though the authors referred to community capacity building strategies (a form of public consultations) in their research, their observations as related to effective leadership are important for promoting participation. As Fletcher et al. (2008) stated, "effective leadership promoting participatory decision-making may be the most important characteristic of a community's capacity to promote participation" (p. 26). In their own case research of community-based participatory research (CBPR) projects for the Public Health Agency of Canada (PHAC), the authors found that, "a growing understanding of how leadership was perceived and supported by the community contributed significantly to the completion of the working committee goal" (2008, p. 26). However, when there is an absence of community leadership to begin with, governments need to provide training to develop community leaders who can further the participatory agenda. Without this, CAC structures fail. As Taylor argued, "in the absence of effective institutional governance and stable leadership at the local level, community capacity building is simply not achievable and/or sustainable and any governmental policy or program initiatives which ignore this dependent relationship will surely fail" (2003, p. 2). Furthermore, Taylor specified that,

> leadership has to be the focus of specific attention to any capacity building exercise by all (including communities themselves) and involves two main broad purposes: the enhancement of the capabilities of existing Indigenous leaders and the creation of a larger pool of Indigenous leaders available from within the community. (2003, p. 12)

This ensures that future government and community initiatives have a larger and increasingly experienced leadership pool to draw from.

Communication process.

The last and one of the most important characteristics towards empowering participants is

an open and transparent communication process in which communication is a two-way process. Within the structure of CACs, Schaller (1964) argued, the most important single contribution a CAC can make to the political process is providing a significant channel of communication between the professional administrators and the general public. Whether the process is one way, in which the citizen members convey the views of the greater community to government, or two way, in which members give and receive feedback in their communication with government, open lines of communication allow for CACs to serve as a sounding board for preliminary ideas. If the communication process is stifled by government in that ideas and concerns cannot be exchanged with the result being that decisions occur behind closed doors or in secrecy away from the view of the committee, the possibility of power-sharing and building trust become non-existent because governments will continue to assert their authority without being accountable to the committee and the community at large. These considerations inform Interview Questions 5i and ii.

Given the roadblocks Aboriginal peoples experience towards democratic participation, governments must provide the necessary resources (e.g., transportation cost, computer and internet access, communication devices, professional staff, access to expert consultants, etc.) and training needed for effective participation to take place. By creating an environment conducive to effective participation, citizens and administrators can work together from the beginning when issues are being defined and framed. Such an environment encourages participants to make connections and develop relationships to allow for legitimate policy outcomes and, subsequently, the development of trust (King et al., 1998, p. 324), thus bringing Aboriginal groups closer to the policy-making process and the democratic process at large. For example, McGurk et al. (2006) noted that committees are most effective when institutional transparency and accountability,

access to information, and participation emerge as important aspects of a community project. In their assessment of stakeholder advisory committees (SACs) in forest management in Manitoba, the authors stated:

> Evidence for some of the basic features of meaningful participation was lacking.
> Equitable representation from diverse publics, particularly First Nations, was highly
> problematic, and broader community involvement beyond the SACs was tentative.
> Moreover, breakdowns in intra-stakeholder communications created concerns over lack
> of accountability. (2006, p. 823)

Here, the important point to draw attention to is that governments' willingness to invest in Aboriginal participants, and by default, the process, indicates to some degree the readiness by governments to equalize the powerbase and consult in good faith.

Component three: the relationship-building component.

Component three, the *relationship-building component*, is two-fold. It emphasizes the extent of political will evident during the process (question 6), and how decisions are made and agreed upon. Specifically, it focuses on how the findings, participants' input, and comments are incorporated into the final decision (question 7). A distinction must be drawn here in that political will does not refer solely to efforts of governments—rather, in this instance, political will includes the efforts of the urban Aboriginal community at large given the structure of Aboriginal governance in urban settings. This includes the efforts of all committee members, their employers (in this case, the majority of employees were Aboriginal and were from non-profit organizations, except for one member who was employed by a for-profit, non-Aboriginal company), aboriginal community organizations (ACOs), and Aboriginal community members. In other words, political will is the desire and genuine effort to get the process right and working for

all parties, which includes shifting power back to communities and building trust for long-term political relationships to ensue. For governments, the desire is to change the way governments operate—that is, to engage the Aboriginal community with governments, to be innovative in terms of policy-making for urban Aboriginal peoples, and to promote horizontality (i.e., avoid duplication of programmes) and alignment to ensure programme complementarity at all levels of government.

Political will.

The previous two components set the stage for participation and determine the degree to which participants will be enabled to effectively participate. This element examines the idea of political will from the point of view of actors external to the process. Reordering the power relations in a community-based approach can only occur if the community is behind the intent of the CAC process. As Hannah and Lewis wrote:

> Citizen control may also be associated with the extent to which committees seek independent support for their recommendations. Although the literature is silent on this point, it seems reasonable to suspect that committees that exercise control and initiative in their external relationships will also engage in controlling behaviours in their internal proceedings. We therefore, hypothesize a positive relationship between committees which seek independent support for their recommendations from individuals and groups in the community and committees which have a high degree of internal citizen control. (1982, p. 44)

The research conducted here supports this relationship through an examination of political will by taking a closer look at all main actors (i.e., Elders, ACOs, employers, government—both internally and externally) that are important to the urban Aboriginal context. The importance of

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examining this element in an urban context is that the literature demonstrates that urban

Aboriginal peoples possess the potential to form their communities in a non-rural, non-reserve

setting through the governance of their organizational capacities (external relationships). In other

words, transformation of their communities is not as vested in these self-government

arrangements as it is on reserves. Rather, it is embedded in the institutional capacity of the urban

Aboriginal organizations (e.g., Indian and Metis Friendship centres, Assembly of Manitoba

Chefs, Assembly of First Nations, Congress of Aboriginal Peoples, etc.), both locally and

nationally. It is for this reason that Interview Questions 6i, ii, and iii are of importance.

The political power these organizations possess in charting a future for the urban

Aboriginal community is unlike that possessed in other communities in Canada. The urban

Aboriginal community has historical roots dating back to the 1960s (Newhouse, 2003, p. 244).

Aboriginal peoples have been migrating to urban centres and creating communities for

themselves for over 73 years, and have been politically vocal with their endeavours during that

time (Newhouse, 2003, p. 243). This has resulted in strong leadership, which has put Aboriginal

organizations at the forefront of the communities' governance structures. This has led to an

infrastructure, which, according to Newhouse, has,

> developed political institutions to advance their own interests in the city, in the form of
>
> Aboriginal councils of local Aboriginal organizations and formal advisory bodies to
>
> municipal councils. A cadre of individuals can act as learned and informed
>
> representatives of the Aboriginal community in various mainstream fora dealing with
>
> Aboriginal issues (e.g., ACW). (2003, p. 250)

Particularly important is the collaboration and coordination of the organizations and the

community which has resulted in this governing infrastructure. With this in mind, the important

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thing to evaluate at this point is how much political will and support is present to advance the

Strategy by asking: how much influence does the committee have simply on final impacts? For

the UAS, it requires the need to acquire political support external to the committee, such as from

Elders, Aboriginal community organizations (e.g., C.L.O.U.T.—Community Led Organizations

Uniting Together), employers, as well as support internal to the committee via the presence of

government at the table. The summation of these parts creates a synergy that enhances the

participatory process rendering it more effective.

Elders are important actors within the process because of the wisdom, knowledge, and

guidance they possess. According to the Community Government Committee (CGC) in

Winnipeg, "many Elders are known as trusted individuals who have been recognized by the

community as those who walk a spiritual path dedicated to the well-being, survival, and healing

of people" (CGC, 2010, section. 3.4., p. 2). As such, Elders represent Aboriginal culture and

remind the community of who they are and where they come from. This is important because

federal government policy papers tend to ignore the cultural maintenance dimension when

focusing on socio-economic development in cities. According to Graham and Peters (2002), the

RCAP makes an important contribution to the linkage between cities and culture. The authors

stated that:

> The Commission found that maintaining Aboriginal cultures and identities was important
>
> to urban Aboriginal Peoples, but that they faced particular challenges associated with
>
> lack of access to people (especially elders), places (especially the land) and practices
>
> (especially ceremonies) important to cultural survival. (2002, p. 30)

Without a mechanism for incorporating culture into the process, Aboriginal participants may feel

the process is government dominated and lacking in appreciation of their histories and culture.

Thus, Elders' presence at the table makes the process more culturally appropriate and provides a sense of community. In other words, Elders link the committee to the community.

Another important factor is ACOs as they are central to the success of CACs, and especially in an urban setting where Aboriginal governance is dependent on the institutional capacity of ACOs. Literature on urban Aboriginal peoples and policies is rarely removed from a discussion and/or analysis of ACOs. As Newhouse stated,

> a huge network of institutions has emerged within the urban Aboriginal communities. Over the last four decades (1960-2000), urban Aboriginal landscapes have been transformed through the emergence of Aboriginal organizations designed to meet the many needs of a growing urban population. (2003, p. 244)

At times, ACOs are the political representatives of the urban population, unlike with a land-based community where leaders are clearly selected (Walker, 2005, p. 398). This means that any attempt at forging CACs cannot occur in isolation of the ACO dynamic. Instead, successful CAC structures require the cooperation and support, whether politically and/or financially, of an ACO. Without the backing of ACOs consensus on policy, objectives and goals that will serve the community as a whole will not occur. Additionally, ACOs are also competing for funding amongst each other making it difficult to unite around common policy goals. Therefore, without the backing of the ACOs, effective participation cannot occur, resulting in more political fraction rather than less. This was the important consideration in posing Questions 6iv and v to each community.

Another element that is absent in the public consultation literature which is specific to the urban Aboriginal context is the role of employers. Because CACs, specifically the UAS, are heavily reliant on the manpower of the voluntary sector, and given that many Aboriginal leaders

and Aboriginal community activists are employed and/or direct Aboriginal organizations—both non-governmental organizations (NGOs) and not-for-profit organizations (NPOs)—it is only appropriate to assess the level of support committee members receive from their respective employers. This will affect participants' ability to participate by virtue of their ability to attend meetings, workshops, community forums. As Fletcher et al. found in their own case research, "the practicalities of everyday responsibilities meant that . . . attendance at research workshops and scientific presentations and meetings, was often incompatible with everyday community responsibilities" (2008, p. 27). Therefore, the ability to manage both participation on CACs and work-related responsibilities will be dependent to some degree on the support committee members receive from their place of employment.

Decision-making authority.

Turnbull and Aucoin (2006) highlighted "that governments do not always commit to using public input in decision-making and, more importantly, that consultations often occur late in the process and citizens are left to respond in a context where commitments have been made and ideas hardened" (p. 7). As the authors succinctly stated:

> It must be clear to participants in the deliberation process that their efforts are not simply for consultative purposes or to validate decisions that have already been taken . . . if citizens are to be expected to sacrifice the considerable time and energy required by meaningful public deliberations, they must be assured that the result of their deliberations "matter". A deliberative procedure that fails in this regard will be interpreted as a shallow commitment to public involvement and may even undermine, rather than enhance public trust in government. (2006, p. 7)

Many scholars (see Arnstein, 1969; Catt & Murphy, 2003) refer to this as "tokenism" or phony

consultation as stated earlier in Chapter 2. Therefore, in order to move away from tokenistic forms of consultation towards more effective consultation, Aboriginal peoples must have an equal opportunity to affect the final outcomes, as indicated on Arnstein's typology.

Referring again to Arnstein's Ladder, it is clear that, at the bottom rungs, there is little room for effective participation because control of the process remains firmly in the hands of government, while the top rungs provide participants with the opportunity to make real decisions. This is most important for Aboriginal peoples as they endeavour to remove the reins of colonialism and work towards political inclusion for self-determination. Regarding decision-making authority Catt stated:

> Democratic decision making as a means of obtaining self-governance to fulfill the ideal that no person should be decided for another is an important strand of argument in justifications for democracy . . . The other strand to the argument of self-government is that all decisions should be made only after each person has had an opportunity to express their view. Only if the decision is made by all is it legitimate. (1999, p. 8)

To this end, decision-making power through the consultation process is a step towards political inclusion and the development of trust between governments and Aboriginal peoples. By equalizing power relations, governments are entrusting Aboriginal communities with the ability to chart their own destinies and are removing roadblocks to participation, thereby building a relationship with trust being at the crux. As Taylor wrote, "effective capacity building involves more human and institutional elements, including the proper and comprehensive jurisdictional devolution of resources and decision making, which contribute to ways of enabling Indigenous peoples to bring about real and sustainable positive change" (2003, p. 4). For this reason, Interview Questions 7i, ii, iii, and iv are of importance.

Conclusion

This research argues that redistributing power and building state trust must include several crucial elements. First and foremost, Aboriginal participants must be present at the bargaining table and bring with them adequate representation chosen by the group in question. Aboriginal participants must be equal partners in the enterprise, which means governments must come to the table not in their role as bureaucrats, but as facilitators of the Strategy or subject matter. This is not a Canadian specific phenomenon, rather it is occurring worldwide. Closer to home, the Harvard Project in the United States indicates that strengthening Aboriginal communities must be preceded by substantial changes to the dynamics of the relationship between federal governments and Aboriginal peoples. In other words, consultations are about giving citizens a "voice"; however, the historical-political relationship between the state and Aboriginal peoples need to be renewed. This renewal needs to be vested in giving Aboriginal peoples "choice" when it comes to matters affecting the group. That is, consultation needs to move away from being non-participatory in nature, and advance towards delegated power as demonstrated by Arnstein's Ladder. This must also occur prior to policy-making. Governments can no longer claim to consult without providing Aboriginal participants with mechanisms for decision-making. Political exclusion has been to the detriment of Aboriginal groups, governments, and society as a whole as illustrated by the fact that Aboriginal peoples continue to suffer from the debilitating effects of colonization and past government assimilation policies which have handicapped their ability to participate in social, economic, and political life. Rectifying the state of Aboriginal affairs will not occur without significant support from governments and society. To change this reality, governments must now release the rein of colonialism and equip Aboriginal peoples with the tools necessary to chart their own destinies in

order to share in the benefits of the affluent society. On some level, empowerment of Aboriginal communities is already occurring through the settlement of land-claims and the creation of self-government arrangements for land-based communities. In urban centres, empowerment of Aboriginal communities is slow to start, and is embedded in a different infrastructure as will be demonstrated in Chapter 6 and subsequently in Chapter 7.

Chapter 6. The Case of Winnipeg – Who's Who of Consultation?

Research Findings and Observations

The Winnipeg UAS poses an interesting case for analysis because of the city's socio-demographic profile of its urban Aboriginal population and its strong political relationship with all three levels of government through the development of status-blind ACOs (e.g., Aboriginal Council of Winnipeg) (Walker et al., 2011, p. 168). The city has the highest percentage of Aboriginal peoples compared to other large Canadian cities, and one of the oldest Aboriginal voluntary sectors in the country. Because of this, Aboriginal participation in the decision-making process in this Canadian city is robust and note-worthy. Winnipeg was also the testing grounds for the UAS prior to its official implementation. This suggests that the city stands alone when compared to the other sites because community discussion of a possible urban Aboriginal strategy began here. To ascertain the effectiveness of a CAC structure in Winnipeg, this chapter employs the framework of analysis, Components of Effective Aboriginal Participation, developed in Chapter 5 to test the following hypothesis: Have Community Advisory Committees shifted decision-making power and permitted the building of trust through the Urban Aboriginal Strategy (UAS)?

Each component of the framework is analyzed below, following Tables 11 and 12. Interview questions were mapped onto the components and criterion of the framework. Based on interviews with Steering Committee members (see Table 11), the conclusions in Table 12 were arrived at after deconstructing participants' statements articulating their sentiments and experiences with the process.

Table 11

Number of Interviews by Participant Category – Winnipeg

Community	# of Interviews with Federal Government Representatives, past and present	# of Interviews with Provincial and Municipal Government Representatives	# of Interviews with Aboriginal Community Members, past and present	Total # of Interviews
Winnipeg	3	3	9	15

Table 12

Assessment of Winnipeg's Urban Aboriginal Strategy Using Components of Effective Aboriginal Participation Sub-Components

Components	Criteria	Winnipeg
Developmental	A. Deciding subject matter	YES
	B. Deciding consultation mechanism	YES
Empowerment	C. Selecting representatives	YES
	D. Availability of resources and training provided	NO
	E. Communication process	EVIDENT
Relationship-building	F. Political will	YES
	G. Decision-making authority	YES

Developmental component.

The *developmental component* evaluates the development of the consultation process

itself and examines two aspects: deciding subject matter and deciding consultation mechanism.

In order to do so, it asks whether or not stakeholders were given the opportunity to participate in

choosing the subject matter for consulting and the consultation method. And, if they were, which

stakeholders were involved? The need to share with and engage Aboriginal participants at this

stage of the process is an important component for developing trust, as well as for establishing

the degree to which the members' input will be considered and/or used in the final outcomes.

Deciding subject matter.

Many members in Winnipeg noted that bureaucratic control by government in the area of

agenda-setting was minimal, and that this has resulted in a mutually respectful and overall good

working relationship with government representatives at the table. As one member stated:

> It is not a heavy-handed process where government is leading everything, it is a good
>
> process. When it comes down to final say, we have consensus. If it is a big issue, they
>
> (government) will pull rank. The province has only done it once because they needed the
>
> money for something else. The province reported that to us and they came and explained
>
> their reasoning. Afterwards I could understand why they did. (Personal interview with
>
> UAS committee member, Winnipeg, May 2. 2012)

On the occasion referred to by this member, the Government of Manitoba rejected the

committee's recommendation to *not* approve funding for a specific project proposal on

education, because the government felt that the project fit firmly in the UAS' mandate and thus

that it should be funded. In the 15 years of the UAS in Winnipeg, government has only asserted

its complete political authority twice and both incidences dealt with project selection. All other

processes, such as the committee's Terms of Reference (TOR), Members' Selection Process, Strategic/Community Plan, and Project Selection, have been decided upon and wholly developed by the committee based on input received from the larger urban Aboriginal community during community engagement activities (community forums).

For example, when looking specifically at the Strategic Plan, which is updated every 2–3 years, the members as a committee decide the policy direction, which is the final product of the Strategic Plan. Development of the Strategic Plan occurs during a one-day retreat, in which all members come to the advising table to discuss policy direction. From there, consensus is built based on what the committee believes the community needs are, this being at the core of the Strategic Plan. The development of the Strategic Plan is based on direct consultation with the Aboriginal community in Winnipeg, for which the Steering Committee holds community forums with Aboriginal organizations and individual members annually, prior to the one-day retreat. In general, the forums are well attended. For example, the forum in February 2012 was one of the more successful forums to date: attendees numbered over 150 and the majority stayed for the full duration (two hours).

Holding these forums are a demonstration of component one of the WPA, "Aboriginal Participation," in which all levels of government, in which all levels of government must demonstrate their commitment to and with the community. Specifically, the forums are used to update the community regarding what the Steering Committee is doing and to gather feedback. The feedback is then used to shape the direction of the Strategic Plan. Bringing these aspects of the process back to the Aboriginal community demonstrates the governments' willingness to redistribute power by providing the community opportunities to participate in the decision-making process through the UAS consultation process—and most importantly, provide benefits

on Aboriginal terms. This changes the power dynamics of Aboriginal-state consultations and also operates outside of the status-quo, which, according to Arnstein, is essential for creating an environment in which effective participation can take place.

Deciding consultation mechanism.

Prior to the arrival of the UAS in any of the municipalities, the federal government created the UAS as a pilot programme. Winnipeg became the testing grounds for the pilot. Preceding the implementation of the UAS in Winnipeg, the Government of Manitoba used the "Manitoba Round Table on Environment & Economy" as a platform to conduct public consultations for an urban Aboriginal strategy. A sub-committee of community representatives invited by the provincial government, named "Manitoba Round Table's Urban Aboriginal Strategy Subcommittee," was formed to develop the public consultation process for the UAS. This became the product of a workshop that focused on "ensuring the relevance and effectiveness of the Urban Aboriginal Strategy public consultation process and strategy development, and develop[ing] a public consultation process work plan" (Government of Manitoba, 1998, p. 9).

The workshop produced six community workshops on the following policy areas: the environment, economy, healthy communities, partnerships, priorities for action, and an action plan workshop (Government of Manitoba, 1998, p. 9). These workshops were well attended with over 1000 participants, which is a substantial number for a community-based workshop. The main purpose of this consultative process was to strengthen communication and consultation processes, and encourage the development of respect, mutual trust and understanding between Aboriginal peoples in Winnipeg and the three levels of governments, in addition to influencing policy development and policy action through implementation (Government of Manitoba, 1998,

p. 7). There is an important point to be made here, in that the Government of Manitoba introduced the UAS to the community prior to the Strategy's implementation. That is, the Strategy was not forced upon the community; rather, it was developed in partnership with the community, this being a critical component for building trust between governments and Aboriginal peoples, as noted in Chapter 5.

Even more importantly, prior to the Strategy's implementation, a Consensus Model for decision-making was decided upon by the sub-committee of the Round Table after consultation with the Aboriginal community. Consensus, in this instance, is not based on the unanimous opinion of all members. Rather, the model strives to arrive at a unity of opinions, which means "that everyone in the group agrees with the essence of the decision and can support it, even if not wholeheartedly agree with it" (CGC, 2010, section 4.11.4, p. 6). A Consensus Model is designed and used to create an environment conducive to respecting the diversity of opinion and to encourage debate, whereby discussion amongst the group will occur until a unity of opinion is reached. According to the CGC (2010) in Winnipeg, the Consensus Model consisted of the following steps:

1. Creation of Resolution: a consensus decision is tabled and broad input is sought from the group using a round table discussion: Discussion occurs until a unity of opinion regarding a specific proposal is reached.

2. Support the Decision: the group agrees it has reached consensus on the issue at hand.

3. Where a disagreement occurs, three options exist:

    a. Blocking or Challenging;

    b. Standing or Stepping Aside by requirement; or

    c. Standing or Steeping Aside Voluntarily. (section. 4.11.4., p. 6)

The third step arises when a member cannot support a decision and is of the opinion that allowing the decision to pass will bring harm to the group (CGC, 2010, section. 4.11.4., p. 6). As stated in the CGC,

> One person has the power to stop a decision. The result of blocking or challenging can be final, in which the issue is set aside, or the group can continue to establish a consensus of opinion on the subject and create a proposal which satisfies the group as a whole. Should the group be unable to come to a consensus following an individual blocking or challenging, it is the responsibility of the blocker or challenger to propose an alternative solution which the group can come to consensus on. Should this alternative suggestion not result in consensus through further discussion with the group, the blocker or challenger will be required to stand or step aside. (2010, section. 4.11.4., p. 6)

In the event the member cannot personally support a decision but does not see the need to block or challenge it, he/she will stand or step aside voluntarily (CGC, 2010, section. 4.11.4., p. 7).

Two things are of relevance as they relate to this research: 1. the decision to employ a Consensus Model for decision-making was decided by the community and not the government prior to the implementation of the UAS; and 2. employing this model suggests the Steering Committee possesses a mechanism for decision-making authority. Thus, the willingness on the part of governments to agree to a Consensus Model places the UAS CAC process, though contrary to Arnstein's argument, on the upper rungs of Arnstein's Ladder, such as at the levels of "partnership," "delegated power," and "citizen-control," in which formerly politically disadvantaged participants now possess a larger share of the decision-making authority—this is indeed what is occurring in Winnipeg. By allowing the Aboriginal community the opportunity to choose the method for arriving at decisions, governments display their willingness to entrust the

community with making important decisions related to the process. In addition, granting the community this responsibility suggests that the government understands the degree of authority it will abdicate to the community and that it will accept this process as practice, thus shifting decision-making power to the group.

By consulting with the community before policy implementation and by delegating many aspects of the design, management, and delivery of the process to the Aboriginal community, the OFI is returning political power and building trust with the committee and the community at large. This is the first step towards ensuring effective participation is taking place. This is reflected in the attitudes and opinions of the community members in regards to this stage of the consultation process and the first component of the CEAP, which were generally positive and encouraging. The respondents expressed feeling that at this point the government has made a genuine effort to form a partnership with the committee. Transferring the responsibility of strategic design from government to the community prior to the implementation of the UAS gave the Aboriginal community the opportunity to understand the importance of the Strategy and to feel part of the process, thereby giving the community a stake in the success of the UAS. At this point in time, the participants are somewhat invested in the Strategy and are therefore less likely to feel that their participation thus far is tokenistic. In the case of Winnipeg then, this places the "developmental component" on the higher rungs of Arnstein's Ladder and demonstrates a willingness on the part of government to change the traditional Aboriginal-state dynamic, from one that is generally embedded in a one-way communication process to one that is operating through a two-way communication process.

Empowerment component.

This component includes three parts to the evaluation process: selection of

representatives, availability of resources and training provided, and the communication process. It is labeled the "empowerment component" because when each item is present it equips, or in this case empowers, participants with the resources necessary to effectively participate. That is, it empowers participants by re-ordering power relations and by increasing trust in the state. More importantly, given the socio-economic and political marginalization of Aboriginal peoples, it is not surprising there are numerous personal barriers (e.g., education, income, time) that would prevent some from participating. For Aboriginal peoples to be empowered, it is the responsibility of the government, both within its fiduciary and constitutional duties, to provide Aboriginal groups with at least the minimum resources needed to effectively participate and to ensure that the sharing of power and building of trust occurs. If this does not occur, Aboriginal-state consultations are destined to remain within the first two rungs of Arnstein's Ladder of Participation, at the levels of "manipulation" and "therapy," in which the objective of public participation is not to enable participation (Arnstein, 1969, p. 217). Rather, at these levels, the result is that power-holders (the state) are merely educating or curing the participants (Arnstein, 1969, p. 217). This is not unfamiliar territory for the Aboriginal community; as past records demonstrate, this has more times than not been the case in Aboriginal-state relations. Therefore, without empowering Aboriginal participants with the resources to effectively participate, governments are ensuring the failure of the Strategy. Each sub-component necessary for empowerment is analyzed below, to illustrate where Winnipeg stands in terms of this component.

Selecting representatives.

Representation is a critical component for distinguishing between tokenistic and genuine participation. For effective participation to occur, the group engaged in consultation must be able

to select representatives and choose the appropriate selection method. Winnipeg's model best approximates effective representation as it closely resembles the ideal selection method of *group selection*, as advocated by Catt and Murphy (2003). However, this process did not occur without its obstacles, and arriving at the final selection process that was currently used during these interviews was achieved through trial and error in Winnipeg. Presently, community representatives on the Steering Committee are selected through a process handled by a selection committee, which is made up of representatives from the three levels of government, two representatives from the two large political organizations, the Assembly of Manitoba Chiefs and the Aboriginal Council of Winnipeg, and two elders (Celeste McKay, 2010), in addition to two positions to be filled by nomination. The "Final Report Community/Government Committee (CGC)" (2010), conducted by Celeste McKay Consulting, stated:

> While the other political organizations were invited to participate on the Selection
> Committee, they did not put forth a representative to sit on the committee. A Metis Elder
> and an Inuit Elder were invited to participate but were not able to attend. (p. 1)

Moreover, one member noted that some organizations did not want to participate because they believed the UAS agenda conflicted with their own organization's agenda (Personal interview with UAS committee member, Winnipeg, May 2, 2012). Nevertheless, the statement from the "Final Report CGC" demonstrates the government's initiative to have representation somewhat inclusive of the Aboriginal community at large. Only two nominations for the additional two positions were received, and therefore these individuals sat on the selection committee that was in effect at the time this research was conducted.

This Selection Committee created the selection criteria to guide the selection process. In addition to the "call for nominations" for the Selection Committee, a similar "call for

nominations" for Steering Committee members was widely distributed through Aboriginal organizations and networks via emails. As the Final Report stated:

> A call for participation was sent out for both participation in the Selection Committee of the CGC as well as the CGC itself by email on or about January 28, 2010 to a number of individuals and organizations from a list of service providers and community organizations (provided by OFI-MB) as well as to the following list-serves: the iuscommunitylink list serve, the University of Manitoba's Professor Fred Shore's list, Volunteer MB's list serve and the Red River Community College's list serve. It was also published on the online version of the Drum. The Metro and other news publishing possibilities were not practical given the time frame for submission of applications.
>
> (Celeste McKay, 2010, p. 1)

Applicants were asked to fill out the Application Form and submit a recent resume. Most members stated they found that the "call for nominations" was widely distributed and effective. A total of 27 nominations were received to fill 10 seats.

Two important points may be observed here. First, though the government believed email to be the most efficient and effective means of communication, the use of emails meant only those with access to the internet and those with email addresses were informed of the call. Emailing is undoubtedly the most common and efficient form of communication; however, those not registered on any of the list serves would not receive notification of the "call for nominations." This may leave out a large segment of the Aboriginal population who wants to participate but is unaware of such opportunities. Some personal barriers, such as no access to the internet and/or computer may prevent community members from at least applying to, if not sitting on, the committee. Second, the time commitments (e.g., one-day monthly meetings, forum

attendance, sub-committee meetings) asked of such a volunteer-based group suggest that some applicants who cannot take off full days of work will not be able to apply or be part of the committee.

However, a more pressing representational concern existed with the first set of committee members, which was essentially the APC under the "Winnipeg Partnership Agreement" (WPA). The UAS was originally administered by the WPA, an agreement signed in May 2004, which, according to the Government of Manitoba, "represents a five-year, $75 million commitment by the governments of Canada, Manitoba and Winnipeg to strengthen neighbourhoods, promote economic development and enable Aboriginal citizens to fully participate in Winnipeg's economic and social opportunities" (WD, 2008). Originally, when the UAS was part of the WPA, the APC doubled as the UAS Steering committee in which representation on the committee was based upon sectors or organizational representation, and the provincial government for the most part invited members. As part of the WPA, the APC was composed of 18 members: one from each of the main Aboriginal political organizations (where leadership is elected and the organizations do not deal directly with service delivery but rather are advocacy organizations) in Winnipeg – Assembly of Manitoba Chiefs, the Manitoba Metis Federation (Winnipeg Region), the Mothers of Red Nations and the Aboriginal Council of Winnipeg; five members from the Aboriginal community at large; two youth representatives; two representatives from philanthropic organizations; two representatives from the business sector; and one representative from each level of government (CGC, 2010, section. 3.3., p. 13). Essentially, representation was co-opted by the provincial government who asked leaders of Aboriginal political organizations to sit on the APC (Walker et al., 2011, p. 176). Representation through co-optation created conflicts amongst members who felt their sector/organization was

not being represented in terms of funding allocation, and within the community at large who felt their concerns were not being addressed or represented by the government appointed representatives.

One former committee member noted she/he was asked to apply because the committee felt there was no representation from her/his region of the city (Personal interview with former UAS committee member, Winnipeg, April 25, 2012). However, the respondent also noted that this caused friction because more senior members were able to push for and receive funding for their specific organization and the respondent felt the APC was an elite political body unrepresentative of the Aboriginal community (Personal interview with former UAS committee member, Winnipeg, April 25, 2012). Most members noted that the conflicts arising from the first set of steering committee members surfaced because members were acting as representatives of their organizational affiliations due to their awareness that there was government funding to be allocated; however, this is no longer the case.

After the WPA completed its mandate on December 31, 2009, the UAS became part of the Aboriginal Strategic Planning Circle (ASPC) in 2010, and began playing a larger role in setting the rules and agenda of Winnipeg's Strategic Plan. In its new incarnation, a new set of members was chosen for the Steering Committee now under the auspices of the ASPC. In seeking to avoid conflict, members realized representation by sector/organization was ineffective for achieving common goals and unrepresentative of the Aboriginal community in Winnipeg. Therefore, representation moved from being organizational-based to individual-based, whereby selection was based on the individual's credentials, as well as their personal and professional experiences with the Aboriginal community. The majority of members noted this to be more effective, since the representative now comes to the table as an individual Aboriginal community

member, and therefore does not carry their organizational affiliation to the consultation table (however, the research conducted here cannot state this to be a certainty). One member noted that the change in selection criteria meant that there was no agenda pushing, and hence few conflicts of interest (Personal interview with UAS committee member, Winnipeg, April 17, 2012).

Since the rebirth of the Winnipeg UAS in 2010, mechanisms have been established to avoid further conflicts of interest and have become part of the "Terms of Reference." For example, if a member's affiliated organization is on the table for discussion/debate or has submitted a proposal for funding, the member is not allowed a vote and must leave the room when committee voting occurs (Personal interview with UAS committee member, Winnipeg, April 17, 2012). Such mechanisms appear to be working for the committee, and this has been noticed by most members. But this is not to suggest that the mechanisms for choosing representatives are not also problematic at certain times. One member voiced the concern that representation is not reflective of the community because members are not voted in by the community, though members are selected by other Aboriginal community members who sit on the UAS selection committee (Personal interview with UAS committee member, Winnipeg, May 1, 2012).

This is problematic for two reasons. First, without community elections for committee representatives, the selection process becomes limited to an elite few, as was the case of the APC. That is, those on the Steering Committee are middle-class Aboriginal community members with deep ties to the community and to important Aboriginal organizations. As one member stated,

I see the Steering Committee being a select few like almost a privileged opportunity. We

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are not reaching out to the broader community as we should. We have a direct line to the three levels of government which other organizations do not have. (Telephone interview with UAS committee member, Toronto, January 14, 2012)

Those on the committee are educated and are strong leaders within the community, which some policy-makers would argue is the most effective way to advance the Aboriginal policy-agenda given the knowledge these members possess. On the administrative side of the process, this would make the most sense. However, on the citizen side, representation by *group selection* is an elite dominated process in which those Aboriginal members with strong organizational and governmental relationships continue to access funds and political resources on behalf of their organization and in the name of the community. The final report by Alderson-Gill & Associates (2005) confirmed these concerns:

> Survey responses and interviews with community members outside the steering committee membership indicated a serious concern that UAS funds were being distributed primarily to the agencies represented on the steering committees, and that member agencies constituted something of a closed club that excluded other agencies from a real opportunity to obtain project funding . . . [Thus] federal officials responsible for the UAS at the community level, and Aboriginal participants in the funding process . . . acknowledged that committee members might have an advantage by being more knowledgeable about the UAS and its priorities. (p. 21)

This aligns with the literature on CACs discussed in Chapter 3 (see Hannah & Lewis, 1982; Arnstein, 1969), in which it has been illustrated that strong CACs (those possessing a significant degree of internal power) are not necessarily a by-product of the structure, but rather a by-product of their members, as is the case in Winnipeg. This concern is also part and parcel of the

larger question in the participatory democracy theory: how can we include the public in a manner that is representative of the community? In the Winnipeg case, this question has been tested through trial and error, and because of a strong pool of Aboriginal leaders, the CAC structure in Winnipeg does indeed allow for significant power-sharing. However, the CAC process of selecting representatives limits the ability of the committee to be increasingly representative of the urban Aboriginal community.

Second, the limited scope of the "call for nominations," in which a privileged few Aboriginal community members were called upon, meant that governments were not forced to provide additional resources, such as training members on how to manage a steering committee or how to effectively engage with the community. In other words, instead of training others to become possible Aboriginal leaders in their community, governments are limiting the quantity and quality of participation by going straight to their source of Aboriginal knowledge, which are well-established Aboriginal organizations and their respective board members. Given the scope and objectives of the UAS mandate, this would seem to be the path worth traveling. However, to best serve Aboriginal communities by developing stronger communities for the future, building consensus and trust, and empowering as many members as possible should be a priority for governments when renewing the Aboriginal-state apparatus. Without this development of talent, the same pool of participants will repeatedly represent Aboriginals at the table which will provide governments with a narrow point of view on the members and needs of the community.

This is acknowledged as one of the pitfalls of employing a CAC structure in general, and has specifically been acknowledged in the Winnipeg case. As James Glass (1979) stated:

Selection of advisory committee members often depends upon locating individuals who are interested and who are willing to serve, and, although a random list of potential

members might be generated, the probability that each would be willing to serve would be extremely small. Selection of members, then, is a non-random process that is not likely to produce a statistically representative sample. (p. 186)

One former member also alluded to this point:

There was money on the table and it seemed it was going to well-connected organizations and that's where the money was going. There were not enough degrees of separation between who was the giving the money (Steering Committee members) and was getting the money (their organizations) . . . at that time it was strong armed. The five alphas would decide how decisions were to be made and what decisions [should] be made.

(Personal interview with former member, Winnipeg, April 18, 2012)

In other words, without expanding the scope of representation, the purpose of community representation within this consultation model becomes an elite-dominated political process—one in which a privileged few, specifically leaders from Aboriginal political organizations, control the process and outcomes in the name of the community—but without genuine community input, resulting in a fragmented view of community needs. Though the process of choosing community representatives may not be the optimal situation, it is attempting to mirror the ideal selection process. However, a more representative process can come to fruition when governments realize they need to be the main source for resources and training; this is a criterion that needs to be fulfilled in order for governments to decentralize power and build trust with committee members and also with the greater urban Aboriginal community at large. This will produce a larger pool of qualified community representatives, which is important for strengthening Aboriginal-state relations and will increase the prospects for success with future public consultation endeavours.

Availability of resources and training provided.

This component includes those tools/resources/training required to allow for effective participation to occur. This includes time (e.g., deadlines, personal time), resources (e.g., funding), and access to information (e.g., for incoming members, for referencing projects, for service-delivery, etc.). Training can include, for example, skills training on chairmanship, how to build consensus, how to work around gridlock, and leadership skills, but can also include much larger management mechanisms, such as building community capacity, government-aboriginal relationship building, mechanisms for dealing with different sectors (i.e., non-profit, voluntary, private) and establishing rules for community engagement. However, the latter are beyond the scope of this dissertation as they delve deeper into questions of Aboriginal-state governance. For the purposes of this analysis, the first set of criterion will suffice for evaluating the CAC process.

When members were asked the following question, "were the tools/resources needed for participation made available to you?" (Interview Question 4i), the general consensus was two-fold. First, all respondents identified that time and funding was inadequate. This is important because the lack of these tools will affect the quality of programming, as illustrated by Atkinson and Willis (2005) and discussed in Chapter 5. In terms of time, most members responded that, given the nature of the Strategy, the federal government is asking for a lot in a short period of time, especially with the recent renewal of two years, within which all funding must be allocated. The majority of members noted that the timelines placed pressures on the committee to get the projects implemented and funding out the door before the year's end. Alderson-Gill & Associates (2005) also acknowledged the contradiction:

> Most respondents expressed concern that the UAS may turn into "just another
> government funding program" with all the hoops to go through and restrictions that

prevent them from making a real difference in the Aboriginal community. This concern is

supported somewhat by the short-term nature of the UAS and the lack of knowledge of

whether the UAS will carry forward, and in what form . . . Most Aboriginal members

recognize the reasons for the contradiction . . . but it places a negative light on the

Strategy as a whole, and heightens suspicion that there may not be a genuine federal

government commitment to a long-term, strategic and innovative approach to urban

Aboriginal issues. In practical terms it also means that the scarce available time of

Aboriginal members is often used in relation to project funding instead of strategic

development. (p. 24–25)

In other words, the contradiction between fiscal funding and strategic planning limits the power

members have to make significant changes to the Aboriginal community, and thereby weakens

their trust in the process and government.

In addition, one member commented that the rigid and formal processes on the

administrative side required by the government make it hard to get things done, such as moving

forward to the planning aspect, especially when the process is volunteer-based and the committee

only meets once a month (Personal interview with committee member, Winnipeg, May 1, 2012).

More specifically, a concern expressed by several members was the sentiment that the entire

process—from community engagement forums, to drafting the Strategic Plan, to funding

adjudication—is too formalized by the federal government, and that this slows down the

committee's ability to get all the funding to the community before the end of the fiscal year. As

one member stated:

From my own perspective, I see somewhat of a dominance from the federal level. We

need to have more of a community focus than a focus on the process. There is a tendency

to overdo things like talking about the agenda items and the decision-making process

itself. It is not operating as efficiently as it could be. (Telephone interview with

committee member, Toronto, January 14, 2012)

One specific example of overemphasizing administrative requirements is the use of the

Community Assessment Tool (CAT).

The use of CAT is a tool the Government of Canada put into practice in 2007, in order to

enhance community engagement. The practice of CAT was not decided by any of the UAS

committees, rather it is an administrative requirement devised by the federal government. The

purpose of CAT is to help participating communities develop strategies to assess progress by

being a tool for UAS Steering Committees to inform decision-making and serve as a mechanism

to enhance capacity development efforts (CGC, 2010, section 3.5, p. 2). CAT consists of a series

of questions to be filled out by committee members. The questions focus on nine characteristics

the OFI believes to be important to the UAS: Decision Making Structure; Strategic Planning

Process; Community UAS Priorities; Communication; Community Support – National Priorities;

Government to Community Relationship; Identified Capacity – Building Needs; Linking with

Others Locally; Linkages between Governments (CGC, 2010, section 3.5). Though the tool is

useful for gauging progress in these focus areas, the use of CAT itself and the process of

implementation was not a joint decision by the government and Aboriginal members. Rather, the

development and use of such a tool continues to be part of the government's political way of

interacting with Aboriginal members. Some members stated objections to the use of CAT, as

they find the process to be not only time consuming, but also one that does not add any value to

the Strategy overall. More importantly, the need to use CAT suggests that though the

consultation process employs a community engagement model, the committee is still a

government body directed by a political process that is established by the government. Thus, the administrative requirements suggest a lack of internal power by the committee, and therefore no power-sharing occurs in this aspect of the CAC structure.

In addition, other administrative challenges include the need for governments to record, keep and set the agenda and minutes of the meetings. Minutes from the meeting include reviewing administration duties, such as: review of the meetings' agenda, review of conflict of interest/roles and responsibilities, terms of references, updates from the national caucus, and discussion on specific projects. The Consensus Building Model requires every member to agree on the minutes meaning that this part of the process can be time consuming. As one member noted:

> Things tend to drag on sometimes, like we will talk about how to format our agenda for like 30 minutes when it can be done in less than one minute . . . We need to have more of a community focus than a focus on the process. There's a tendency to overdo things like talking about agenda items and the decision-making process. It's not operating as efficiently as it could be. (Telephone interview with community member, Toronto, January 14, 2012)

Most members expressed similar sentiments stating that the Consensus Model is too inefficient, especially when the efforts are volunteer-based and require all members to commit to one full day a month. More specifically, since funding needs to be allocated before the end of the fiscal year, members find it challenging to allocate funding while also cohering to the government's administrative requirements. Members stated that such administrative tasks have prevented the committee from focusing on more important aspects, such as deciding on services and programmes, and reporting progress back to the community—a community they are responsible

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for representing.

The challenges presented here highlight the difficulties members face as representatives of their community and as government partners. These challenges affect the committee's ability to properly assess the needs of the community and identify service gaps as members face a constant administrative struggle in terms of following procedures and meeting internal deadlines. In other words, their ability to effectively participate is compromised when given the limited time frame and when too much of a focus is paid to the administrative process. This continues to be problematic when engaging with the community as part of the community engagement model. Based on this model, the UAS is mandated to build relationships with the community through community consultations. The committee is therefore obligated by government to engage the community through community forums, but may have less time to commit to effective community engagement because of administrative concerns mentioned here.

Regardless of the above concerns, to date, the UAS has been successful at fulfilling its obligation. Many aspects of the consultation process are returned to the community for feedback. For example, the APC consulted with the community to develop the criteria for the UAS Steering Committee selection process. This set of criteria is still used to date. In addition, community forums are held at least once a year. The forums give the UAS a chance to update the community on the progress the UAS has made in the past year and to gather feedback from the community and what they view the community needs to be. Though the forums provide insight to the needs of the community, little is achieved in terms of addressing these needs when funding is limited and allocated year to year, which was a genuine concern voiced by members.

During the interviews, all members stated that funding is inadequate to redress the concerns related to urban Aboriginal poverty. In other words, the funding is inadequate to deal

with symptomatic problems related to poverty, such as housing, addiction, employment, etc. Governments view UAS funding as "seed money" to mobilize the community to align organizational efforts. As one government representative stated:

> We can do research and play an advocacy role to help support housing, we cannot actually provide housing. All community elements are there to provide this, we just help mobilize it. This is the type of engagement that leads to opportunity building. (Personal interview with government representative, Winnipeg, June 2, 2011)

However, the success of such mobilization is dependent on the organizational capacity that is available within the community.

The UAS is designed to mobilize and capitalize on the strengths of the community in question as well as its institutional capacities in terms of identifying services gaps and delivering services. In Winnipeg, this is a simpler feat because the capability to accomplish these community endeavours already exists, and has for some time. ACOs in Winnipeg have been providing services and self-governing themselves since the 1960s, and building on this existing capacity requires less work than needs to be done in other UAS chapters. Furthermore, the fact that Winnipeg was the site for pre-consultation suggests that governments had knowledge of the community's strengths and were therefore able to develop a Strategy from that. However, because the Aboriginal organizational infrastructure is deeply entrenched and strong in the community, committee members wanted the UAS to be more than a funding strategy. In other words, there is a divide between the governments' expectations of the Strategy and the committee's understanding of UAS funding. For one, governments in Winnipeg believe they are there to facilitate and mobilize the knowledge of the committee members to further the Strategy, while community members have a genuine desire to participate in the Strategy to address

community needs, by playing a significant role in the community and, for some, by making the UAS the voice of the urban Aboriginal community.

On this note, most members commented that the limited funding made it hard for the members to play a significant role in the community, though all members expressed the desire to do so. As one member stated:

> We are just a government body with a small pot of money to play with, only $1 million per year . . . the UAS is not building capacity. Capacity is when you make organizations or individuals stronger and more able to look after themselves and participate on their own. (Personal interview with UAS community member, Winnipeg, May 2, 2012)

As such, the year-to-year funding framework makes it difficult for members to address urban Aboriginal poverty in the community and pave the way for greater self-sufficiency within the Aboriginal community. Specifically, building community capacity requires enabling community members to participate in the economy and build a strong urban Aboriginal economy (e.g., through promoting Aboriginal small businesses, developing an Aboriginal economy, and providing education and skills training), which will lead to greater socio-economic change. As another member stated:

> Traditionally this has been a funding committee. I feel we have the opportunity to do a lot more. I am here to make a difference, not just to give out money. It is just project funding. It is not long term, you cannot guarantee it for the next year and you [have to] expect projects to go out and get additional funding and that is unfortunate. (Personal interview with community member, Winnipeg, April 18, 2012)

Alderson-Gill & Associates (2005) found similar findings in their evaluation, which stated UAS weaknesses to include, among other items, the following: "Annual budget pressures and short-

term horizon of UAS funding; Contrast between supposed strategic focus and the reality of project funding pressures" (p. 41).

In terms of the ability to access information, all members noted that information on the Winnipeg UAS is sufficient in regards to the availability of background information, adequate records, historical information, and any information needed from the government, such as reasons for refusing project funding. In addition, all minutes from previous meetings are appropriately archived and are accessible if needed. Adequate record-keeping makes it easier for new members to understand what is taking place in terms of on-going projects, the process and the procedures of the Strategy, and the history of the Strategy. This affords incoming members the opportunity to become quickly informed, and thus allows them to participate in the Strategy. Several members noted that upon joining the committee there was a learning curve. However, they also said this was easily overcome because all necessary documents are available and organized (Personal interview with committee members, Winnipeg, April 30, 2012). This was also evident when government information was requested for this case study. Upon my request of the necessary information, the OFI provided ample information (Terms of Reference, Strategic Plans, Committee briefs, CAT, CCI) in an organized and timely manner, making it easy for me to become knowledgeable about the UAS and its process in Winnipeg. However, I did not receive minutes of past meetings, only the minutes of the meeting I attended in April 2012 was made available to me. The OFI representative did inform me that the minutes were confidential; however, I do not believe this hindered my research in any way. The only critical barrier to accessing information, according to many of the members, is the lack of information on project outcomes and results.

Several members commented on the need for evaluation reports to assess how the

funding is being allocated and what, if any, progress is occurring within the community. That is, there is a need for accountability in terms of how the money is being used, which could assist in determining future funding strategies, and therefore allow for more effective participation within the Strategy. This comment was received from both sides of the consultation table, from members to government representatives. As one government representative stated: "There needs to be more of an on-going evaluation process. Not to critique the projects but ensuring our overall goals are met. We take steps to address urban Aboriginal poverty but we don't know if they are working" (Personal interview with government representative, Winnipeg, April 30, 2012). In this case, the need to have real and constructive knowledge of project funding is an essential component for effective participation. Without this, members cannot effectively make internal policy decisions on behalf of the community. As Hannah and Lewis (1982) have proven with their own research:

> Another variable identified as influencing the nature of citizen participation is the type of information received, and the sources of that information. Committees whose members only receive material generated by the staff of an administrative agency are less likely to show independence in internal decision-making than are committees which seek and receive information from a variety of sources in the community. (p. 44)

This is not only important for members, but also for administrators, who need to understand the community that they are working with, including its strengthens and weaknesses. However, in Winnipeg, the community capacity (i.e., community consultation and decision-making structures; individual community leaders; project development skills; service delivery expertise; appropriate community assets) existed prior to the arrival of the UAS. Governments were thus working with a structure already well established, and because consultation occurred *a-priori*

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implementation, the government understood the political landscape of the community. In other communities where consultation did not occur prior to policy implementation, the story has been different.

Communication process.

The other and perhaps one of the most important aspects evident within the UAS process are the open lines of communication. This refers to communication leading to accountability for the actions of each member, whether a government or community member. The historical relationship between Aboriginal groups and the state is one characterized by distrust; thus, Aboriginal peoples tend to distrust the political process, and for good reason. Participation in the UAS has not significantly changed this sentiment, and so the ability to have open communication is essential to building trust amongst the parties. Without honest communication, members will be skeptical of government actions and intentions, making it difficult to build relationships and encourage participation during consultation. One of the important lessons learned from Winnipeg is that communication between all parties is crucial to breaking down these barriers to participation. Otherwise, members will continue to feel as though the process is government dominated and their participation meaningless, as has been in the past.

However, this is no longer the case in Winnipeg, as all members—community and government—stated that the process offers an environment conducive to honest and transparent communication. That is, all members are encouraged to speak and voice their opinion on all discussions and decisions. The majority of members stated that the opening ceremony, which consists of an opening prayer and a talking stick that goes around the table to each member, makes each individual feel welcomed and connected. The significance of the talking stick is to open the lines of communication, allowing each member to tell the group what is going on in

their personal life. One member noted that this made her feel comfortable even though she is relatively a new member (Personal interview with UAS committee member, Winnipeg, April 17, 2012). The ability to have open communication is an important mechanism for building trust amongst the parties and within the committee, and for encouraging open dialogue and participation. If members feel their opinions are not valued they will be less likely to speak up. Given that committee decisions are based on consensus building, without open communication, genuine participation cannot take place, essentially rendering the process ineffective.

Relationship-building component.

The previous two components set the stage for participation and determine the degree to which participants will be able to affect the outcome. In Chapter 1, it was noted that Arnstein argued that genuine participation is the "redistribution of power that enables the have-not citizens, presently excluded from the political and economic processes, to be deliberately included in the future" (1969, p. 216). This stage of the evaluation process examines the redistribution of power, but adds an additional element specific to the urban Aboriginal context: political will and support within the community for the Strategy. These are important in an urban context as illustrated in the literature, which demonstrates that urban Aboriginal peoples possess the potential to form their communities in a non-rural, non-reserve setting through the governance of their organizational capacities. In other words, transformation of their communities is not vested in self-government arrangements as it is on reserves. Rather, it is embedded in the institutional capacity of the urban Aboriginal organizations (i.e., Indian and Metis Friendship centres, Assembly of Manitoba Chefs, Assembly of First Nations, Congress of Aboriginal Peoples, National Association of Friendship Centres), both locally and nationally.

Political will.

The important thing to evaluate at this point is how much political will and support there is in Winnipeg to advance the Strategy, and with that, how much influence the committee has in terms of final impacts. In practice, the Strategy lands on rungs 6 and higher of Arnstein's Ladder. However, to reach that portion of the Ladder requires the presence of several factors. For the UAS, it requires political support external to the committee, such as from Elders, Aboriginal community organizations (e.g., C.L.O.U.T.), employers, and internal support within the committee via the presence of governments at the table. The summation of these parts creates a synergy that enhances the participatory process, rendering it that much more effective.

Elders.

The Steering Committee employs two Elders to attend monthly UAS meetings. These Elders are prominent figures in the Aboriginal community in Winnipeg. The Elders are non-voting members but can participate in discussions of the Committee. The Elders are akin to the parental figure in a family, and provide the circle with guidance, mediate conflict, and provide momentum. According to the CGC (2010), the role of the Elder is: to open and close all meetings with prayer and/or teaching as determined by the Elder; provide mediation / conflict resolution services as required; and, support Committee members in following the Guiding Principles (section. 4.6.0., p. 4). In Winnipeg, the presence of Elders appears to be valuable. As one member noted,

> I think having the Elder there is very helpful, he's there to guide those conversations. He is always there to remind us why we are here and to respect our members. It provides insight and values of the Aboriginal community and reminds us to keep these in the forefront. (Personal interview with committee member, Winnipeg, April 24, 2012)

More importantly, allowing Elders to be present at the table demonstrates respect and a willingness on the part of governments to ensure the process is culturally appropriate. It also indicates that government is taking the Strategy seriously and has a genuine desire to make the UAS successful for the Aboriginal community.

Aboriginal Community organizations (ACOs).

Winnipeg has a long and deep history of Aboriginal organizations that have become political forces in their own right. Unique to Winnipeg is the collaboration and coordination these organizations have exhibited in working together with and for the community. Many of the organizations have united around common goals and visions for the community, such as the organization C.L.O.U.T., which is made up of nine organizations, both Aboriginal and non-Aboriginal. This organization provides services to the community and, notably, works as part of the community rather than working independently in silos. The importance of this feature in relation to the UAS is that because the organization is a joint effort there is less competition for funding between various organizations. Instead, funding can be provided to one established organization that provides services within the UAS mandate. This results in less competition and dispersion of funds because there is a shared philosophy and shared goals around how to assist Aboriginal peoples within the community. As one member stated:

> Winnipeg Aboriginal organizations work well together because they have shared values and beliefs within the management of organizations and delivery of services. Winnipeg has the highest density of Aboriginal people per capita [of any major urban centre in Canada] and numbers gives us the capacity to develop innovative approaches to delivering services. (Personal interview with community member, Winnipeg, May 1, 2012)

Interviews conducted during this research suggest that Aboriginal organizations in Winnipeg are unique in the sense that they are, for the most part self-governing bodies that are less reliant on government funding (unlike some of their counterparts, such as Toronto), and this has also been noted in several studies and in the literature presented in Chapters 4 and 5. This self-reliance suggests that these organizations are not restricted by administrative and political processes, meaning that they have the freedom to be innovative. The freedom to be effectively innovative requires the state giving up control, and this is particularly important for the Aboriginal community. The ability to mobilize and unite around particular social-economic policy areas through a status-blind approach has made the Aboriginal community in Winnipeg a pioneer in some sense, in that it has created Aboriginal political organizations and initiatives not present in other parts of the country, such as the Aboriginal Council of Winnipeg (ACW) and the Comprehensive Community Initiative (CCI), which the UAS helped launch.

In Peters' (2011, 2005) research on Winnipeg, she has described the uniqueness and success of the ACW which is specific to Winnipeg. As Peters stated,

> Founded in 1990 with the union of the Urban Indian Association and the Winnipeg Council of Treaty and Status Indians, it serves as a political and advocacy voice that represents the interests of the Aboriginal community in Winnipeg regardless of legal status. While there have been attempts to establish similar organizations in other cities, none appear to have been as stable as the ACW. (2011, p. 18)

In addition, Loxley and Wein (2003) stated that the Council has the support,

> of numerous Aboriginal institutions in Winnipeg and some very prominent urban Aboriginal activists, Status, Non-Status, and Metis alike . . . ACW believes that "status blind" institutions would best serve the interest of urban Aboriginal people . . . but at the

same time is careful to point out that it does not believe in a melting pot approach to

urbanization. (as cited in Peters, 2003, p. 17)

The ACW also played a role in the development of the UAS in Winnipeg, though its exact

contribution is not known in this research. Similarly, the CCI is another example of an initiative

which is both status-blind and unique to the Winnipeg case. The CCI's main objective was to

address addiction amongst the urban Aboriginal population. Based on extensive community

consultation, the CCI coordinates several Aboriginal and non-Aboriginal organizations (e.g.,

Thunder Bird House, Correction Services Canada, Addictions Foundation, Native Women's

Transition Centre, and Strong Heart Teaching Lodge) to provide transitional services for

community members to re-enter society, i.e., providing them with aftercare upon leaving

correctional facilities, rehabilitation centres, or abusive relationships. There is a particular focus

on culture within this initiative, a component lacking in other mainstream addiction programmes.

The programme provides the community with a part-time Elder who provides guidance and

cultural teaching to assist with the healing process. It has also developed a database for Elders

based on accreditations and codes of ethics, with the purpose of matching Elders with members.

This database is the first of its kind in Canada. The UAS dedicated half a million dollars to the

CCI. This funding decision was the result of consensus amongst Steering Committee members.

Without UAS funding, the Thunder Bird House, which is the main centre for the CCI, would not

receive much financial support.

It is initiatives like this that demonstrate the innovation that can be crafted when

organizations possess the political will and determination to heal the Aboriginal community. The

UAS is part and parcel of this initiative and it would not be able to make a difference in the

community, given the lack of funding and resources, without the political support and

cooperation of the organizational infrastructure existing within the community. Much of the momentum to cooperate stems from the fact that many of the organizations in Winnipeg are status blind and abide by common cultural beliefs and values, as noted by several of members on the Committee (Personal interview with government representatives, Winnipeg, April 30, 2012). This lessens the possibility of conflict based on "turf-wars" for a shared pot of funding, thereby allowing the organizations to focus on the bigger policy picture, such as the CCI. As such, it is this political will evident amongst the ACOs that provides the impetus needed to make the UAS successful.

Employers.

Another element of political support that is generally ignored in the literature, and which speaks to the external support provided from the community as a whole, is that of the Steering Committee members' employers. Employers in Winnipeg, many of which are Aboriginal organizations, in addition to governments and one private sector organization, understand the importance of the Strategy for the community as a whole. The organizations support the Strategy by allowing the individuals to take one day off a month to attend the meetings, as well as additional time if needed, so that they can also participate in community events. All members including government representatives highlighted the importance of the support they receive from their employers in being part of the UAS. As one government representative stated: "I feel I am supported by my managers and the mandate of our department certainly complements what the Aboriginal Strategy is trying to achieve. I get the political backing and bring that to the table" (Personal interview with government representative, Winnipeg, April 23, 2012). By nature, the Strategy is a huge time commitment consisting of at least one full day a month for 15 members who are paid by their respective organizations. Employer support means the members are

accommodated to participate without fear of being reprimanded by their employers, and thus the support members receive from their organization translates into the ability to effectively participate.

Governments.

One of the critical foundations to building a renewed Aboriginal-state relationship based on mutual trust and respect is to have government political support evident at the table. In other words, Aboriginal-state consultations will be rendered ineffective if Aboriginal participants do not have the political support of the government. If Aboriginal members suspect that the government representatives are at the table because they are mandated to do so, community members will feel their efforts are futile and will subsequently be less likely to fully participate. Governments' presence at the table is also necessary for building trust, which is at the heart of developing a renewed Aboriginal-state relationship—trust meaning that governments care about the community and are committed to the consultation process. However, a distinction must be drawn in that presence does not guarantee success, because political support must also be demonstrated during the consultation process.

During the interview process, many of the community members asserted that the critical element to making the UAS work in Winnipeg is the support and feedback the committee receives from the government. In addition, members expressed feeling that government representatives listened and respected each and every member's opinion. This is mainly due to the fact that government representatives do not come to the table as bureaucrats, but rather come as community members vested in the success of the Strategy. As one member stated: "We have really good government partners. We haven't had one government representative that has come just as a bureaucrat" (Personal interview with committee member, Winnipeg, April 18, 2012).

Another member speaking to the success of the UAS noted, "we have a really good working relationship with government representatives. Government representatives are really sincere with wanting to have a working relationship and respectful partnership" (Personal interview with committee member, Winnipeg, August 30, 2011).

Decision-making authority.

At the end of the day, decision-making authority essentially laid in the hands of the Aboriginal committee members. It is important to take away from the Winnipeg experience the lesson that, although in principle the federal government can assert its authority if necessary, the willingness of governments to genuinely listen and respect the opinions of committee members compensates for the authoritative power the federal government legally maintains. It is the reconciliation between these two elements that makes Aboriginal participants feel that their input is valued and their participation necessary. It is when this occurs that Aboriginal members effectively participate. As one member stated:

> The people at the table are able to have a respectful discussion. I feel comfortable enough
> to state my opinion even if I disagree . . . It is not all or nothing when it comes down to it
> and the government is very organized and they provide a lot of support and feedback . . .
> If government is respecting the direction we are giving then it works even though the
> federal government has final say. (Personal interview with committee member,
> Winnipeg, April 24, 2012)

The Aboriginal-state relationship that is developing through the Winnipeg UAS consultation process creates an environment conducive to encouraging participation. Moreover, when members can openly and freely state their opinions without fear of dismissal by the power-holders, members can more effectively participate. As Arnstein argued, effective citizen

participation occurs when the have-nots can induce significant social reform, which enables them to share in the benefits of the affluent society through mechanisms of citizen participation, thereby enabling the redistribution of power (Arnstein, 1969, p. 216). Nowhere does this hold more true than in the Canadian Aboriginal context.

Conclusion

Winnipeg provides important lessons to be learned and highlights policy implications for CAC structures. The Winnipeg case is unique to the UAS in that community consultation occurred prior to implementation of the Strategy. This set the tone for the Strategy as well as providing community awareness of the UAS. Community awareness helps to gather support for the Strategy because it has the potential to encourage members to get on board, and because there is a mutual understanding of what the Strategy hopes to achieve and how best to go about achieving those goals. This means pre-policy consultation is the first step in creating an environment conducive to effective participation. It sets the stage for determining the degree to which power will be redistributed—that is, participants get a voice in deciding what the subject matter for consultation will be and how the consultation process will operate.

Furthermore, the political relationships that have ensued as part of the process have been fundamental to the success of the Strategy. The relationships between government representatives and committee members are good working relationships because governments respect the opinions of their members and harness the committee's knowledge. In Winnipeg, government representatives come to the table as partners and not as bureaucrats in the enterprise. Because they respect and trust the knowledge and opinion of committee members, government representatives promote effective participation by allowing members the ability to take the lead in policy-making. This has been instrumental in developing open and transparent lines of

communication and building political relationships based on trust. However, this element is something unique to the Winnipeg case. Strong Aboriginal-state relationships in Winnipeg are deeply sewn into the political fabric of the city and existed well before the arrival of the UAS. In other words, community capacity—specifically, strong community leadership and organizational coordination—was well established already, providing governments with a foundation to work from. This may explain why Winnipeg was chosen as the testing ground for the pre-consultation process and for the launching of the UAS.

All in all, Winnipeg had strong leadership, significant experience with CACs and Aboriginal-state consultations, strong Aboriginal-state political relationships, and the collaboration of ACOs, which suggests the criteria for enabling effective Aboriginal participation were able to be met with little additional investment on the part of governments. However, this also means that any analysis of CAC structures in Winnipeg will be somewhat biased and skewed, as all elements for a strong CAC structure are present in Winnipeg and thus the process will always require less investment by governments. Nevertheless, the site does illustrate what can be achieved in terms of sound policy-making when several key factors (e.g., the ability to re-order power relations and build relationships of trust) are in place to create an environment conducive to renewing the Aboriginal-state apparatus. When this environment is absent, the results and outcomes will largely be different from that which occurred in Winnipeg. This is further illustrated in Chapter 7 in the discussion on the Toronto UAS experience.

Chapter 7. Consulting Whom in the Case of Toronto

Findings and Observations

The UAS came to Toronto in 2003 focusing on Toronto neighbourhoods with a high density of Aboriginal peoples. The Greater Toronto Area (GTA) of Toronto, Peel, York, Durham, and the Halton region has the largest Aboriginal population of any city in Ontario, accounting for approximately 13% of the overall Aboriginal population in the province, which explains why Toronto was the first city in Ontario to welcome the UAS (Thunder Bay and Ottawa later followed) (McCaskill et al., 2012, p. 78). According to Abele et al. (2011), the Toronto UAS was tasked with the identification and advancement of, "opportunities for Aboriginal people so that social and economic gaps between urban Aboriginal people and the larger Toronto community are eliminated. It has identified priority areas and dispersed funds" (p. 108). Its roles and responsibilities are similar to those in Winnipeg. However, in Toronto, the UAS experience has been tumultuous since its inception. Difficulties within the UAS stem from band membership issues, conflicts of interest, lack of horizontal communication, lack of trust, no common goals and/or visions, and fragmented political relationships. This has resulted in the Steering Committee being thrice dismantled since its inception in 2003 at the behest of the regional director. The OFI regional director has changed personnel five times. When this research took place, the committee had been previously dismantled twice (members interviewed were part of the third committee) and the fifth director was in place.

The research discussed here ends after the fourth cycle of members. Since the federal government's announcement to renew the UAS for an additional two years at the end of March 2012, the UAS in Toronto has transitioned from a steering committee composed of elected community members to using the Toronto Aboriginal Social Services Corporation (TASSC),

which acts purely in an advisory capacity (fourth cycle) as of April 2013. This version of the

UAS no longer employs the CAC consultation structure, and therefore the research ends at this

point. The original incarnation of the Steering Committee was managed by the Toronto UAS

Management Committee (TUMC), the Steering Committee responsible for overseeing the UAS

in Toronto. The TUMC was made up of fourteen members: one project officer (the only paid

position); two co-chairs (one from the Aboriginal community and one representing the federal

government); one national caucus representative, also from the Aboriginal community; three

youth representatives from the Aboriginal community; three government representatives from

each level of government; and four additional Aboriginal community members.

All Aboriginal community members (except for the project officer) sat on the committee

on a volunteer basis. Government representatives sat on the committee as an extension of their

paid position with their respective level of government. TUMC met once a month in the evening

for approximately three hours, on the second Wednesday of every month. This differed from the

Winnipeg case, where the committee meets for a full day once a month. TUMC was finally

dismantled in April of 2013. Given this, and the many previous conflicts evident since the UAS's

inception, the list of obstacles to effective participation is extensive and long and thus will be the

main focus of this chapter. Once again using the framework established in Chapter 5, this chapter

analyzes the experiences of Aboriginal participants from the Toronto UAS site.

In Toronto, eight interviews were conducted in total at the start of 2012 (see Table 13).

Those interviewed were members of the third cycle of the Steering Committee,

as the original two committees were dismantled because of their inability to set priorities within

the scope of the UAS mandate, such as the inability to develop a Strategic Plans or agree on the

Terms of Reference, lack of focus on the part of community members, and lack of participation

from the community (Personal Interview with government representative, Toronto, February 02, 12). All interviews were done in person, and lasted approximately one to one and a half hours. Six other Aboriginal committee members were inaccessible via email. Community representatives that were interviewed all worked for Aboriginal organizations throughout the city, such as with Aboriginal Legal Services of Toronto. However, while all respondents worked in a professional or managerial capacity, they did not hold any executive positions within their respective organization. Government representatives were more readily available to be interviewed and to answer questions; those interviews are discussed here in detail, except for the interview with the federal government representative for the Office of the Federal Interlocutor (OFI). She/he is the Director and Co-Chair of the Toronto chapter and asked to be interviewed off the record. The interviews sought to deconstruct the sentiments of the participants and their experiences with the consultation process. Their statements are mapped onto the evaluation framework and guided the conclusions arrived at in Table 14, below.

Table 13

Number of Interviews by Participant Category – Toronto

Community	# of Federal Government Interviews	# of Provincial and Municipal Government Interviews	# of Interviews with Aboriginal Community Members	Total # of Interviews
Toronto	2	1	5	8

Table 14

Assessment of Toronto's Urban Aboriginal Strategy Using Components of Effective Aboriginal Participation Sub-Components

Components	Criteria	Toronto
Developmental	A. Deciding subject matter	YES
	B. Deciding consultation mechanism	NO
Empowerment	C. Selecting representatives	YES
	D. Availability of resources and training provided	NO
	E. Communication process	ABSENT
Relationship-building	F. Political will	NO
	G. Decision-making authority	NO

Developmental component.

As previously stated, the *developmental component* evaluates the development of the consultation process itself and examines two aspects: deciding subject matter and deciding consultation mechanism. Specifically, this component asks whether or not stakeholders were given the opportunity to choose the subject matter for consulting and the consultation method. And, if they were, which stakeholders were involved? The need to share with and engage Aboriginal participants at this stage of the process is crucial for developing trust and for establishing the degree to which the members' input will be considered and/or used in the final outcomes.

Deciding subject matter.

Though the original subject matter of the Strategy was decided upon half a decade ago in Manitoba, the main areas of focus—improving life skills, promoting job training, skills and entrepreneurship, and supporting Aboriginal women, children and families—are important and critical to the livelihood of all urban Aboriginal communities across the country. On the other hand, how these policy areas are addressed and implemented become part and parcel of the consultation process and this is community specific. Therefore, it is important to examine which party at the consultation table was given the authority to decide the subject matter post-implementation. In Toronto, the Steering Committee was given the authority to decide on the subject matter to be consulted, or in this case, to decide upon both the mandate and the UAS Strategic Plan. The mandate set by TUMC was to, "identify, promote and advance opportunities to close the gap in life chances (opportunities for social advancement and economic development) for urban Aboriginal people in Toronto" (Toronto UAS Handout, 2010). The Vision and Mission statement were as follows:

Our **Vision** is to strengthen, empower, and unify the Aboriginal Peoples of Toronto. Our **Mission** is to strength the community through leadership development; support programs that empower middle year's children and youth, focus on lifelong learning, and culturally based healing and wellness; unify and promote the efforts of community members, Government and Aboriginal agencies, and Business partners, in the enhancement and empowerment of the Aboriginal Peoples of Toronto. (Toronto UAS Handout, 2010)

In the fiscal years of 2010/2011 and 2011/2012, the local priority as set by TUMC was to support programmes that focused on, "Serving Children and Youth, providing educational & cultural opportunities" (Toronto UAS Handout, 2010).

This vision and mission were the result of several community-wide consultations that were part of two UAS sponsored reports: *Moving Toward Unity: A Community Plan for the Urban Aboriginal Strategy* (Anderson, 2003), and the 2004 "Toronto Urban Aboriginal Strategy Demonstrations Project Interim Management Committee," (McCaskill et al., 2012, p. 51). Both involved community consultations used to gain a sense of the community's views regarding its needs and ideas pertaining to the UAS priorities. The consultation process involved eight community meetings with 180 community representatives present (McCaskill et al., 2012, p. 51). These meetings resulted in a final report, entitled *All Voices Heard: The Toronto Urban Aboriginal Strategy Community Consultation: Final Report*, which identified nine key priority areas of focus for the UAS: Arts, culture and media; business; youth; education; employment and training; health; housing and homelessness; justice; seniors, elders, and the disabled (McCaskill et al., 2012, p. 52; see report for specific details). However, the Strategy itself was prepared through on-going consultation with Steering Committee members and final decision-making was based on consensus building—this being one of the key responsibilities of TUMC.

According to the 2008 Terms of Reference (TOR) (this is the starting point because it was the beginning of the last major federal funding period), TUMC established six major responsibilities:

1. Identify local priorities.

2. Develop and Implement the Toronto UAS Community plan.

3. Actively engage the diverse Aboriginal Community for feedback, using the TUAS Community plan.

4. Develop partnerships with all three levels of government, the private and non-profit sector.

5. Fund projects that meet the priorities of the TUAS Community Plan in a clear and transparent way.

6. Promote and raise awareness of the UAS in Toronto. (TUMC, 2008, p. 4)

Many of these action plans never occurred in Toronto, and this chapter argues that the CAC structure in Toronto did not work for the site for several reasons that are highlighted in Table 6 and further explored in this chapter.

To establish the Strategic Plan, each year, TUMC attended different Aboriginal community events and launched its own annual events, such as a recruitment drive, to determine and gather the needs of the community. Community feedback was then presented at the Committee's annual "planning session," which involved a third-party facilitator to help discuss and decide the committee's priorities and final strategic plan. As the national caucus representative stated:

We sit down and discuss what the community needs are and then we send out the call for proposals based on those needs each year. There are certain criteria that have to be met.

Criteria is based on what community needs are. (Personal interview with National Caucus representative, Toronto, January 27, 2012)

The criteria for project selection had to fit within the three pillars of the Strategy, which were broad enough to allow TUMC the freedom and authority to design the Strategic Plan.

Deciding consultation mechanism.

In Toronto, the community's sentiments towards this aspect of the developmental component were not very favourable towards the actions of the federal government, unlike in Winnipeg. These criticisms were rooted in the fact that the UAS arrived on the scene without any community consultation as to its purpose and subject matter. Consultation *a-priori* implementation had taken place in Winnipeg well before the Strategy arrived in Toronto. However, this sparked anger from the Toronto Aboriginal community, who felt as though the Strategy was imposed on the Toronto community rather than developed in partnership with the community. As one member stated:

There was a lot of controversy with the federal government and the Aboriginal community because some community members felt the federal government just dropped the UAS on the community without consultation. Not looking at who the community is and what they would want from the Strategy. (Personal interview with UAS member, Toronto, February 23, 2012)

Another member noted that:

For the UAS, there is not a lot of information on what it is and people still don't know what it does and there's confusion about that so the community is not sure if we're [UAS] seen as competition. One of the original purposes was to help bring all the partners to the table. You really need to have all the players to come up with a strategic plan. (Personal

interview with UAS member, Toronto, December 2, 2011)

These statements reflect the frustration felt by participants because of the lack of consultation with the community, which made some of the ACOs' members (i.e., the Metis National Council, through its provincial affiliates) skeptical of the Strategy's intent.

Because of the skepticism and mistrust some of the ACOs' members felt towards the government in particular, the organizations could not coordinate to support the UAS because they feared a loss of federal funding—recalling here that, at the time of inception, UAS funding was a reallocation of funding rather than new federal funding. This fear was highlighted in the final report by Alderson-Gill & Associates (2005):

> There is a concern among some members of the Aboriginal community that were interviewed, that the UAS could lead to the withdrawal of funds that are now provided to Aboriginal organizations in areas such as employment and training, in the interests of reviewing overall funding approaches. (p. 20)

And as seen in Chapter 5, inter-organizational conflicts are not unfamiliar to the Toronto Aboriginal landscape, as many studies (see Richardson, Dimaline, Blondin, MacLeod, & James Lazore, 2002; Carter & McGregor, 2006; Jim Ward Associates, 2008) have highlighted, due to the lack of cooperation and coordination of services between the city's Aboriginal organizations.

Moreover, as previously discussed, Clatworthy et al.'s (1994) research found that: "Toronto's organizations reported higher levels of dependency on government resources and minimal levels of self-generated resources. Nearly 88 percent of the resources managed by these organizations were derived from government sources" (p. 62). In other words, obtaining and securing government funding is a continuous struggle for Aboriginal organizations in the city. Similarly, the research commissioned by Richardson et al. (2002), *In the Spirit of Unity, A*

Synopsis of Programs and Services Available to the Urban Aboriginal Population in the Greater

Toronto Area, corroborated the findings reported here, and stated:

> There is fragmentation in the Aboriginal community in Toronto at the agency and
>
> individual level; Urban Aboriginal agencies have often emerged as the representatives of
>
> the community by default sometimes resulting in fragmentation of the community. A
>
> larger more representative body is therefore needed to be more representative of the
>
> Aboriginal community. (cited in McCaskill et al., 2012, p. 53)

To this end, community consultation prior to implementation is a prerequisite for educating and

gaining community support to reassure the ACOs that its funding is not in jeopardy, thus helping

to limit fragmentation. As such, pre-consultation is the minimum requirement for citizen

participation, as per Arnstein's Ladder. The absence of pre-consultation will make it increasingly

difficult for governments to gain the trust of the Aboriginal community in order to ensure

participation and cooperation takes place.

This was clearly highlighted by Alderson-Gill & Associates (2005) and in the interviews

conducted for this research. For example, the Alderson-Gill report stated:

> It is acknowledged in the large majority of UAS communities that communication with
>
> the Aboriginal community at large has been lacking. Community awareness of the UAS
>
> was reported by Aboriginal respondents to be low . . . while 70% of respondents had
>
> heard of the UAS, about half had had no involvement at all, and those same organizations
>
> reported being dissatisfied with the amount of Aboriginal involvement in the initiative.
>
> Clearly a lack of communication is seen as impeding wider participation in the initiative.
>
> (p. 21)

More specifically, one member stated:

If there is going to be a policy on how to make life better for urban Aboriginal people it

needs to come from grassroots. It can't be government saying this is our structure, policy,

and funding model and we want your input but we're still going to run the show.

(Personal interview with UAS member, Toronto, December 22, 2011)

This statement is indicative of Arnstein's rungs under the category, "degrees of tokenism," in

which participants are heard but lack the power to affect the outcomes. Without knowing the

purpose and intent of the Strategy and how it could have worked in partnership with the ACOs,

both governments and the community found participation on the Strategy difficult from the

initial stages of consultation. More importantly, this affected the ability to build relationships of

trust, especially given the history of Aboriginal-state relations in which governments have a track

record of imposing state initiatives (e.g., through the *Indian Act 1876*, and the residential school

system) on Aboriginal peoples. Thus, at this stage of the CEAP framework, the UAS initiative

closely aligns with Arnstein's "manipulation" and "therapy" rungs, where sharing power and

building trust are absent.

This suggests that community consultation prior to implementation is not only important

for ensuring the cooperation of those involved and mitigating tensions, but also for gaining the

community's trust in the process. Ultimately, in the case of Toronto, the absence of pre-

consultation, resulting in the inability to decide the consultation mechanism in the developmental

component, rendered the process ineffective even though TUMC had the freedom to decide the

direction of the Strategic plan. This freedom demonstrated a limited degree of willingness on the

part of governments to redistribute some aspects of decision-making process in relation to

policy-design to the community—this being an essential component for ensuring effective

participation and gaining the trust of members. Unfortunately, however, the degree of abdication

was not enough to ensure community cooperation because the important decisions regarding the design and content of the Strategy were decided away from community. This posed several difficulties in enabling effective participation.

At a minimum, it raised difficulties for government as relationships needed to be forged at the community level and could not stand on the shoulders of existing relationships. This is because these relationships were, for the most part, not as pronounced as in Winnipeg, and because no initiative on the part of government was assumed in order to establish these vital relationships. Furthermore, because the Strategy was imposed on the community, there was a sense of distrust surrounding the Strategy and towards those government representatives involved. This case shows that starting off on the wrong footing requires more work and effort on the part of governments going forward in order to gain the trust of the community, and thus to ensure effective participation can take place.

Empowerment component.

Once again, this component includes three parts to the evaluation process: selection of representatives, availability of resources and training provided, and the communication process. Empowering members to effectively participate requires the presences of these sub-components in which the absence of such will render the process ineffective. Each sub-component necessary for empowerment is analyzed below, to illustrate where Toronto stands in terms of this component.

Selecting representatives.

In Toronto, recruitment of members was performed through a "Call for Nominations." The call was widely advertised throughout the Toronto Aboriginal and non-Aboriginal Community (e.g., through bus ads, newspapers, email lists). Members were selected based on the

criteria developed by TUMC, which generally coincided with the committee's plans and activities. For instance, the criteria might have taken into account geographic location within the city, skills, and experience (TUMC, 2008, p. 6). In this instance, the committee was given the authority to develop the selection criteria and to appoint committee representation.

In 2008, the membership recruitment drive ran from August 25th to October 17th. The broad approach used for membership development included:

1. Peer recruitment campaign, including word of mouth

2. Advertising in the Native Canadian News

3. New Member Brochure distribution

4. Broadcast email nominations forms to Aboriginal organizations

5. Posters advertising our New Membership Drive at Aboriginal Organizations, community centres, pools, libraries, and health clinics in 22 of Toronto's communities with the greatest population of Aboriginal People. (Therrien, 2008)

Overall, the committee was given the opportunity to choose the method of recruitment and the selection criteria, as well as make appointments to the Steering Committee. This was handled by the "selections sub-committee," which assembled a shortlist of nominees and presented the final list to the TUMC, which then as a whole decided upon the successful candidates.

Though the selection process was handled independently of the government, the committee itself suffered from low attendance. At any given time, seven to eight members were absent. Only five to six representatives attended consistently, and at times the government co-chair was absent at the meetings. The Terms of Reference (TUMC, 2008) stated that two consecutively missed meetings required the resignation of the member, however, this was not enforced. Low attendance creates barriers to effective participation and becomes problematic for

several reasons, as was demonstrated in the Toronto case. First, the absence of almost half of the committee resulted in a loss of full community representation; second, it slowed the process of consensus building; and lastly, it reduced members' morale. The combination of these types of setbacks makes the ability to effectively participate difficult even when the intent is there and provided by government.

For example, Steering Committee membership was based on community representation. Members were chosen based on their personal and professional experience within the community. However, low attendance meant community representation and knowledge were not at the consultation table. This triggers the second concern, which is two-fold. First, when members are not in attendance the absentees need to be briefed at the next monthly meeting. This utilizes some of the already limited time members have dedicated to the Strategy. In addition, since the process is based on consensus building, when an item has been rolled over to the next meeting any members formerly absent will need to be debriefed on the discussion and consensus must be obtained once more. This becomes a daunting task if and when members do not agree with the final decision, which happened regarding the design of the UAS logo. As one government representative stated:

> There are frustrations in those things we discuss and need to make decisions on. I don't know how to stop that. The collective people need to decide to stop discussing. An example of that is our logo that we had. We had a member on our committee who does graphic design. We offered to use her company to make the logo for us. Those of us at the meeting picked which one we wanted to use. Next meeting there was a debate about which logo to use based on the people at this new meeting because they were not at the previous meeting when we decided. (Personal interview with government representative,

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Toronto, February 23, 2012)

This is a simplistic example of the difficulties that can arise from low attendance. Nonetheless, it does highlight the ways in which the committee faced roadblocks when attempting to implement the Strategy. Such roadblocks can make consensus building an onerous, tedious, and slow process, especially when a committee meets only once a month.

However, low participation was symptomatic of a deeper democratic concern, which was, according to many members, the absence of government representatives at the table. Members stated that the absence of government at the meetings made the members feel as though their participation was futile, especially since the federal government initiated the consultation but was not there to listen. This lowered morale and resulted in low attendance. As one member stated: "It's disheartening cause we need representation . . . some say it's frustrating because of the way government act but they are not giving up on the government but [the members] are giving up on us by not showing up" (Personal interview with UAS member, Toronto, March 1, 2012).

This creates a barrier to effective participation in which members lose faith in the process and distrust those that initiated the consultation. As one member stated: "I think it would be helpful if the government would come to meetings. When he/she doesn't come to the meetings or explain his/her decision, it adds to the distrust" (Personal interview with committee member, Toronto, April, 4, 2012). This had been a problem recognized for some time, but it was never rectified. As the Alderson-Gill & Associates (2005) report stated, there was a lack of support from senior management, with the result that:

> this lack of impetus from senior management limits the time available for the UAS,
>
> dictates that representation at UAS meetings tend to be by less senior officials, and means

that action on the UAS tends to happen around the margins of department activities instead of being integrated in any substantial way. (p. 26)

In this instance, the issue of member selection and community representation was not a cause of contention. Both in theory and in practice the government had delegated this responsibility to the committee. Though government had a seat on the "selections sub-committee," they did not make final appointments. The process used to select committee members demonstrated the willingness of government to entrust the community with the responsibility of choosing its representatives. However, the main roadblock to a successful CAC process in Toronto was the lack of attendance by committee members once the committee had been formed. This greatly affected the ability of all members to effectively participate and represent the community as it prolonged aspects of the Strategy's implementation. More importantly, the lack of representation at the table from both members and the federal government lowered morale amongst the committee members present, resulting in a vicious cycle of absence breeding absence. Thus, the Toronto case makes it clear that the ability to develop trust between governments and Aboriginal participants begins with the presence of government at the table. That is, though the intent to empower the community might be there, it cannot be fully realized when the figures that represent the power dynamic are not present. In this case, even if the members had the resources to "take power," as coined by Arnstein, they could not effectively do so, thereby placing citizen participation in this context at the low end of the ladder.

Availability of resources and training provided.

Resources and training include those tools needed to ensure participants can adequately participate. These tools include time (e.g., deadlines, personal time), resources (e.g., funding), access to information (e.g., for incoming members, for referencing projects), and training. When

referring to the availability of time, this includes dedicated time from individual members, as well as time allocated to run the programme and implement the Strategy. A major problem with the UAS is that such a large programme functions on volunteer efforts. In Toronto, the only paid positions were those within government and that of the project officer, as Aboriginal community representatives noted they were not paid by their employers to attend meetings. Most members expressed the concern that it is unrealistic to run such a programme on volunteerism. As one member noted,

> To run an engine like this on volunteer power, of course you're not going to get anywhere. But all government officials are paid to work on this. If they want to make it effective they need to have full-time staffing to work on this. Even getting the website running is a huge job [and it should be noted that the website was never launched]. (Personal interview with committee member, Toronto, December 22, 2012)

In addition, the limited time frame for which the Strategy was renewed increased pressure on the Steering Committee and the ACOs receiving funding to ensure all funding was allocated and all activities were concluded prior to the end of the government fiscal year (March 31st), as was a similar concern with the Winnipeg UAS. This framework for funding poses a barrier to the effectiveness of CACs, as noted in Chapter 5, as it can result in projects being funded without appropriate knowledge, projects being implemented that are not an appropriate fit for the UAS or do not have long-term benefits, and/or projects not fulfilling their funding requirements. Furthermore, such limited terms make it difficult to benchmark actual outcomes and successes, especially if the organizations are not given sufficient time to properly launch projects.

For example, one community centre's 2007/08 final report (this source is unnamed, and has been left out of the reference list for confidentiality purposes) stated that the project was

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affected by a late February 2008 approval to achieve project completion by the end of March 2008. This limited the project's performance in three main areas: restricted depth of community promotion; reduced outreach to stakeholders; and reduced level of stakeholder involvement in the project development phase. This was a significant roadblock to the Strategy's success given that the project was able to develop partnerships with the Miziwe Biik Development Corporation and Toronto Public Health's Peer Nutrition Program as a direct result of this project. More time may have allowed the project greater visibility in the community, which may have produced additional collaborations.

This was also a concern highlighted in the Alderson-Gill & Associates report (2005) that was never rectified, as the Toronto case demonstrates. The report stated one of the barriers to government collaboration to be,

> a lack of uncommitted funds at the local federal level and among provincial and municipal departments to allocate to the UAS. Since the UAS is intended to be primarily a strategic initiative and has a relatively small funding component, the leveraging of non-UAS funds is a critical element of any longer-term success [but] there are few resources available within the existing federal, provincial or municipal program or operating budgets to contribute. (p. 26)

As such, the uncertainty of continued funding made it difficult to design and implement a strategic plan that would focus on long-term goals, due to the fact that the committee was in constant fear that the federal government would terminate the programme when the funding period was concluded. As one member noted: "Come end of the fiscal year March 31st you don't know if that program will still be available, it leaves people on edge" (Personal interview with committee member, Toronto, December, 22, 2012).

One example that illustrates this concern is found in the Comprehensive Community Plan (CCP) launched in September 2009, which was a detailed three-year framework (2009–2012) designed to direct the Toronto UAS strategic plan. The CCP identified the Toronto UAS local priorities to be "Aboriginal Women and Families, including youth and seniors with a specific focus on healing and wellness and Programming for Children ages 7-14 and Youth 18-25" (Toronto UAS, 2009, p. 3). However, an examination of the projects' final reports revealed that the majority of projects did not exist after the fiscal year in which it received funding, such as George Brown College's "Aboriginal Youth Outreach Program 2008/09," which was designed to assist Aboriginal youth in planning for their post-secondary education. The respondent for the George Brown College project stated that this was a pilot project and that it did not receive any additional funding because the UAS did not do a call for proposals the following year. However, this programme did achieve some success as it reported that several Aboriginal youth began inquiring about post-secondary education. Projects that aligned with the community plan and which had tangible results such as this one should have developed, in partnership with the UAS, mechanisms for continuing those projects after the funding term.

Furthermore, too many projects were designed solely for UAS funding. Therefore, there were no attempts by the recipient organizations to partner with other organizations within the community, this being a key focus of the UAS. For example, the Dad Central Ontario organization's project, "Aboriginal father involvement resource development and infant mental health promotion knowledge 2011/12," ceased to exist because it was never designed to continue once completed. Its purpose was to provide training events focusing on effectively engaging fathers in their communities and to provide awareness about the importance of fathers' involvement in their children's lives and in the community. Funding short-term projects such as

this one makes it understandably difficult for the UAS to have a long-term impact on the urban Aboriginal community when the Strategy is seen as temporary.

When speaking of resources such as transportation, accommodations, internet access, documentations, participants noted that they were made available to the members. However, one item of contention was the inaccessibility of internal government information pertaining to the Strategy. Members noted that some information, such as minutes from meetings, previous TOR, final reports, and communications correspondence, was not available to members upon request; as they reported, only government officials and the project officer had access to the minutes. That was also the case when this field research was conducted. In addition, the national and regional websites for the UAS were limited and outdated, making the ability to access information on the project and the Strategy's progress difficult in two respects. First, those new to the UAS had difficulty obtaining information about the Strategy and its past accomplishments without access to minutes and/or information from the official website. The second difficulty, and what seemed to be a common concern throughout the interviews, was the lack of any documentation pertaining to the Strategy in Toronto. One member noted that record keeping was a serious issue for the chapter, especially since the group had such a high turnover. As that member stated:

> Archiving is really important for new members so we can see progress, best practices, projects, etc. But there is no archiving because there is not enough staff, manpower, or resources. Like we are trying to keep ourselves afloat and not sink. (Personal interview with committee member, Toronto, December 22, 2012)

The lack of internal information is an obstacle to effective participation because it prevents incoming members from becoming knowledgeable about the administrative and policy sides of

the Strategy. In addition, it prevents existing members from compiling data and outcomes on the progress of the UAS to date.

This may be especially crucial for members who are to take on the position of co-chair or national caucus representative. Inadequate information and/or training for these positions hinders the decision-making process because of inefficiencies in the learning process. As one government official stated:

> We do not provide any training for those who chair our meetings. There is a proper way to run a meeting but there is no reason that we sit there and sit there and nothing gets completed. If you chair the meetings you need to be able to wrap it up at the end of the meeting and make sure things get accomplished. (Personal interview with government representative, Toronto, February 23, 2012)

Without adequate access to information and appropriate training of members, which may include mechanisms for communicating and engaging with the community, the CAC process makes it difficult for members to effectively participate as they lack the expertise to successfully be part of the process. Without such resources, members cannot make informed decisions, hence limiting participation. Specifically, casting community representatives into a CAC strategy without knowledge of the experience and skillsets they bring to the table is setting the Strategy up for failure in that the lack of experience leads to an inefficient use of volunteers' time and fragmented programme funding.

Fragmented programme funding was a by-product of a lack of consensus building (i.e., agreement on priorities, funding recommendations, community needs) and vision (long-time strategy for the UAS) on the part of the Toronto Steering Committee. However, even more disconcerting is that the lack of vision and cooperation amongst the Committee members

parlayed itself into a lack of trust and respect between the committee members and government representatives. Subsequently, policy-makers did not entrust the committee with important decision-making authority because they did not feel the members had the experience or knowledge to do so. Similarly, members did not have the expertise nor were they provided the training necessary to "take power" from the government. In the view of the Aboriginal committee members, the government representatives came to the table not as partners in the enterprise but as supervisors of the Strategy, thereby undermining the ability of the Aboriginal members to effectively participate and the UAS' initiative of being community-based.

In addition, the lack of strong leadership skills makes it difficult to promote participatory decision-making. Leadership is unequivocally important because it can facilitate consensus on difficult negotiations or decisions that need to be made; assist in understanding the research process; and help members understand and share community protocols and ethics (Fletcher et al., 2008, p. 26). The UAS is not an exception to the rule; rather, the Toronto example illustrates the difficulties that can arise from the lack of leadership skills. In Toronto, this issue resulted in disagreement between all Steering Committee members, which made the committee unstable because policy consensus could not be reached on important decisions (Strategic Plans, TOR, decision-making processes). Government representatives moved away from their position as facilitators towards that of power-holders by relinquishing power and simply dismantling the committee on several occasions.

In essence, effective participation could not develop, further exacerbating the already inoperative Aboriginal-state relationship in Toronto. The experience in Toronto suggests that in order for CAC projects to be successful when involving urban Aboriginal communities, policy-makers must consult prior to policy design and perform the necessary environmental scan in

order to gain real and tangible knowledge of the ACOs' infrastructure the government will be working with. This initial step will guide policy-makers in decisions regarding allocating resources for effective participation to take place. In other words, in the case of CACs involving marginalized groups—in this case, Aboriginal communities—effective participation cannot take place if participants do not have the faculties to "take power." Thus, for CACs to be effective and successful, governments must provide the resources to enable marginalized representatives to gain decision-making authority, and only then will trust ensue. Without this step, CAC structures will continue to be tokenistic in nature, as suggested by Arnstein.

For example, one of the major criticisms stated by committee members was the fact that the government withdrew funding when something was not done in accordance with government expectations. As one member stated regarding a UAS campaign ad:

Honesty and communication prevent participation and so you almost get disciplined if you do something bad. For example, the UAS forgot to put the Aboriginal Affairs Ontario logo on the campaign ad and because we forgot to put the provincial government's logo on the campaign we lost $100 000. We just got a letter saying there is no money left and the funding will be cut. (Personal interview with community member, Toronto, March 1, 2012)

The issues surrounding funding were numerous and problematic in that the lack of funding and the lack of a common understanding as to what the UAS represented placed a burden on the shoulders of the Aboriginal committee members. Specifically, their participation and ability to implement the Strategy was hindered by the need to find ways to successfully bridge the broken relationship between governments and the Aboriginal community, rather than addressing community policy concerns. This was highlighted in the Alderson-Gill report, which stated that,

there are organizations within the Aboriginal communities that do not share the vision of

the UAS as a collaborative strategy between governments and Aboriginal communities

and believe that federal funds to address Aboriginal issues should be devolved to

representative Aboriginal political organizations. (p. 24)

The lack of a shared vision and the fragmentation within the Aboriginal community was

exacerbated by the lack of trust towards the government. Notably, a large part of this sentiment is

symptomatic of the communication process, or lack thereof.

Communication process.

The Toronto UAS suffered from a lack of open communication and thus a lack of trust

between members and government. This problem is not exclusive to the UAS. Rather, it is the

norm with Aboriginal-state relations for the most part, and the Toronto UAS was no exception to

the rule. All community members stated that the government was never transparent and

accountable to the committee. The members mentioned on several occasions that the government

was not transparent especially when it came to funding. As one member stated, "the renewal

process is very frustrating because you are dealing with the federal government who is very quiet

and doesn't want to say anything. There is no transparency." (Personal interview with

community member, Toronto, January 27, 2012). This lack of transparency in terms of funding

limits the ability of the Committee to plan for the future and work towards closing the

Aboriginal-non-Aboriginal socio-economic gap. As Peters (2011) has affirmed through research

on urban Aboriginal political organizations, "Current funding strategies for these organizations

have created a confusing array of programs and services with duplication in some areas and lack

of attention in others" (p. 22). More importantly, the lack of transparency is a major obstacle to

developing Aboriginal-state trust. For example, some members noted that "back door deals"

were made without members' knowledge. Specifically, there were occasions when the three

levels of government met with each other to discuss funding without community representation

at the table. As the community co-chair noted,

> I should have been at the table when the government representative met with the city but
> the government representative told me to take care of my end and the individual would
> take care of his/her end. We still don't know what happened at that meeting but we know
> we lost some funding. (Personal interview with community member, Toronto, March 1,
> 2012)

These communication concerns appear to have been the major obstacle to building trust

with the community. Again, this is not a new phenomenon in Aboriginal-state relations, but it

signifies that a change needs to be made when governments are asking Aboriginal leaders to sit

at the consultation table. One of the ways open communication can best be achieved is by

thoroughly laying out expectation and roles of all members, including both government and

committee members. The lessons that have come out of the literature (Hess & Adams, 2007)

discussed in Chapter 3 and from past experiences point to the fact that governments and

Aboriginal groups cannot properly navigate tensions that arise from a lack of understanding of

roles and responsibilities. This means that all participants must understand where the

redistribution of power will take place and, even more importantly, if the shifting of decision-

making power will take place at all. As one member stated: "The members did not feel they had

the agency to push forth ideas. To ask us to be innovative but not let us run with it is a consistent

barrier" (Personal interview with community member, Toronto, December 22, 2011). In other

words, without a clear understanding of where and when the power will shift, trust and mutual

respect will not ensue, which is largely a by-product of the communication process.

For example, one government official noted that, in the beginning of the Strategy, members were looking at the UAS to become another Aboriginal agency to allocate money for projects, as opposed to the federal government who looked at it as providing funding and helping with the capacity building of a number of agencies (Personal interview with government official, Toronto, February 23, 2012). According to this official, the tension arose because all members were unclear about each other's roles, and therefore mistrust developed from both the community and government sides of the table. As the member stated:

> I think the change (more stable committee) came because people were a bit more understanding of what was expected of them and [because of] more of a willingness from government part to actually listen and talk with members on the committee. There have been some members on the government side who didn't know what their role was and had the mentality of "I'm in charge and that's it." (Personal interview with government official, Toronto, February 23, 2012)

This was also recognized in the findings of the Alderson-Gill & Associates (2005) report, which stated:

> In that city (Toronto), there has been considerable acrimony between various Aboriginal groups and the lead federal officials, and among various Aboriginal participants . . . There is a considerable lack of trust that the federal government is genuinely interested in allowing the Aboriginal community to lead the Strategy in any meaningful way, and from the perspective of federal officials there has not been a real effort on the part of participating Aboriginal organizations to set aside agency interests and work collaboratively. (p. 23)

This statement reflects the on-going paternalistic attitude of governments in their dealings with

the Aboriginal community and the lack of collaboration on the part of Toronto's ACOs.

This suggests that for CACs to be fruitful a change in attitudes must occur. Governments cannot ask Aboriginal community members to voluntarily devote resources, both personally and professionally, to a government strategy without evening out the (power) playing field. As such, CACs and community engagement projects cannot be hierarchical in nature. To ask the public to go above and beyond their civic duty without setting realistic expectations of partnerships and consultation, and without being accountable and transparent, makes the process a futile exercise. Thus, governments need to be proactive in assisting community organizations in reaching common goals and visions. Governments should not set the goals and visions for Aboriginal communities, as this would undermine Aboriginal self-determination. Instead, as governments have the means and resources to understand and educate policy-makers on the Aboriginal political landscape and their organizations (including all the existing weaknesses and strengths), governments should be using their resources to assist Aboriginal participants in taking-power (as coined by Arnstein) during the CAC process, in order to strengthen Aboriginal communities now, and for the future.

However, in the Toronto case, governments were acting retroactively to the frustrations and aggravations of the Aboriginal community. When consensus and cooperation could not be reached within the Steering Committee, the governments reacted by shutting the programme down. This became the case in 2005 and in 2010 when, due to internal conflicts amongst TUMC on the direction of the Strategic Plan, the OFI halted the Strategy. In 2005, according to Alderson-Gill & Associates (2005):

> The Terms of Reference for the steering committees have typically been insufficiently developed, so community members are unclear about how the committees function, what

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the criteria are for membership, what provisions there are for turn-over of membership,

and how decisions are made . . . In Toronto in particular, the lack of sufficient TOR has

been a major factor in the disbanding of the committee. There does not appear to be a

clear line of responsibility nationally for developing such terms and conditions and other

related tools . . . (p. 21)

The committee did not reconvene until Human Resources and Skills Development Canada

(HRSDC) in Ontario established clearer TOR, decision-making procedures, and a broader base

of Aboriginal membership to better represent the Toronto Aboriginal population (Alderson-Gill

& Associates, 2005, p. 19). As the report by Alderson-Gill & Associates (2005) stated,

the committee has recently been disbanded by HRSDC in Ontario because disagreements

within the committee had proven extremely difficult to resolve, with the result that the

committee was not able to put forward plans or project proposals that had broad support.

The decision was made to disband the existing committee, establish clearer

terms of reference and decision-making procedures, seek to broaden the base of

Aboriginal membership to better represent the Toronto Aboriginal population, and

establish a new committee under those new arrangements. (p. 19)

Whether or not this was accomplished with participation from the Aboriginal community is

unknown.

However, by the summer of 2010, the committee was disbanded a second time. Members

interviewed identified similar problems leading to the second dismissal of community members,

though the exact causes and concerns were not uncovered in the research conducted here and

further investigation was unsuccessful. However, posted on the "Turtle Island Native Network's

Forum" by a former UAS Co-Chair was the following response to the disbandment:

It is with much regret that I must advise you of the impending closure of the Toronto

Urban Aboriginal Strategy office located at the Native Canadian Centre of Toronto;

including the termination of the staff and services at that location. The Office of the

Federal Interlocutor (Ontario Region), within Indian and Northern Affairs Canada,

arbitrarily made this decision without proper consultation. They shut their ears to our

counsel. This decision by governmental officials is not one that any member of our

Community had any voice to. TUMC is composed of community members as well as

governmental representatives. The Toronto Aboriginal Community Reps, or TAC, which

is composed of members with vested interest in the community, have passionately

rejected the closure of the UAS office, for it serves as a hub – a place to meet, discuss

and most importantly, a beacon to be drawn to. The members of the Toronto Urban

Management Committee (TUMC) are on summer hiatus and did not participate nor

consent with this action. In effect, this has silenced the voice of the community and ended

your participation in this project. The largest challenge in inter-government relations with

Aboriginal peoples has been communication - whether it is Nation to Nation or individual

to representative. The failure to communicate and consult and to respond and respect is

yet another failed attempt to sustain cohesion in a complicated relationship. (Bolton,

2010)

This was one of several occasions where the UAS threatened to close its doors due to intra-

committee conflict. Much of the conflict arose from the lack of communication, and specifically

the lack of transparency and accountability from government to members, as noted in the

statement above. Such weaknesses in the communication process truncate the possibility of

building relationships based on mutual trust and respect. For participation to be effective and

CACs fruitful, trust as a by-product of open communication must become a priority for success. Without trust, Aboriginal participants will continue to experience political barriers to participation, and the CAC process will be destined to remain at the lower rungs of Arnstein's Ladder.

Relationship-building component.

The Relationship-building component is one of the crucial elements to building trust and is at the heart of Aboriginal-state relations. The UAS attempts to bridge the shattered Aboriginal-state relationship by engaging with the urban Aboriginal community in order to deliver services that benefit the community. However, this cannot be achieved without the political will of those that make the urban Aboriginal community unique, as was pointed out in Chapter 4.

Political will.

This part of relationship building includes Elders, ACOs, employers, and government at all three levels. In an urban setting there is no one body or institution that speaks for the Aboriginal community as there is with land-based Aboriginal groups, and so the governance of the urban Aboriginal community involves numerous stakeholders. It is the cooperation of these stakeholders that ensures the success and failures, if any, of urban Aboriginal life. Similarly, the ability of community members to effectively participate on the UAS relies on this cooperation as well. The absence of such hinders the capacity of the committee to engage with the community and successfully deliver the UAS. In Toronto, the committee lacked the political support to achieve this goal.

Elders.

As is the case in Winnipeg, in Toronto, Elders represented the cultural dimension to the Strategy. Their presence legitimized the importance of the Strategy and its respect for Aboriginal

culture. However, unlike Winnipeg, Toronto did not employ any Elders as part of the Strategy, and no Elders were invited to attend the meetings. When asked about the employment of Elders, government representatives stated that the members were given the opportunity to call Elders to the table. However, members stated that Elders were invited but did not attend, though no definitive answers were provided on this front. This may be symptomatic of two things. First, as the research by Clatworthy et al. highlighted, Toronto Aboriginal organizations tend to be less exclusively Aboriginal in terms of membership and client-base, and are also more integrated into the wider urban community (1994, p. 61 – see Table 6.). This may suggest that cultural representation on ACO's board of directors or CACs was not as important for Toronto as the delivery of services. Because of the broad-based participation of the community and the cultural composition of the Toronto community, many services do not have the financial and human resources to focus on any one ethnic-cultural group. Thus, cultural preservation is not a high priority in the delivery of service, and therefore, was not a priority for the UAS.

Moreover, the absence of pre-consultation resulted in a lack of understanding and knowledge surrounding the UAS, and so the community could not politically support the Strategy. Because of the tensions that culminated from the lack of community consultation, it is possible that Elders abstained from participating as a display of non-support. As such, the Elders were making a statement to the government about the way in which the UAS had been imposed on the community. This suggests once again that, in order for a CAC strategy to be successful, especially in the Aboriginal context, consultation *a-priori* implementation is a must. Understanding the community, its members, and its organizational capabilities, and getting members on board will ensure that the Strategy is both about and for the community.

Aboriginal community organizations.

Support from the Aboriginal community and community organizations are central to the success of the UAS. The UAS is designed to improve the urban lives of Aboriginal peoples by making individuals self-sufficient through the coordination of intergovernmental and community efforts for delivering community services. This is to be achieved at the organizational level where gaps in service delivery and programmes can be filled. Additionally, ACOs in urban settings are some of the best sources of knowledge for identifying and understanding the needs of the community. Therefore, without the political support of Aboriginal organizations, the Steering Committee will experience difficulties participating on the UAS (i.e., be unable to identify community needs and thus close service-delivery gaps). This will greatly affect the success of the Strategy. Unfortunately, in Toronto there was limited support from the ACOs. As the report by Alderson-Gill & Associates (2005) uncovered,

> there are organizations within the Aboriginal communities that do not share the vision of the UAS as a collaborative strategy between governments and Aboriginal communities and believe that federal funds to address Aboriginal issues should be devolved to representative Aboriginal political organizations. (p. 24)

Similarly, all members interviewed commented on the lack of support they felt they received from the ACOs. As one government official noted:

> The Aboriginal community is not keen on the term consultation. Now the problem when governments come here (Toronto) to talk is we do not have any designed leaders like in First Nations community where you know who the elected and traditional leaders are. Everyone comes from different backgrounds. There is not one body that speaks to the community. The original group of UAS people attempted to become that body but the

community was like "no, you don't speak for me and I don't speak for you". So the consultation process can be a bit onerous in Toronto because there is not one voice that speaks for the community. (Personal interview with government official, Toronto, February 23, 2012)

This statement sheds light on the diversity of the Aboriginal community in Toronto and the difficulties related to Aboriginal political representation in an urban setting.

The reality is that Toronto ACOs are largely dependent on government funding, and the reaction to the arrival of the UAS suggests that organizations felt their government funding was threatened, and that therefore the community could not coordinate efforts in support of the UAS. As one member pointed out: "Some of the agencies felt their agency was being threatened by the new funding of the UAS. So that's why there was a bit of a problem first establishing this" (Personal interview with government official, Toronto, February 23, 2012). Although the rhetoric of the UAS was to work in partnership with the Aboriginal community, without clearly consulting and informing the community at large *a-priori* implementation of the UAS, the Strategy did not receive the community support it needed to ensure the success of the Strategy.

Furthermore, in Toronto, community cohesion is that much more difficult because of the organizational differences and "turf wars" already evident in the city (as noted in Chapter 5). As one member stated:

The UAS is not an effective way to work with Aboriginal governments in Toronto because of all the saturation we have from all the different non-profit organizations and agencies. For the UAS there is not a lot of information about what it is and people still don't know what it does. There is confusion about that so they're not sure if we're seen as competition. (Personal interview with community member, Toronto, December 22, 2011)

The view that the UAS may be competition for other ACOs makes the small pot of federal funding appear that much smaller.

For example, in 2007, the chapter received $700,000, but later that amount was reduced to $400,000 for the fiscal year at the behest of the OFI in Ottawa. A modest operating budget of $400,000 per year for the Strategy to address crucial socio-economic priorities is an ambitious endeavour that becomes increasingly unrealistic when UAS projects and initiatives cannot be cooperatively joined and/or streamlined with existing services, resulting in the duplication of services.

Employers.

Another element of external support that is generally ignored in the literature is that of the employers. In Toronto, employers played a significant part in providing political support to the UAS because the majority of TUMC positions were volunteer based, and not paid positions. Members agreed to devote at least one day a month to attend meetings in addition to attending any other community activities required (e.g., community forums, planning sessions, sub-committees, etc.). Given this, support for the Strategy had to also stem from the members' employers, but such support was scarce. Unlike the Winnipeg UAS members (who meet for a full work day), members in Toronto met after work for four hours in the evening to discuss the Strategy. Only government representatives reported being given adequate time to participate, though for some it was part of their job description. For one government member, it was not part of the job description, but the government provided the respondent with lieu days in exchange for the member's participation on the committee.

The reality is, when community members do not receive flexibility from their respective employers the ability for members to effectively participate is hampered. This is not a

component generally recognized by the CAC or urban Aboriginal literature. Much of the literature's focus is on processes and organizational capacity. It neglects to recognize the part of employers in understanding and advocating for Aboriginal issues and particularly, in this case, in supporting the UAS mandate. In Toronto, though many of the members were employed by specific Aboriginal organizations, due to conflicts of interest (e.g., government funding, mandate issues, etc.), there was a lack of support from employers to members. As one member pointed out, "Toronto right from the start has been shaky because Toronto already has all these organizations working for these [UAS] causes" (Personal interview with government official, Toronto, February 23, 2012). Without employer support for the Strategy, members cannot participate on the CAC and will lose the confidence of the government who will be less willing to devolve power. In the Toronto case, because of intra-committee conflicts and inter-ACOs conflicts, the government shut the door on the UAS on several occasions.

Government.

The role of government is the most vital piece of the puzzle. It is largely the attitudes of government representatives that will determine the success of the Aboriginal-state relationship and the CAC in general. Since the federal government is calling upon Aboriginal representatives to participate at the table, governments must consult in good faith. That is, if the government is agreeing to a consensus-building model of decision-making, than government representatives must be willing to give up some of their power to the stakeholders. In Toronto, the major conflicts existed between governments and committee members, in addition to the intra-committee power struggles that occurred. As the report by Alderson-Gill & Associates (2005) stated in reference to Toronto, "it is clear that the UAS has not been successful to date in establishing positive working relationships between the federal government and the Aboriginal

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community or among various Aboriginal interests that have come forward to work on the UAS" (p. 23). This continued to be indicative of the Aboriginal-state relationship that ensued over time.

The lack of trust in Toronto stemmed from a long history of colonialism and was further impaired by the fact that community members did not feel there was political support from government officials in the ways of attendance, transparency, and accountability. For example, on several occasions, the committee asked Mayor Rob Ford to attend the meetings, to which he declined. This was demoralizing for members, especially when the Toronto committee was aware of the fact that other chapters (e.g., Ottawa, Thunder Bay, and Winnipeg) had received strong support from their municipal governments who were very proactive with the UAS. One member noted that, "we don't have the Mayor saying this is a good thing, we are going to work with you. One time I had Ford articulate to me, 'why am I going to put special emphasis on Aboriginal issues?'" (Personal interview with UAS member, Toronto, December 22, 2011). Another member mentioned: "Thunder Bay has a lot of members of government sitting with them, mayors and councillors. We've invited ours but they don't come" (Personal interview with UAS member, Toronto, October 13, 2011). In addition, research by Abele et al. (2011) supports these sentiments as the authors have illustrated in their own research on municipal support for ACOs in Toronto,

> Since the municipality does not have jurisdiction for developing Aboriginal policy, it was very difficult for substantive discussions to occur within the [Aboriginal Advisory] committee on issues and concerns facing the urban Aboriginal community . . . In other words, because the municipality does not have constitutional authority for Aboriginal affairs, city officials do not perceive the development of an Aboriginal-specific policy as either a municipal necessity, or even, a possibility. (p. 109)

This is problematic because a lack of political support, regardless of which level of government it stems from, signifies to Aboriginal members that their participation is not valued and that the Strategy is irrelevant to the political agenda, though at times the lack of political will is a by-product of the "jurisdictional maze" apparent in the Aboriginal-state apparatus.

Another source of contention in Toronto pertained to the lack of transparency from governments. During the interview process, numerous respondents expressed their frustration with the way governments, and particularly the federal government, interacted with the committee. The general consensus amongst members was that governments continued to act in a position of authority, rather than acting as equal stakeholders in the partnership. That is, despite the rhetoric of partnership, the members felt governments continued to have final say. According to some of the members, on several occasions, one or more levels of government removed funding from the Strategy without consulting with the committee or providing justification for the decision. For example, in 2011, the government decided to reallocate $60,000 from the Toronto chapter to another chapter without explanation (personal interviews with UAS members, Toronto, October 13, 2011 and January 27, 2012). On another occasion, the City of Toronto withdrew $200,000 of funding without providing a rationale. As one member stated: "We wrote a letter (to the City of Toronto) but are still waiting on a response as to why they withdrew funding." (Personal interview with UAS member, Toronto, October 13, 2011).

It is this veil of secrecy behind which governments operated that caused members to feel there was no political support for their efforts and dedication to the Strategy. The lack of transparency from government to committee also spilled into the community. For instance, when the government did not communicate their funding decisions to the committee, the committee could not account for the loss of funding to the community. As one member stated in regards to

the loss of $60,000: "the money was given away without our knowledge. We need to be accountable to our community but we are not given a reason why funding was withdrawn from us" (Personal interview with UAS member, Toronto, October 13, 2011). This creates a vicious cycle in which the absence of political support from the government breeds mistrust from the committee, which then leads to mistrust from the community that they represent. Therefore, for CACs to be successful, accountability must occur from the top down and this includes equalizing power dynamics through greater transparency. However, this did not occur in the Toronto case.

On numerous occasions during the interview process, members alluded to the fact that despite the rhetoric of partnership the federal government still had the final say at the consultation table. As one member stated:

> This Steering Committee is an advisory committee. It is up to the federal government. They can say yay or nay to something, they have final say. It is problematic because you don't want members to feel tokenized. In other places it works better. For example, in Ottawa there are no government chairs. All are Aboriginal members so in Ottawa's Steering Committee there is no government say. In Ottawa their voices are louder.
> (Personal interview with Project Officer, Toronto, November, 17, 2011)

This sentiment was also expressed by another Toronto member who argued that having a government representative as a co-chair made him/her less objective. The national caucus representative also stated that allowing one of the government representatives a vote as co-chair was not in the best interest of the Steering Committee. According to this member, allowing a government representative to be a co-chair makes the representative less objective in regards to planning the Strategy and funding projects because the government representative will not always have the best interests of the committee and community in mind. Rather the individual

may be acting in the best interest of her/his department. (Personal interview with National Caucus Representative, Toronto, January 27, 2012). As the representative stated: "It's a conflict of interest because we report to this government representative and essentially he/she reports to themselves" (Personal interview with National Caucus representative, Toronto, January 27, 2012). These comments underline a deeper sentiment in which members did not feel the process was a partnership with the government. Rather, members felt that the government was an obstacle to the success of the Strategy and a roadblock to the members' ability to effectively participate, since having a government representative sit as co-chair undermines the redistribution of power that the Strategy is designed to represent.

Decision-making authority.

Decision-making within TUMC operated under the principle of consensus building. According to the 2008 TOR, consensus means, "the Committee will make decisions wherever possible by consensus. Decisions will go to a vote only when consensus cannot be reached. Consensus for the purposes of the committee does not mean total agreement but that everyone can accept the final decision" (TUMC, 2008, p. 8). Furthermore, the definition of consensus set out by TUMC was as follows:

> Consensus is a mutual agreement among committee members that legitimate concerns of members have been addressed by the committee such that all members can support the decision. It is important to remember that a consensus decision does not mean that everyone agrees. It does mean that all members have had an opportunity to express their opinion and feel that they have been heard by the group. (TUMC, 2008, Annex D)

Though this model was similar to the model operating in Winnipeg, because of the differences in group dynamic, this model in the Toronto case created problems in and of itself. For one thing,

the need to gain consensus can hinder and slow down the process of both decision-making and the implementation of the strategic plan especially when attendance is low.

More importantly though, the most crucial obstacle to the decision-making process in Toronto was the fact that most members felt government officials still controlled the process. That is, at the end of the day, the government could decide whether or not the strategic plan and/or projects would be funded. One of the major issues that caused tension within the Toronto UAS was the fact that $350,000 was withdrawn from the chapter because some projects did not meet the criteria set out in the mandate (Personal interview with UAS member, Toronto, January 27, 2012). This action lent itself to the reality that some members felt the government representative could not be objective, and that ultimately, at the end of the day, the government would still always make the final decision. While, in theory, consensus building is the best way to achieve equality and empower members, in practice, it was the process of getting to a consensus that appeared to be most frustrating for members, in addition to the lack of support, transparency, and accountability the government displayed for the Strategy. Though the intent of the federal government's UAS was to increase the participation of urban Aboriginal peoples in both decision-making processes and the economy by delegating decision-making authority back to the community, without the resources and political will to do so, this was not achieved. Moreover, without these two aspects fulfilled, successful participation cannot be achieved regardless of the consultation mechanism employed.

Conclusion

This chapter has examined the question: Have Community Advisory Committees (CACs) shifted decision-making power and permitted the building of trust through the UAS in Toronto? Based on the framework used for evaluation (CEAP) the answer to this question is that, in

theory, when the criteria are met, public consultations will ensure effective participation and forge relationships based on mutual respect and trust. When this occurs, the effects of political marginalization as experienced by Aboriginal peoples will be lessened. However, in practice, this is not always the case, as seen in this analysis of the Toronto UAS. As demonstrated by the case research presented here, even when the intent and design of the process is geared towards ensuring the effective participation of members, many obstacles external to the design can hinder the process and render it ineffective. As highlighted by the Toronto case, the lack of government presence, government resources, government transparency, and political support pre- and post-consultation was detrimental to the success of the Strategy, as these denote the unwillingness of governments to redistribute power—even though by design the UAS is set up to accomplish just that.

Furthermore, according to the members in Toronto, the lack of time and funding to fully deliver the Strategy placed a strain on the Steering Committee's ability to participate. Infinite resources are not something governments and/or the community can provide, which can make implementation an even more daunting task. However, resources such as access to information, technical support, and leadership training are tangible resources governments can provide. Providing resources in order to ensure effective participation can occur is part of the role and responsibility of governments in relation to the consultation process. The purpose of this research is not to pinpoint the exact and necessary resources each urban Aboriginal community requires in order to participate. Rather, its *raison d'etre* is to highlight the difficulties involved in Aboriginal-state public consultations in an urban setting when the appropriate resources are not available to allow for effective participation to ensue.

Externally, the lack of community support and cohesion was particularly difficult for the

committee in Toronto. The issue of community representation in urban settings will continue to

be a roadblock experienced by urban Aboriginal communities as it pertains to Aboriginal-state

consultations. Without an appointed or elected political body that can represent the diverse

interests of the Toronto urban Aboriginal community, ensuring that effective participation occurs

will not be an easy task for both government and Aboriginal community representatives.

However, resolving this issue will not occur overnight. On the other hand, the research

conducted here does also illustrate the difficulties that can occur with policy implementation

when community representation is not adequate. Specifically, without agreed upon

representation, there was a lack of community support and a common vision for the Aboriginal

community. This created roadblocks at the consultation table because consensus amongst the

members was hard to achieve. Though the intent to ensure effective participation was evident in

the policy design, many factors were outside the control of the UAS committee, which speaks to

larger political problematics of Aboriginal-state consultations in urban settings.

  For far too long Aboriginal communities in Canada have let governments make important

decisions on their behalf without, and at times with, their consent. Public consultations have

become one of the avenues through which the latter has been achieved. But participating in

public consultations does not guarantee that Aboriginal participation will be effective and

meaningful. A promise by governments to consult is no longer sufficient to build a relationship

based on mutual respect and trust. Governments in Canada must go beyond their DTC, court-

mandated or not, and look to understanding the Aboriginal political landscape and the groups

they are consulting with. It is the government's responsibility, within its fiduciary duty, to equip

Aboriginal communities with at least the minimum resources and tools to effectively participate.

In other words, climbing the Ladder of Citizen Participation requires a foundation that cannot be

built without Canadian governments as partners in the enterprise. This suggests that, for

Aboriginal-state public consultations to be successful, governments must take the lead and enter

the community as community members in order to create relationships that demonstrate faith and

trust in the Aboriginal community. Therefore, even with all things being equal, the CAC process

will not be effective without governments equalizing the powerbase. The comparative research

conducted in this dissertation uncovers this important finding and is the main focus of Chapter 8.

Chapter 8. Conclusion: The Tale of Two Cities

Introduction

The research conducted here has told the tale of two cities—Winnipeg and Toronto. This dissertation has investigated the extent to which CACs are a useful mechanism for enabling the effective participation of Aboriginal peoples when engaged in state initiated public consultations. Specifically, it answers the important question: Have Community Advisory Committees shifted decision-making power and permitted the building of trust through the Urban Aboriginal Strategy (UAS)? The answer to this question is contingent on the community apparatus, as demonstrated by the cases in Winnipeg and Toronto. The research analyzed here focuses on these two apparatuses and the roadblocks both governments and Aboriginal participants can face during the consultation process. More importantly, it examines the obstacles to participation in an urban setting which are numerous with the challenges and barriers to effective participation being different than those laid out in the conventional electoral process (i.e., limited access to political representatives, unfamiliarity with voting process) and the emerging "duty to consult" (i.e., focus on resource development, participation through the legal system) .

Thus, this dissertation set out to determine whether CACs have the ability to decentralize power and build trust between Aboriginal peoples and the different levels of government. More specifically, the research enriches the literature on public consultations by shedding light on the difficulties associated with Aboriginal-state consultations and by raising important questions regarding consultation when it occurs in an urban setting. A major contribution to the literature is the methodology on how to study public consultation. Given that public consultation processes and outcomes will vary in range and depth, public consultations—specifically CACs—should not be seen as a one-size-fits-all mechanism for engaging with the Aboriginal community.

Instead, understanding the unique characteristics of each urban Aboriginal community should be viewed as an investment rather than as a strain on government resources. Thus, consultation, *a-priori* implementation, should be seen as an advantage and as the first and most crucial step towards effective participation. This is where hope for strong Aboriginal-state relationships begins.

Interpreting the Findings

This research has shown that CACs can be an effective mechanism for redistributing power and building political relationships based on trust when the roadblocks to participation are removed. The most critical finding to emerge from the study is that pre-consultation is the key to understanding and removing the roadblocks to participation as experienced by Aboriginal peoples to begin a renewed Aboriginal-state relationship. Pre-consultation assists governments in identifying any community specific roadblocks to participation. In this research, roadblocks to effective participation are laid out in the criteria of the evaluation framework, Components of Effective Aboriginal Participation, and are categorized into three components: developmental, empowerment, and relationship building.

Developmental component.

Arnstein argued that CACs exist at the bottom rung of her ladder, at the level of *manipulation*. According to the author, the employment of a CAC suggests that decisions have already been formed and made regarding the subject matter and form of consultation, and that citizens are being asked to support the decisions of administrators. In the Toronto case, her arguments certainly hold true. The CAC introduced in Toronto was imposed by administrators onto the Aboriginal community, without first holding extensive consultation as to either its subject matter or form. The community was not given the opportunity to help make the important

policy decisions regarding the design and content. On the government's part, this demonstrates an unwillingness to shift decision-making power to the group. Furthermore, because the group did not have input in the design of the UAS, the roles and responsibilities of the members remained unclear, and thus there was uncertainty as to the power structure and as to which party held the power to make decisions. This is indicative of Arnstein's rung of "manipulation," at which, the author argued, decisions have already been made and participants are asked to support those decisions without knowing the necessary background information (i.e., long-term effects on the community, or legal fine print) However, this was not the case in Winnipeg, where the CAC resembles more of a *partnership*, as per Arnstein's definition.

The UAS began as a pilot project with Winnipeg being the testing grounds. The federal government used Winnipeg to gather public opinion on the viability of an urban Aboriginal strategy, through pre-consultation. The idea to use a community engagement strategy for the UAS had already been decided in Ottawa. This decision is not being contested here as this is a normal part of policy-making. However, what is being questioned is the point at which Aboriginal participants are asked to participate in the policy-making process. In Winnipeg, participation began at the beginning of the policy-making cycle, whereas in the case of Toronto it occurred fairly late in the game. In Winnipeg, consultation with the Aboriginal community began prior to policy design and implementation. Governments entered the community and sought the opinions of the public in terms of policy design (deciding consultation mechanism), and government representatives held several community consultations seeking to understand what the community desired of the Strategy, how best to go about achieving this goal, and what the process for the UAS should look like. This resulted in important benefits for both governments and the Aboriginal community, which is what made the UAS viable in Winnipeg. Specifically,

the decision on the part of government to engage in pre-consultation with the community demonstrated the willingness on the part of the government to listen to the community and seriously solicit its opinions, thereby gaining the trust of the community. More importantly, because the input sought out during this process was used in the final policy design, a re-ordering of the power dynamic occurred, making the UAS in Winnipeg an example of a *partnership*, in which members are able to negotiate and engage in trade-offs with administrators (Arnstein, 1969, p. 217).

Empowerment component.

The empowerment component looks at the features needed to assist, or empower, members to effectively participate. This component is fulfilled by removing the common roadblocks to participation as identified in the literature, which include the inability to select representatives, the lack of resources and training provided, and the lack of an open and transparent communication process. The most important element of any successful CAC project is to enable community participation so that sound policy-making can occur. This research has argued that successful CACs require effective participation on the part of community members, whether they are community representatives and/or part of the community at large. Therefore, enabling effective participation requires policy-makers to understand and make available the community-specific resources necessary to ensure this takes place. For this reason, CAC strategies must be custom fit to the community since enabling effective participation requires community-specific representatives and resources, whether these include the expansion of administrative capacity, training for skills, and/or access to information, and/or personnel.

Choosing community representatives for the Steering Committee was not a contested issue in either Winnipeg or Toronto. Both sites were granted the authority to develop selection

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criteria and to select community representatives. However, the original group of committee

members that the government appointed to the Selections Committee was problematic. As these

bodies in both cities were comprised of unelected elites by the Aboriginal community, this raised

questions of legitimate community representation. This was especially the concern in Winnipeg,

where originally Aboriginal political organizations were asked to sit on the APC, which doubled

as the UAS Steering Committee. In relation to community representation, this point was

highlighted in the Alderson-Gill & Associates report (2005)

> The common perspective reported was that urban Aboriginal populations are diverse and
>
> often not affiliated with any Aboriginal political organizations. The service providers
>
> report being focused on providing better quality service to all Aboriginal people
>
> regardless of their origins, and do not see any political organization as representing
>
> Aboriginal interests in a broad way. That being said, there is by no means a consensus
>
> that the existing UAS steering committees are representative of the communities, and
>
> there were a number of concerns raised by the people interviewed, and similar concerns
>
> expressed in the survey responses. (p. 20)

This concern is also highlighted in the urban Aboriginal governance literature. As Peters'

research has similarly uncovered,

> Not all urban Aboriginal people are represented by existing Aboriginal political bodies
>
> and, as a result, they are denied a strong political voice in this arena. This lack of
>
> representation derives both from geographical variations in organizational structures and
>
> because of differential access to these organizations for different categories of Aboriginal
>
> people. (Peters, 2011, p. 17)

Together, these statements make an important case for the need to have community support from

ACOs and community representation that speaks to the diversity of the urban Aboriginal community in order for effective participation to take place.

However, the availability of resources was an area of contention for both cities. Members from both areas expressed concern that there was not enough time or funding to fully deliver the Strategy and that this placed a strain on their Steering Committee's ability to participate and implement the Strategy in a meaningful way. Resources that are limited in quantity (e.g., time and funding) are not resources that governments and/or the community can readily provide, which can make any CAC process a daunting task. In this instance, governments must compensate for that which is lacking by investing in and strengthening community infrastructure, so the community can carry on with projects when the government is gone from the picture. One of the mechanisms to best achieve this is training for participation in policy-making. A key observation taken from the interviewees is that neither of the sites received any skills training in terms of leadership, chairmanship, community engagement, or consensus building, and so investment in future leadership was not made. However, the similarities end here because the Winnipeg members already possessed the knowledge and experience to demand decision-making authority, or, as Arnstein coined, "take power". Toronto, on the other hand, being new to this particular political game, was not as successful due to the lack of these important qualities.

In Winnipeg, access to resources such as UAS information, leadership, and communication with government representatives, Elders, and the community were all readily available. A large part of this was due to the fact that all Steering Committee members had extensive experience in participating on advisory boards and negotiating with government officials. Over time, this experience has produced strong Aboriginal leaders in the city who understand the administrative process of being involved in CACs and, more importantly, how to

play the political power tug-of-war. In other words, a natural occurring process for community governance had evolved in Winnipeg prior to the UAS and this became a part of the consultation process once the UAS was implemented. Because of this, the UAS consultation process was able to ride on the coattails of the existing community infrastructure (e.g., strong community leadership and political experience) in Winnipeg, thereby allowing the Committee to focus on policy development rather than focusing on the administrative duties (e.g., record keeping, building consensus, strategic planning).

In Winnipeg, the community infrastructure is made up of strong Aboriginal community organizations that have great insight into and engagement with the urban Aboriginal community. Here, ACOs and their leaders have firsthand knowledge of the community profile and its socio-economic needs, and thus can communicate and advocate the community agenda (e.g., goals, aspirations, issues and concerns, etc.) to the other levels of government with which they have strong and established political ties. Given this, and in combination with the community pre-consultation that had taken place, when the UAS arrived on the scene, policy-makers had less work to do (e.g., regarding training, trust building, and community engagement). This was because the Aboriginal community leaders had prior experience with CAC structures, administrative processes, community engagement, and more importantly, knowledge of the community agenda, which helped them to shape the Strategy to be community specific. In other words, the ACOs were able to envision long-term goals for the community and combine resources, thus uniting together for common causes (e.g., CCI). Overall, in the Winnipeg case, the Aboriginal leaders had the resources and ability to "take power" well before the arrival of the UAS. Thus, governments did not need to invest additional resources into the UAS process. Instead, the role of government was simply to ensure effective participation would take place by

calling representatives to the table and providing political support to the Aboriginal community. Unfortunately, the tale in Toronto is of a different nature, and thus the process in that city resulted in very different outcomes.

In Toronto, policy-makers inherited a different community with a different ACO infrastructure for which government representatives were not prepared. The lesson from the Toronto case is simple: governments cannot build relationships of trust where there is no foundation to build upon. Pre-consultation with the Aboriginal community in Toronto would have brought this to the forefront prior to policy implementation. The important observation to make here is that embedded in community policy design is the need to be educated about the community in question. According to the dominant literature on urban Aboriginal governance (Clatworthy et al., 1994; Peters, 1994, 2004; UAPS 2010), in Toronto, the Aboriginal community is geographically dispersed, relatively new, and thus largely dependent on government funding in relation to its Winnipeg counterpart. This means the Aboriginal community is more fragmented in terms of policy-making and service delivery as there is on-going competition for government funding. Because of this, the UAS in Toronto needed to take on a very different interface than the one utilized in Winnipeg.

The CAC structure in Toronto required governments to invest in resources (e.g., training in leadership, participation on CACs, and administrative functions) that would assist members in becoming knowledgeable in a manner in which they could "take power" from power-holders, and build relationships of trust. However, this did not occur in Toronto. For example, as Alderson-Gill & Associates (2005) highlighted in their research,

It was noted in most interviews at the community level that there are a limited

number of Aboriginal leaders in each community with the skills and experience to guide

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the UAS process, and that these leaders are already extremely busy with their full-time

positions and other volunteer work. (p. 20)

Thus, the lack of investment in such resources created great divide between the Steering

Committee and government representatives at the consultation table for several reasons, resulting

in the dismantling of the Committee on three occasions.

Specifically, though the selection process for nominating representatives is a fair and

equitable process, it neglects the fact that once at the table these participants may not have the

skillsets and/or knowledge to effectively participate. For example, the elected members will not

necessarily have the experience required to make important policy decisions even if the

redistribution of power occurs. It is clear in the Toronto case that little, if any, policy-making

authority was redistributed to the community representatives. However, whether or not the

authority was delegated to the committee, Toronto ACO members did not possess enough

experience participating on CACs to come to a common consensus about what was required of

the UAS in Toronto. This lack of a common vision was problematic for two reasons: the lack of

common goals and lack of trust between the stakeholders.

First, the lack of common goals means that programme funding is fragmented throughout

the community. Without specific focuses for assigning funding, and given that funding is also

generally intermittent, the Toronto UAS could not possibly focus on long-term goals that would

enable the Aboriginal community to be self-reliant once the UAS was over and governments

were gone. Specifically, the funding fragmentation that occurred in Toronto meant funding was

adjudicated without long-term goals in mind and was at times ad hoc. As I discovered during the

research, many of the programmes that were funded were specifically designed to obtain UAS

funding, and thus the projects' success, or simply their implementation, was dependent on

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whether or not the UAS would continue to fund the project the following fiscal year. Second, fragmented funding makes it difficult for government representatives to trust in the abilities of the Steering Committee and they are then less willing to hand over decision-making authority. The obstacles to effective participation in this instance are circular.

For example, the lack of trust on the part of government stems from the fact that the Aboriginal community infrastructure in Toronto is relatively new and less experienced, and therefore leadership is limited. It is at this component of the framework that the Strategy for the two cities should have parted ways. Specifically, the lack of success in Toronto was due to a lack of community governance, smaller pool of Aboriginal representatives and leadership, inexperience with the administrative process of a CAC structure, and fragile relationships with government and the community at large, and thus the UAS for this city should have been designed to address these shortcomings prior to policy implementation. Resources such as training for leadership, chairmanship, communication, administrative duties, consensus-building, and community-engagement skills needed to be available to ensure members developed the faculties to assume the decision-making power that was being delegated to them. These are the skills the Toronto committee required to ensure power-sharing could take place, as well as ensure the success of the UAS. Many of the communication and consensus-building problems that occurred between the Steering Committee members and government representatives could have been avoided through the pre-consultation process that would have identified gaps in the community infrastructure—this process being a prerequisite for successful CACs.

Providing resources to ensure effective participation can take place is the role and responsibility of government in relation to its fiduciary duty and to CACs. Each CAC project must be community-specific and policy-makers can educate themselves on the community

through pre-consultation. The purpose of this research was not to pinpoint the exact and necessary resources each urban Aboriginal community required in order to participate. Rather, its *raison d'etre* has been to highlight the difficulties involved in Aboriginal-state public consultations in an urban setting when the appropriate resources are not available for effective participation to take place within a CAC structure. Uncovered in this research in the Winnipeg case was the fact that governments inherited a community where community infrastructure was (and is still) strong and vibrant, while Toronto lacked the Aboriginal-state interface required for success. Without the resources to build a stronger community infrastructure, the Toronto site crumbled once the UAS arrived.

This research found that pre-consultation is a two-way street in that both government representatives and community representatives become educated on where and which resources should be allocated and provided in order to ensure the success of CACs. If CACs have the potential to be a transformative tool for social change, then providing the necessary tools for marginalized groups to realize this potential is a prerequisite. This is what is needed for the community to become self-reliant once government is gone. Otherwise, CAC exercises become wasted efforts for both government and community members, further exacerbating the mistrust between both parties, which will create more work and require more resources by governments in the future when CACs have proven unsuccessful at producing social change, as uncovered in the Toronto case.

Relationship-building component.

Once resources have been allocated and the administrative details have been ironed out, trust will begin to form for both members and governments, putting governments at ease to relinquish their decision-making power to the committee. Developing relationships with all

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parties involved (i.e., governments, committee members, community members, and ACOs) is a key factor to assuming internal power for participants. Strong relationships both internal and external to the process mean that members are able to utilize the leverage they have with the community to negotiate terms and conditions with administrators internal to the process, thereby moving up the rungs of the ladder.

It was found that in Winnipeg, the UAS received great support from the community (i.e., employers, elders, ACOs, and community members at large), which allowed each member more time to dedicate to the Strategy. Since UAS members were able to garner the support of the community and build consensus as to the direction of the UAS, government representatives trusted the Steering Committee to make the important decisions regarding the Strategy. This aligns with Arnstein's argument that in examples of consultation processes further up the ladder where citizens were able to exert power, the power was taken by citizens and not merely handed over. Though CACs begin at the bottom of the ladder, the research found that CAC mechanisms do have the opportunity to move further up the ladder into the rungs of *partnership* and higher if members can negotiate with policy-makers.

However, in the Toronto case the Strategy did not play out the same way. Part of the problem lay in the lack of pre-consultation in that educating the community about the importance of the Strategy did not occur. Because of this, the Aboriginal community was not sufficiently informed and educated on the purpose of the UAS and could not politically support the Strategy, as they believed that federal funding was at stake. More specifically, Toronto suffered from a lack of external support, which resulted in both less time dedicated to the UAS and external funding and had an adverse effect on internal relationships. This may have been due to the fact that the community infrastructure is still being established and ACOs are relatively new. In this

instance, policy-makers needed to have a dialogue with the Aboriginal community prior to policy

implementation. In the absence of such pre-consultation, the Aboriginal community became

hostile towards the government representatives and the Strategy as a whole. This was detrimental

to the Strategy's success for two reasons.

First, as the research uncovered, because pre-consultation did not occur within the

community, the community felt as though the government was making important policy

decisions on their behalf by imposing the Strategy onto the community in traditional government

fashion. This has been the state of Aboriginal-government relations since colonization, and thus

any action viewed as such strengthens sentiments of distrust towards the political process. A

CAC structure focused on Aboriginal policy concerns should be designed with the community in

mind. In order to strengthen Aboriginal-state relations through decentralizing power and building

trust, governments must call upon the community for input and genuinely consider the input

prior to policy design and implementation. This demonstrates willingness on the part of

government to give the community both voice and choice, a minimum requirement for a renewed

relationship, thus progressing Aboriginal-state consultations further up Arnstein's Ladder.

Second, without pre-consultation, the Strategy could not gain the support of ACOs, who

are indeed the main service providers. Without knowing the UAS subject matter and its *raison

d'etre*, ACOs in Toronto became guarded of their turf, and more importantly, of government

funding. As the Clatworthy et al. research demonstrated, Toronto ACOs are largely dependent on

government money, and so the arrival of the UAS was seen as a threat to this funding. Pre-

consultation with ACOs could have mitigated this misunderstanding, allowing for the

cooperation of ACOs both with the UAS and inter-ACOs. This would have led to greater

effective participation by encouraging community representatives and the organizations to which

they belonged to come together, unite resources, and work collaboratively towards common goals rather than working in isolation of each other. In urban centres this is the focal point, whereby Aboriginal communities gather strength because ACOs are both service-providers and political representatives at the policy-making table. Without having ACOs on board, the UAS could not gain the trust and confidence of the governments, which then would not relinquish power. Therefore, this research found that the CAC could not achieve what it set out to do (i.e., bring about social change), and thus it remains on the lowest rung of the ladder.

In order for relationship-building to take place, policy-makers must understand and be educated on the ACOs infrastructure they are working within. As such, policy-makers need to have a blueprint of which ACOs are available, what the organizations offer in terms of services to the community, what is lacking from the ACOs infrastructure, and how best to strengthen its faculties. This is intrinsic to the fact that governments cannot have successful CAC outcomes without first knowing the community profile and its institutional capacity, namely because the success of any CAC is contingent on the effective participation of the community in question. This reiterates the fact that governments cannot copy and paste strategies and programmes from one Aboriginal community to the next. Replication of programmes especially cannot be successful in urban settings, where the communities are unique based on socio-demographic profile, culture, Aboriginal-state political landscape, and more importantly, the ACOs infrastructure.

Theoretical Implications and Research Contribution

The findings discussed in this dissertation make a significant contribution to the growing body of literature on Aboriginal-state public consultations and urban Aboriginal governance. Taken together, these findings suggest there is an important role that government initiated CACs

can play in promoting effective democratic participation. Aboriginal-state public consultations, specifically CACs, can be an effective mechanism for re-building the damaged Aboriginal-state relationship when the decentralization of state power and the building of state trust can occur. However, it is understanding the conditions under which these two phenomena do occur which is of theoretical and empirical significance. Theoretically, Arnstein was correct to argue that climbing up the ladder requires taking power, but she neglected to recognize the internal dimension of the power structure through which citizens can learn how to assume a significant decision-making role if given the tools and mechanisms to do so.

According to Arnstein, the onus is on the citizenry to become accustomed at taking power; however, this cannot be achieved when the group in question is a socio-economically and ethnically marginalized group, as are certain Aboriginal groups in Canada. In such a case, the roadblocks to effectively participate will be numerous and intensified by the group's status in society. It is unknown in much of the participatory democracy literature which and what roadblocks affect participation and Arnstein herself has admitted to not examining these important questions. Effective participation requires an "equal footing," but participatory democracy theorists (see Chambers, 2003; Williams, 2000; Fraser, 1997) have attested to the fact that the term is vague and not thoroughly explored. There is a lack of understanding of the real-world barriers to effective participation. For this reason, this comparative case study makes important theoretical contributions to filling this research gap.

Specifically, this research highlights internal barriers related to the consultation process. Its major contribution to the scholarly literature is forwarding the understanding of how to study public consultations and measure their effectiveness based upon identifying the barriers to participation for Aboriginal communities by designing an evaluation framework: Components of

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Effective Aboriginal Participation. The framework addresses all the major criticisms and opinions within the public consultation literature and sets out criteria to benchmark consultation processes against, thereby filling a gap in the literature. As Fortier et al. (2013) highlighted, many studies on the discourse of Aboriginal-state collaboration take the form of case studies that identify the conditions that facilitate or hinder collaboration within the context of a particular community. As the authors noted, , "While necessary for identifying the unique and individualized nature of specific arrangements, case studies fail to capture the diversity of collaborative arrangements or to examine the broader context of change" (Fortier et al., 2013, p. 48).. In other words, research conducted in this manner neglects to examine and understand differences between communities that may offer important insights to improving participatory democracy processes. Thus, the comparative case study method designed and applied in this research has important implications for the scholarly work in this area as it provides a method to understand differences between communities that will lead to differences in participatory and policy outcomes.

More specifically, understanding the role CACs can play as a channel for enabling effective participation is an important contribution to the public consultation literature. CACs, as Arnstein argued, are situated at the bottom of the ladder. This does not need to remain the case and can change based on the processes' ability to decentralize power. However, though the intent to "equalize the playing field" may be incorporated into the process design, members may not be able to accomplish this without governments creating the conditions conducive to sharing power. Identifying these conditions need to begin prior to consultation. Taken together, the findings outlined in this research suggest an important role for pre-consultation in promoting effective participation. Since CACs are geographically limiting and are place- and/or community-specific,

their design needs to take these specifications into account to be effective. As such, state initiated pre-consultation will lead to satisfying participation that meets participants' goals and that will help create more personal relationships between citizens and policy-makers, as was the case in Winnipeg. On the other hand, high quality citizen participation can backfire if the public realizes over time that their participation is meaningless and does not effect change, as was the case in Toronto. However, as Arnstein and others have argued, high quality citizen participation can be taught and implemented with the right resources (e.g., administrative information, providing training and education for members, open and transparent communication) and under the right conditions (e.g., community political support, government support). When this occurs, members gain the faculties to negotiate the decision-making process and seize power. When members can demonstrate capabilities, policy-makers are more inclined to delegate power, and so the decentralization of power is possible.

This finding is especially important to the scholarly work on urban Aboriginal research, in which the analysis tends to focus on the lived experiences of individuals in urban centres while paying only minor attention to the community (Newhouse, 2003). However, its members, attitudes, goals, organizations, and institutions are part and parcel of the urban Aboriginal community. Each community has developed its own infrastructure for governing its people without legal self-government arrangements. Some communities coordinate and collaborate more successfully than others, and in these communities a natural infrastructure has occurred over time. The characteristics of each community can render any CAC process effective or ineffective. It is identifying and understanding these characteristics which should be part of the policy design when urban Aboriginal-state consultations are undertaken. The research conducted here identifies this as an important step in the process and makes the concept of pre-consultation

a significant contribution to the urban Aboriginal literature and the study of public consultations, specifically in the domain of CACs.

In addition, the role of ACOs is crucial to understanding the success of Aboriginal governance in an urban setting. ACOs and their leaders can bridge the gap between policy-members and the urban Aboriginal community in major Canadian cities. On the other hand, the lack of such leadership can also hamper and weaken the already fragile Aboriginal-state relationship in some cities. As such, understanding these characteristics (i.e., who the leaders are; what constitutes an Aboriginal leader; how leaders develop and change; what the institutions of urban Aboriginal life are; and what function and roles the institutions serve; and how they develop and change over time) is fundamental to beginning the important dialogue on Aboriginal political participation and empowering Aboriginal peoples to make the important policy decisions which give structure and meaning to their lives and communities, as is the purpose behind self-government arrangements and self-determination. Therefore, research and scholarly work on urban Aboriginal communities must begin at the community level in order to ensure successful political participation will take place both now and in the future.

Policy Implications and Recommendations for Future Research

Consultation mechanisms are not static as Arnstein originally thought. Rather, public consultation structures can move up the ladder when barriers to participation are removed. Moreover, Arnstein was wrong to assume the onus is solely on the citizen to remove roadblocks to participation and to seize power when in practice, as, for some marginalized groups, their socio-economic circumstance does not afford them the resources, knowledge, and/or experience to do just that. The empirical research conducted here has clearly demonstrated that Arnstein was wrong to place the onus on the participant. In the case of CACs, it is the party that initiates the

consultation and that possesses the resources to do so, usually the government, which holds the responsibility to ensure successful participatory outcomes, thereby avoiding further investments in the future. When the roadblocks to participation are removed, CACs will no longer be destined to remain at the bottom rungs of the ladder as per Arnstein's typology. Instead, CACs have the potential to be a transformative tool for social change when citizens can effectively participate. This comparative case research has demonstrated this using the UAS in both Winnipeg and Toronto.

The lesson to learn from this research, particularly for policy-makers, is that no two Aboriginal communities are alike. No single strategy can claim to work for all Aboriginal communities without knowing the community in question. In other words, CAC structures and public consultation mechanisms in general need to be community specific. As Walker et al stated, "In urban areas particularly, it becomes difficult and perhaps undesirable to try to fit the diversity of Aboriginal peoples into a territorial box (or boxes)" (2011, p. 164). As such, community-specific strategies require a commitment from government to enter the community not as bureaucrats but as community members. Aboriginal-state consultations need to begin at this knowledge-gathering stage, especially for CAC structures in an urban-setting where the committee is designed to advise the government on specific policy areas.

The challenges that both Aboriginal participants and governments face when consulting in an urban setting are complex and multifaceted compared to land-based settings, where there are designated representatives and familiarity with the institutional faculties of the community. In some urban Aboriginal communities, designated political representation and government familiarity with the community is only beginning to culminate. Consultation *a-priori* policy design and implementation can assist in identifying these important community features which

will further assist in the building of trust and respect. Specifically, in the Winnipeg case, the Aboriginal community felt governments genuinely sought Aboriginal input prior to policy implementation, and thus respected the opinions of the community. Pre-consultation helps to build trust in that consulting prior to the implementation of the Strategy prevents governments from imposing government-designated Aboriginal policies on the Aboriginal community, as has been the track record of the Canadian government in the past. In addition, consultation prior to implementation demonstrates that, at a minimum, government is interested in hearing the opinions and concerns of the Aboriginal community before deciding on policy design.

The case research conducted here also highlights the need for CACs to begin at the community level. In other words, the individual characteristics, capabilities, and infrastructure of the community must be the starting point for CAC design. It is time for Aboriginal peoples to gain decision-making authority at all stages of the policy-making cycle and only governments can equip Aboriginal peoples with the resources to realize this potential. For far too long Aboriginal communities in Canada have had governments make important decisions on their behalf without and, at times, with their consent. In relation to the latter, public consultations have become one of the avenues through which this has been achieved. However, participating in public consultations does not guarantee Aboriginal participants decision-making authority. A promise by government to consult is no longer sufficient to build a relationship based on mutual respect and trust. Governments in Canada and in commonwealth nations must go beyond their DTC to understanding the Aboriginal political landscape they are consulting with. It is the responsibility of governments, within their fiduciary duty, to equip Aboriginal communities with at least the minimum resources and tools to effectively participate. That is, climbing the ladder of citizen participation requires a foundation which cannot be built without Canadian governments

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as partners. The lack of such a foundation undermines the ability of participants to build consensus and make long-term policy decisions. This leads to great acrimony between members and policy-makers as the latter will not trust members to make the important decisions, and thus will not forego power, resulting in further mistrust from members.

Furthermore, identifying and agreeing upon community representation was and is a politically charged subject for urban Aboriginal communities. Research on urban Aboriginal communities (TARP, 2012; Peters, 2011; UAPS, 2010) uncovers great diversity amongst the communities. For example, in Winnipeg the majority of Aboriginal peoples identify as Metis (60%) compared to Toronto where the majority of Aboriginal peoples identify themselves as First Nations (65%) (AANDC, 2010c). This means there are differing and diverse cultural views and issues specific to these categories of Aboriginal identities which need to be reflected in political representation and public policy. Another example comes from the research on Toronto's urban Aboriginal peoples, which uncovers a middle-class urban Aboriginal community shown to be socially isolated, culturally diverse, fragmented at the community level, and who do not utilize Aboriginal organizations because they feel the organizations to be mainly service-oriented and therefore do not represent their language and cultural aspirations (Abele et al., 2011, p. 108 and Peters, 2011, p. 8). For these reasons policy-makers must ensure representation on CACs represent the diversity of the urban Aboriginal community in order to prevent conflict from arising. As Walker et al. (2011) correctly argued,

> At the present time, with a few exceptions, governments are getting the policy collaborators wrong. They are drawing on political organizations [with elected leaders and are not service-oriented, e.g., ACW] when policy experts and community leaders are needed, or combining the two on committees. (p. 193)

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Therefore, CAC strategies must be designed to be community specific in terms of policy design, processes, goals, and resources. To assume any government Strategy can simply be copied and pasted onto any city is to be ignorant of the uniqueness and the political landscape of each urban Aboriginal community in Canada. As Macedo stated:

Different cities face different needs and have widely divergent resources for meeting those needs. At least in part, place shapes the issues individuals face as well as their responses to those issues. The characteristics of place thus influence the amount, the quality, and the distribution of civic engagement by providing opportunities for, and erecting obstacles to, participation. (2005, p. 15)

In other words, place matters. This was clearly demonstrated in the research findings of the UAPS by Environics and in the research conducted here. The UAPS revealed that Aboriginal peoples in different urban centres migrated to those urban centres based on socio-economic concerns (e.g., education, job training, employment, housing, crime and drug prevention, etc.) important to themselves as individuals, their families, and their communities. In the case of the UAS in Toronto, governments lacked the foresight to understand how important consultation *a-priori* policy-making was to the CAC process as a whole.

With this in mind, it is time governments do more than educate. They too must be educated about the communities they call to the consultation table. Effective consultation is a two-way communication process based on partnership. Policy-makers cannot claim to consult if important decisions are being made in isolation of the community in question. As Abele et al. (2011) pointed out, "[The] combination of diversity and invisibility creates a special requirement for researchers to listen well, look carefully, and respect the specific socio-economic conditions of each city" (p. 89). When governments work with Aboriginal communities, CACs become

effective vehicles for furthering socio-economic change. In western nations, such as Australia, New Zealand, and in the United States, CACs have gained prominence as a strategy for building strong Aboriginal communities. In Canada, this has been slow to start and has been a process of trial and error. Nonetheless, CAC strategies have proven promising in other countries, both developed and developing.

Policy-makers in Canada must learn the lessons of other countries in their pursuit to build strong and vibrant community infrastructures. The ultimate responsibility for governments is to assist urban Aboriginal communities in removing the roadblocks to participation so that strong political relationships can be formed. Only then will strong communities be built and relationships forged on trust. However, political relationships do not end after the consultation process is over. Therefore, CACs need to ensure the redistribution of power occurs so that Aboriginal communities can make the important policy decisions independent of government, and thus thrive and continue to grow long after governments and funding is gone. This is the importance of ensuring CACs are successful and this begins before consultation begins.

Consultation *a-priori* policy-making serves an educational purpose for both governments and the community in question. When governments can have the important and necessary initial dialogue with the Aboriginal community to understand the community, its hopes and aspirations, and the capacity of ACOs, then governments are able to make the Aboriginal community members stakeholders in the process, rather than enabling administrators to "educate" or "cure" the participants, as Arnstein coined. This important dialogue also informs the participants on the policy and the process, and assists in gaining their support for the project. Initial consultation may be viewed as being situated on the bottom rungs of Arnstein's Ladder, however it is an important building block in order to eventually progress up the rungs towards more meaningful

participation efforts.

Limitations of the Study

This study was not without its limitations and a number of important limitations need to be considered when undertaking a research project of this design. First, gaining access to community members and documents is a challenging endeavour. Aboriginal peoples are skeptical of researchers and those outside their communities, and for good reason. Limited access limits sample size and reduces the quality and quantity of interview responses. This is the most significant limitation noted during this research. Without initially gaining the trust of Aboriginal members, as the principal researcher, I found it difficult to access the community and this could have limited the scope of my findings. When undertaking research of this kind, it is important to have the initial dialogue with the community as I did, in order to gain members' trust. The problem I encountered is that Aboriginal community members are protective of their communities. Thus, as an outsider, removing the possibility of being seen as a threat (i.e., the possibility of exposing the community or portraying the community in a negative light) by the community is critical to accessing the community.

Second, this research was not specifically designed to identify and evaluate the obstacles to effective participation. Though the evaluation framework helps to identify and highlight those obstacles that come about in the process of consultation, it does not speak to the socio-economic conditions that may underlay inherent roadblocks to democratic participation, such as education, access to childcare, and knowledge of the electoral system. Scholars (Arnstein, 1969; Ladner, 2007) have argued that research in the areas of participatory democracy and, specifically, regarding the participation of Aboriginal peoples, pays little attention to the representational aspirations of Aboriginal peoples and solutions to increasing turnout. The research conducted

here is also guilty of this limitation. This comparative case study looks solely at roadblocks related to the consultation process, and does not therefore account for individual and personal obstacles preventing participation, whether direct or electoral, from taking place. Instead, it investigates CAC processes as a community effort and neglects to examine the roadblocks at the individual level. Thus, this work does not address the gap in this area of the literature.

Third, the research findings identified here do not set out to determine how Aboriginal participants can achieve and assume greater decision-making power. This research only asserts that, under the right conditions, assuming power is possible. How Aboriginal participants may go about doing so is not an area explored in great depth in this research. A longer observation period of the consultation process and greater involvement with the Steering Committees would be required to be able to answer this research question and give depth to its importance. The ability for Aboriginal peoples to gain decision-making power and take control of their lives and communities is fundamental to the struggle for self-determination. Unfortunately, the research here does not address this importance, but it does make the significant contribution of demonstrating that the decentralization of power is possible.

Conclusion

The road to self-government and self-determination for Aboriginal peoples is a bumpy one, and is often not the first choice for governments in their dealings with Aboriginal peoples. However, great socio-economic achievements can be realized when Aboriginal communities are empowered to make the important decisions for their communities. In land-based settings, the conditions under which decision-making is possible will be different and arguably less complex as there exist representative bodies to negotiate on behalf of the community, thereby limiting acrimony within the community. In an urban setting, political representation can be at times a

contentious and politically charged subject, making it difficult for Aboriginal members to assume the decision-making role. The comparative case study conducted here highlights and give depth to the difficulties associated with Aboriginal-state consultations taking place in urban settings. These obstacles include: absence of pre-consultation; inability to select or agree upon political representation; lack of resources and training; no open and transparent communication; lack of political will, both internal and external to the committee; and inability to affect final policy outcomes.

The roadblocks to participation are vast and significant, and without overcoming these roadblocks effective participation will not ensue. It is understanding the roadblocks and identifying them as community specific that is of importance here. Beginning this important dialogue between Aboriginal peoples, academics, and policy-makers is the next logical step in a renewed Aboriginal-state relationship—one that can be carved out in trust and respect. The empirical findings presented here suggest that a renewed relationship and the decentralization of political power are both possible when the criteria for effective participation are met, as per the CEAP, and as demonstrated in this comparative case study of Winnipeg and Toronto.

Based upon these research findings, this analysis makes important theoretical contributions to the scholarly literature on participatory democracy and urban Aboriginal governance. It has illustrated that genuine public participation within CAC structures can indeed take place when the mechanisms to do so are available and the criteria set out are met. This research also highlights that ACOs are part and parcel of this process, and are the foundation of the urban Aboriginal community infrastructure, meaning that decision-making power cannot be achieved without ACOs playing an integral role. Most important to note, the study has designed a theoretical method, Components of Effective Aboriginal Participation, for studying Aboriginal-

state public consultations that take place in urban settings. This evaluation framework has important implications for Aboriginal communities, researchers, and policy-makers, as each endeavour to give meaning to Aboriginal democratic participation. This is the hope for this research: to begin the important dialogue on democratic participation, which will lead to stronger, vibrant, and self-sufficient urban Aboriginal communities.

References

Abele, F., LaPointe, R., Leech, D., & McCrossan, M. (2011). Aboriginal People and Public Policy in Four Ontario Cities. In Evelyn Peters. (2011). *Urban Aboriginal Policy Making in Canadian Municipalities*. Kingston: McGill-Queens University Press.

Abele, F., & Prince, M. J. (2003). Aboriginal Governance and Canadian Federalism: A To-Do List for Canada. In F. Rocher, & M. Smith. *New Trends in Canadian Federalism*. Peterborough: Broadview Press.

Abelson, J., & Gauvin, FP. (2004). *Transparency, Trust and Citizen Engagement: What Canadians Are Saying About Accountability*. Ottawa: Canadian Policy Research Networks. Retrieved August 27, 2014, from: http://www.cprn.org/documents/33621_en.pdf

Aboriginal Affairs and Northern Development Canada (AANDC). (2008). *Audit of the Office of the Federal Interlocutor Project*. Retrieved August 27, 2014, from: http://www.aadnc-aandc.gc.ca/eng/1100100011706/1100100011708

Aboriginal Affairs and Northern Development Canada (AANDC). (2010a). *Highlights from the Report of the Royal Commission on Aboriginal Peoples*. Retrieved August 27, 2014, from: http://www.aadnc-aandc.gc.ca/eng/1100100014597/1100100014637

Aboriginal Affairs and Northern Development Canada (AANDC). (2010b). *Urban Aboriginal Strategy – Backgrounder*. Retrieved August 27, 2014, from: https://www.aadnc-aandc.gc.ca/eng/1391023938920/1391024180845

Aboriginal Affairs and Northern Development Canada. (2010c). *Fact Sheet – Urban Aboriginal Population in Canada*. Ottawa: AANDC. Retrieved August 27, 2014, from: http://www.aadnc-aandc.gc.ca/eng/1100100014298/1100100014302

Aboriginal Affairs and Northern Development Canada. (2011). *Impact Evaluation of the Urban Aboriginal Strategy*. Ottawa: AANDC. Retrieved August 27, 2014, from: http://www.aadnc-aandc.gc.ca/eng/1323788816218/1323789357157

Aboriginal Affairs and Northern Development Canada. (2012). *Urban Aboriginal Strategy - Past Projects.* Ottawa: AANDC. Retrieved August 27, 2014, from: http://www.aadnc-aandc.gc.ca/eng/1100100014280/1100100014281

Aboriginal Affairs and Northern Development Canada (AANDC). (2014). *Backgrounder - Urban Aboriginal Programming Aboriginal Affairs and Northern Development Canada (AANDC)*. Retrieved August 27, 2014, from: https://www.aadnc-aandc.gc.ca/eng/1391023938920/1391024180845

Aboriginal Affairs and Northern Development Canada (AANDC). (2014b). *Urban Aboriginal Strategy.* Retrieved August 27, 2014, from: https://www.aadnc-aandc.gc.ca/eng/1389724611277/1389724670841

Aboriginal Affairs and Northern Development Canada (AANDC). (2014c). *Self-Government.* Retrieved August 27, 2014, from: http://www.aadnc-aandc.gc.ca/eng/1100100032275/1100100032276

Aboriginal Strategic Planning Committee (ASPC) Meeting. (April 16, 2012). Winnipeg, Manitoba.

Alderson-Gill & Associates Consulting Inc. (March 2005). *Urban Aboriginal Strategy Pilot Projects Formative Evaluation – Final Report*. Prepared for OFI. Ottawa: AANDC.

Anderson, D. (2003). Moving Towards Unity: A Community Plan for the Toronto Urban Aboriginal Strategy. Toronto: Centre for Indigenous Sovereignty.

Arnstein, S. B. (1969). A Ladder of Citizen Participation. *Journal of the American Planning*

Association. Vol. 34:4, pp. 216–224.

Atkinson, R., & Willis, P. (2005). *Community Capacity Building – A Practical Guide. Paper No.
6*. Tasmania: Housing and Community Unit, University of Tasmania.

Audit and Assurance Services Branch. (May 2010). *Internal Audit Report – Audit of
Implementation of the Urban Aboriginal Strategy*. Ottawa: AANDC.

Audit Scotland. (Feb 2009). *The Audit of Best Value and Community Planning: South
Lanarkshire Council*. Retrieved August 27, 2014, from:
http://www.southlanarkshire.gov.uk/downloads/file/7051/submission_document

Barber, B. R. (1995). Participatory Democracy, in S.M Lipset (Ed.) *The Encyclopaedia of
Democracy*. London: Routledge, pp. 921–924.

Barman, J., Hébert, Y., & McCaskill, D. (Eds.). (1986). *Indian Education in Canada: The
Legacy and The Challenge*. Vancouver: UBC Press.

Bartram, M. (2007). Public Consultation and User Engagement. *Consumer Policy Review*. Vol.
17:5, pp. 224–226.

Belshaw, J. (1998). 'Doomed To Disappear': Canadian Society And Culture Faces Post-War
Immigration. *The London Journal of Canadian Studies*. Vol. 14, pp. 44–54.

Bishop, P., & G. Davis. (2002). Mapping Public Participation in Policy Choices. *Australian
Journal of Public Administration*. Vol. 61:1, pp. 14–29.

Blais, A. (June 2006). What Affects Voter Turnout? *Annual Review of Political Science*. Vol. 9,
pp. 111-125.

Bolton, J. (September 8, 2010). *Toronto Urban Aboriginal Strategy - An Open Letter from the
Toronto Aboriginal Community Co- Chair*. Retrieved August 27, 2014, from:
http://www.turtleisland.org/discussion/viewtopic.php?f=12&t=7800

Canada. 1960. Royal Commission on Government Organization, J.G. Glassco, C.E.S. Franks, A.T. Wakabayashi, Saskatchewan: Budget Bureau.

Canada. (1991). *Royal Commission on Electoral Reform and Party Financing. (Lortie Commission).* Vol. 9. Toronto: Dundurn Press.

Canadian Council of Ministers of the Environment. (December 2006). *Municipal Wastewater Effluents in Canada*. Ottawa: CCME. Retrieved August 27, 2014 from: http://www.ccme.ca/assets/pdf/mwwe_general_backgrounder_e.pdf

Canadian Northern Development Economic Agency. (2013). *Crown Consultation*. Retrieved August 27, 2014, from: http://www.cannor.gc.ca/eng/1386601644799/1386601662287

Canadian Policy Research Networks. (2005). *Trends in Public Consultation in Canada – Prepared for the Parliamentary Centre's Canada-China Legislative Cooperative Project*. Ottawa: CPRN.

Carter, J., & McGregor, D. (2006). *First Steps Toward the Development of Community-driven Research Strategies and Priorities for Indigenous Knowledge in Toronto: A Progress Report on the Minobimaatisiiwin Project.* Toronto.

Catt, H. (1999). *Democracy in Practice*. New York: Routledge.

Catt, H., & Murphy, M. (November 2003). What Voice for the People? Categorising Methods of Public Consultation. *Australian Journal of Political Science*. Vol. 38:3, pp. 407–421.

Celeste McKay Consulting. (June 2009). *The Collaboration Strategy of the Outcomes Subcommittee of the Aboriginal Partnership Committee: Draft – For Review by OSC*. Winnipeg, MB.

Celeste McKay Consulting. (March 31, 2010). "Final Report Community/Government Committee (CGC)." For INAC. Winnipeg: OFI.

Chambers, S. (2003). Deliberative Democratic Theory. *Annual Reviews Political Science*. Vol. 6, pp. 307–326.

Chaskin, R. J. (2001). Building Community Capacity: A Definitional Framework and Case Studies from a Comprehensive Community Initiative. *Urban Affairs Review*. Vol. 36, pp. 291–323.

Chess, C. & Purcell, K. (1999). Public Participation and the Environment: Do We Know What Works? *Environmental Science & Technology*. Vol. 33:16, pp. 2685–2692.

City of Winnipeg. (2013). *Aboriginal Strategic Partnership Circle*. Retrieved August 27, 2014, from: http://www.winnipeg.ca/cms/ays/aboriginal_partnership_committee.stm

Clatworthy, S., Hall, J., & Loughren, N. (1994). Urban Aboriginal Organizations: Edmonton, Toronto, and Winnipeg. Part 1 of Evelyn Peters (Ed.), *Aboriginal Self-Government in Urban Areas: Proceedings of a Workshop May 25 and 26*. Kingston: Institute of Intergovernmental Relations.

Cogan, A., Sharpe, S., & Hertzberg, J. (1986). Citizen Participation. In F. S. So, I. Hand, & B. D. Madowell (Eds.). *The Practice of State and Regional Planning - Municipal Management Series*. Chicago: American Planning Association.

Collins, K., & Ison, R. (2009). Jumping Off Arnstein's Ladder: Social Learning as a New Policy Paradigm for Climate Change Adaptation. *Environmental Policy and Governance*. Vol. 19:6, pp. 358–373.

Community Government Committee (CGC) Orientation Manual. (March 23. 2010). Prepared by the Office of the Federal Interlocutor for the Winnipeg Urban Aboriginal Strategy Steering Committee.

Conley, A., Moote, M. A. (2003). Evaluating Collaborative Natural Resources Management.

Society and Natural Resources. Vol. 16, pp. 371–386.

Connor, D. M. (1988). A New Ladder of Citizen Participation. *National Civic Review*. Vol. 77:3, pp. 249–257.

Connor, D. M. (1996). Public Participation in Canada: Development, Current Status and Trends. *Interact: The Journal of Public Participation*. Vol. 2:1, pp. 1–5.

Cook, T., & Morgan, P. (1971). *Participatory Democracy*. Virginia: Canfield Press.

Cornwell, A & Coelho, V. (2007) *Spaces for Change?: The Politics of Citizen Participation in New Democratic Arenas (Eds.)*. New York: Palgrave Macmillan.

Crase, L., Dollery, B., & Wallis, J. (2005). Community Consultation in Public Policy: The Case of the Murray-Darling Basin in America. *Australian Journal of Political Science*. Vol. 40:2, pp. 221–237.

Creighton, J. L. (2005). *The Public Participation Handbook: Making Better Decisions through Citizen Involvement*. San Francisco: Jossey-Bass.

Cummings, J. F. (January 2001). Engaging Stakeholders in Corporate Accountability Programmes: A Cross-Sectoral Analysis of UK and Transnational Experience. *Business Ethics: A European Review*. Vol. 10, pp. 45–52.

Department of the Environment. (1992). Transition Steering Committee on Consultation and Partnerships. *Consultations and Partnerships: Working Together with Canadians*. Ottawa: Environment Canada.

DePoe, N. (November 1968). Suddenly, Everybody's Anxious to Belong to a Party—But How Long Before the Fever Cools Down? *Maclean's Magazine*.

De Tocqueville, A. (1835). *Democracy in America*. New York: Literary Classics of the United States.

Drost, H., & Richards, J. (2003). *Income On- and Off-Reserve: How Aboriginals are Faring*.

    Ottawa: C.D. Howe Institute.

Dryzek, J. (2000). *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. New

    York: Oxford, University Press.

Easterling, D., Gallagher, K., Drisko, J., & Johnson, T. (1998). *Building Health by Promoting*

    Community Capacity: Summary. Denver: The Colorado Trust.

Elections Canada. (February 2013). *Voter Turnout at Federal Elections and Referendums*.

    Retrieved August 27, 2014, from: Elections Canada Website,

    http://www.elections.ca/content.aspx?section=ele&dir=turn&document=index&lang=e

Ellis, S. March 2005. "Meaningful Consideration? A Review of Traditional Knowledge in

    Environmental Decision-making". *The Artic Institute of North America*. Vol. 58:1. pp.

    66–77.

Environics Institute. (2010a). *Urban Aboriginal Peoples Study – Main Report*. Toronto:

    Environics. Retrieved August 27, 2014, from: http://uaps.ca/wp-

    content/uploads/2010/03/UAPS-Main-Report_Dec.pdf

Environics Institute. (2010b). *Urban Aboriginal Peoples Study – Toronto Report*. Toronto:

    Environics. Retrieved August 27, 2014, from: http://www.uaps.ca/wp-

    content/uploads/2010/02/UAPS-Toronto-report.pdf

Environics Institute. (2011). *Urban Aboriginal Peoples Study – Winnipeg Report*. Toronto:

    Environics. Retrieved August 27, 2014, from: http://www.uaps.ca/wp-

    content/uploads/2010/02/UAPS-Winnipeg-report_FINAL.pdf

Environment Canada. (2008). *National Report Wastewater Consultations – Summary of Input*.

    Ottawa: Environment Canada. Retrieved August 27, 2014, from: http://www.ec.gc.ca/eu-

ww/25DDE2CB-3551-42C6-B624-

16B3BAEBFB3C/National%20Report%20JULY%202008_FINAL.pdf?file=.pdf

Environment Canada. (2009). *Evaluation of Environment Canada's Aboriginal Consultations on*

Wastewater – Management Response and Final Report. Ottawa: Environment Canada,

Retrieved August 27, 2014, from: http://ec.gc.ca/doc/ae-ve/2008-09/888/toc_eng.htm

Fishkin, J. (2009). *When the People Speak: Deliberative Democracy & Public Consultation*.

New York: Oxford University Press.

Fletcher, F., McKennitt, D., & Baydala, L. (2008). Community Capacity Building: An

Aboriginal Exploratory Case Research. *Pimatisiwin: A Journal of Aboriginal Indigenous*

Community Health. Vol. 5:2, pp. 9–31.

Fortier, J.F., Wyatt, S., Natcher, D. C., Smith, M. A., & Hebert, M. (2013). An Inventory of

Collaborative Arrangements between Aboriginal Peoples and the Canadian Forest Sector:

Linking Policies to Diversification in Forms of Engagement. *Journal of Environmental*

Management. Vol. 119, pp. 47–55.

Franks, C. E. S. (1987). *Public Administration Questions Relating to Aboriginal Self-*

Government. Kingston: Institute of Intergovernmental Relations.

Fraser, N. (1997). *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition*.

New York: Routledge.

Frost, R. (1994). Building a New Relationship: The City of Winnipeg in Partnership with the

Winnipeg Aboriginal Community. Part II - *Panel I of Evelyn Peters (1994)*.

Fukuyama, F. (1995). *Trust: The Social Virtues and the Creation of Prosperity*. Toronto:

Penguin Books.

Fung, A., & Wright, E. (2003). *Deepening Democracy: Institutional Innovations in Empowered*

Participatory Governance. New York: Verso.

Geissel, B. (August 2009). Participatory Governance: Hope or Danger for Democracy? A Case

Study of Local Agenda 21. *Local Government Studies*. Vol. 35:4, pp. 401–414.

Glass, J. (1979). Citizen Participation in Planning: The Relationship Between Objectives and

Techniques. *Journal of American Planning Association*. Vol. 45:2, pp. 180–189.

Goodale, Hon. Ralph. 2002. "Urban Aboriginal Strategy: Presentation to the Prime Minister's

Caucus Task Force on Urban Issues." February 25, 2002.

Goodman, R.M., Speers, M. A., McLeroy, K., Fawcett, S., Kegler, M., & Parker, E. (1998).

Identifying and Defining the Dimensions of Community Capacity to Provide a Basis for

Measurement. *Health Education & Behavior*. Vol. 25, pp. 258–278.

Government of British Columbia. (October 2002). Provincial Policy for Consultation with First

Nations. *Provincial Consultation Policy*. Retrieved August 27, 2014, from:

http://www.bcuc.com/Documents/Proceedings/2010/DOC_24263_C4-16_KFN-

submission-provincial-policy.pdf

Government of Canada. (ND). *Canada's Economic Action Plan – Urban Aboriginal Strategy*.

Retrieved August 27, 2014, from: http://www.pae.gc.ca/en/initiative/urban-aboriginal-

strategy

Government of Canada. (March 2011). *Aboriginal Consultation and Accommodation – Updated

Guidelines for Federal Officials to Fulfill the Duty to Consult*. Ottawa: AANDC.

Retrieved August 27, 2014, from: www.aadnc-

aandc.gc.ca/eng/1100100014664/1100100014675

Government of Manitoba. (August 1997). *Discussion Paper on an Urban Aboriginal Strategy*.

Winnipeg: Manitoba Round Table on Environment & Economy.

Government of Manitoba. (December 1998). *Towards a Strategy for Aboriginal People Living in Winnipeg – Final Report, Conclusions, Findings, and Recommendations of the Manitoba Roundtable on Environment and Economy Urban Aboriginal Strategy Public Consultation Process*. Winnipeg: Manitoba Round Table on Environment & Economy.

Government of Ontario. (June 2006). *Draft Guidelines for Ministries on Consultation with Aboriginal Peoples Related to Aboriginal Rights and Treaty Rights*. Toronto: Ministry of Aboriginal Affairs. Retrieved August 27, 2014, from: https://www.ontario.ca/government/draft-guidelines-ministries-consultation-aboriginal-peoples-related-aboriginal

Government of Saskatchewan. (2006). *Government of Saskatchewan Guidelines for Consultation with First Nations and Métis People: A Guide for Decision Makers*. Saskatchewan: Saskatchewan First Nations and Métis Relations Department. Retrieved August 27, 2014, from: http://gr.gov.sk.ca/Consult-Policy-Framework

Graham, A. H., & Peters, E. (2002). "Aboriginal Communities and Urban Sustainability". In F. L. Seidle, (Ed.). *The Federal Role in Canada's Cities: Four Policy Perspectives*. Canadian Policy Research Networks: Ottawa.

Grand Council of the Crees. (2004). "Haida Nation v. British Columbia (Minister of Forests)". Ottawa: Grand Council of the Crees. Retrieved August 27, 2014, from: http://www.gcc.ca/archive/article.php?id=207

Guaraldo Choguill, M. B. (1996). A Ladder of Community Participation for Underdeveloped Countries. *Habitat International*. Vol. 20, pp. 431–44.

Guérin, D. (2003). "Aboriginal Participation in Canadian Federal Elections." *Electoral Insight*. Vol. 5:3, pp. 10–15.

Haida Nation v. British Columbia (Minister of Forests), [2004] 3 S.C.R. 511, 2004 SCC 73. Retrieved August 27, 2014, from: http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2189/index.do

Halvorsen, K. (2003). Assessing the Effects of Public Participation. *Public Administration Review*. Vol. 63, pp. 535-543.

Hannah, S., & Lewis, H. (October 1982). Internal Citizen Control of Locally Initiated Citizen Advisory Committees: A Case Research. *Journal of Voluntary Action Research*. Vol. 11:4, pp. 39–52.

Hanselmann, C. (2001). *Urban Aboriginal People in Western Canada: Realities and Policies*. Calgary: Canada West Foundation. Retrieved August 27, 2014, from http://cwf.ca/pdf-docs/publications/September2001-Urban-Aboriginal-People-in-Western-Canada-Realities-and-Policies.pdf

Hanselmann, C. (2003). Ensuring the Urban Dream: Shared Responsibility and Effective Urban Aboriginal Voices. In D. Newhouse, & E. Peters. (2003). *Not Strangers in These Parts – Urban Aboriginal Peoples. Conference papers. Policy Research Initiative*. Co-hosted by INAC and University of Western Ontario.

Harper, L. (March 2012). *Toronto Urban Aboriginal Strategy – Handout*. Toronto: TUMC.

Haruta, C. & Radu, B. (2010). Citizen Participation in the Decision-Making Process at Local and County Levels in the Romanian Public Institutions. *Transylvanian Review of Administrative Sciences*. No. 31E. pp. 76–92.

Harvard Project. (2010). *Policy Foundations for the Future of Nation Building in Indian Country*. The Harvard Project on American Indian Economic Development. Retrieved August 27, 2014, from: http://hpaied.org/about-hpaied/overview

Hawkes, D. C. (1989). *Aboriginal Peoples and Government Responsibilities – Exploring Federal and Provincial Roles*. Ottawa: Carleton University Press.

Head, B. (2007). Community Engagement: Participation on Whose Terms? *Australian Journal of Political Science*. Vol. 42:3, pp. 441–454.

Helliwell, J. F. & Putnam, R. (1995). Economic Growth and Social Capital in Italy. *Eastern Economy Journal*. Vol. 21, pp. 295–307.

Hess, M., & Adams, D. (2007). Innovation in Public Management: The Role and Function of Community Knowledge. *The Innovation Journal: The Public Sector Innovation Journal*. Vol. 12:1, pp. 1–20.

Hill Sloan Associates Inc. Economic Consultants. (March 2008). First Nation Consultation Framework. *Project Report to the National Centre for First Nations Governance.* Toronto.

Howe, P. (2010). *Citizens Adrift: The Democratic Disengagement of Young Canadians*. Vancouver: UBC Press.

Howe, P., & Bedford, D. (2009). *Electoral Participation of Aboriginals in Canada*. Ottawa: Elections Canada. Retrieved August 27, 2014, from: http://www.elections.ca/med/eve/APRC/abo_participation_e.pdf

Hummel, R. (1994) The Bureaucratic Experience: A Critique of Life in the Modern Organization. In M. G. Alkadry, (2003). *Deliberative Discourse between Citizens and Administrators: If Citizens Talk, will the Administrators Listen*? Administration & Society. Vol. 35:2, pp. 184–209.

Huntington, S. (1981). *American Politics: The Promise of Disharmony*. Cambridge: Harvard University Press.

Hunter, A. (2003). "Exploring the Issues of Aboriginal Representation in Federal Elections."

    Electoral Insight. Vol. 5:3, pp. 27-33.

Indian and Northern Affairs Canada. (February 2008). *Audit of the Office of the Federal*

    Interlocutor - Project 07/24. Ottawa: Audit and Evaluation Sector.

Indian and Northern Affairs Canada. (2010a). *Governments Sign Important Agreement in*

    Support of Winnipeg's Aboriginal Population. (June). Winnipeg: INAC, Ref. #2-3391.

Indian and Northern Affairs Canada. (2010b). *Internal Audit Report – Audit of Implementation of*

    the Urban Aboriginal Strategy - Project 09/62. (May). Ottawa: Audit and Assurance

    Services Branch. Retrieved August 27, 2014, from: http://www.aadnc-

    aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-

    text/aev_pubs_au_uas_1321546811655_eng.pdf

International Association of Public Participation (IAP2). (2007) *IAP2 Spectrum of Public*

    Participation. Retrieved August 27, 2014, from:

    http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/spectrum.pdf

Irvin, R. A. & Stansbury, J. (2004). Citizen Participation in Decision-Making: Is It Worth the

    effort? *Public Administration Revie*w. Vol. 64:1, pp. 55–65.

Jim Ward Associates. (2008). *Dealing Effectively with Aboriginal Homelessness in Toronto*.

    Toronto: Jim Ward Associates.

Johnson, R., Matthews, S., & Bittner, A. (December 2007). Turnout and the Party System in

    Canada, 1988-2004. *Electoral Studies*. Vol. 26:4, pp. 735–745.

Kastes, W. G. (1993). *The Future of Aboriginal Urbanization in Prairie Cities: Select Annotated*

    Bibliography and Literature Review on Urban Aboriginal Issues in the Prairie Provinces.

    Winnipeg: Institute of Urban Studies.

Kendall, J. (2001). Circles of Disadvantage: Aboriginal Poverty and Underdevelopment in

    Canada. *American Review of Canadian Studies*. Vol. 31:1, pp. 43–59.

Kernaghan, K., Marson, B., & Borins, S. (2000). *The New Public Organization*. Toronto: The

    Institute of Public Administration of Canada.

King, C. S., Feltey, K. M., & O'Neill, B. S. (1998). The Question of Participation: Toward

    Authentic Public Participation in Public Administration. Public Administration Review,

    Vol. 58: 4.

Kymlicka, Will. (1998). *Finding Our Way: Rethinking Ethnocultural Relations in Canada*.

    Oxford University Press: Toronto.

Ladner, K., & McCrossan, M. (2007). "The Electoral Participation of Aboriginal People".

    Working Paper Series on Electoral Participation and Outreach Practices. Ottawa:

    Elections Canada. Retrieved August 27, 2014, from:

    http://www.elections.ca/res/rec/part/paper/aboriginal/aboriginal_e.pdf

Lasko, N. (1987). "The Importance of Indigenous Influence on the System of Decision-Making

    in the Nation-state". In G. Henriksen, R. Puerst, M. Munzel, A. Talle, & E. Wahle.

    (March 1987). *Self-determination and Indigenous Peoples: Sami Rights and Northern

    Perspectives*. Copenhagen: IWGIA.

Leo, C., Auguste, M., Pyl, M., & Bromilow, M. (2007). "Multilevel Governance without

    Municipal Government." Paper presented at the annual conference of the Canadian

    Political Science Association, May 30- June 1, at the University of Saskatchewan.

Leskiw and Associates. (March 2007). *Aboriginal Partnership Committee – Outcomes Sub-

    Committee: Mapping of Aboriginal Services in the City of Winnipeg*. Winnipeg: APC.

Lightbody, J. (2006). *City Politics, Canada*. Toronto: University of Toronto Press.

Litt, P. (March 2008). Trudeaumania: Participatory Democracy in the Mass-Mediated Nation. *Canadian Historical Review*. Vol. 89:1, pp. 27–53.

Loxley, J., & Wien, F. (2003). "Urban Aboriginal Economic Development". In D. Newhouse, & E. Peters. (2003). *Not Strangers in These Parts – Urban Aboriginal Peoples. Conference papers. Policy Research Initiative*. Co-hosted by INAC and University of Western Ontario.

Lynn, F., & Busenberg, G. (1995). Citizen Advisory Committees and Environmental Policy: What We Know, What's Left to Discover. *Risk Anal*. Vol. 15:2, pp. 147–162.

Maakas, R., & Fleras, A. (2000). Engaging in Indigeneity: Tino Rangatiratanga in Aoteraroa. In D. Ivison, P. Patton, & W. Sanders. *Political Theory and the Rights of Indigenous People*. Melbourne: Cambridge University Press.

Macedo, S. (2005). *Democracy At Risk: How Political Choices Undermine Citizen Participation, and What We Can Do About It*. Brookings Institution Press: Washington D.C.

MacLellan-Wright, M. F., Anderson, D., Barber, S., Smith, N., Cantin, B., Felix, F., & Raine, K. (2007). The Development of Measure of Community Capacity for Community-Based Funding Programs in Canada. *Health Promotion International*. Vol. 22:4, pp. 299–306.

Manitoba Aboriginal and Northern Affairs. (May 2009). *Interim Provincial Policy For Crown Consultations with First Nations, Métis Communities and Other Aboriginal Communities*. Government of Manitoba: Manitoba.

Markus, G. (February 2002). *Civic Participation in American Cities*. University of Michigan: Institute for Social Research.

Marlene Finn and Associates. (2004). *All Voices Heard: The Toronto Urban Aboriginal Strategy Community Consultation: Final Report*. Toronto: Marlene Finn and Associates.

Matsusaka, J., & Palda, F. (March 1999). Voter Turnout: How Much Can We Explain? *Public Choice*. Vol. 98:3-4, pp. 431–466.

McCaskill, D., FitzMaurice, K., & Cidro, J. (2012). *Toronto Aboriginal Research Project: Final Report*. (TARP). Toronto: Toronto Aboriginal Support Services Council.

McCloskey, M. (1996). The Skeptics: Collaboration has its Limits. *High Country News*. pp. 28.

McGurk, B., Sinclair, J., & Diduck, A. (2006). An Assessment of Stakeholder Advisory Committees in Forest Management: Case Studies from Manitoba, Canada. *Society & Natural Resources: An International Journal*. Vol. 19:9, pp. 809–826.

Metro Vancouver Urban Aboriginal Strategy. 2010. *Metro Vancouver Urban Aboriginal Strategy*. City of Vancouver: MVUAS.

Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage), [2005] 3 S.C.R. 388, 2005 SCC 69. Retrieved August 27, 2014, from: http://scc-csc.lexum.com/scc-csc/scc-csc/en/2251/1/document.do

Milen, R. A. (1991). Aboriginal Constitutional and Electoral Reform. *Aboriginal Peoples and Electoral Reform in Canada*. In R. A. Milen (Ed.). Research Studies of the Royal Commission on Electoral Reform and Party Financing. Vol. 9. Toronto: Dundurn Press.

Mill, J. S. (1861). *Considerations on Representative Government*. London: Parker, Son, and Bourn, West Strand.

Mill, J. S. (1859). *A System of Logic*. New York: Harper & Brothers Publishers.

Morden, M. (September 2013). Telling Stories about Conflict: Symbolic Politics and the Ipperwash Land Transfer Agreement. *Canadian Journal of Political Science*. Vol. 46:3, pp. 505–524.

Morellato, M. (2008). *The Crown's Constitutional Duty to Consult and Accommodate Aboriginal*

and Treaty Rights. Vancouver: National Centre for First Nations Governance.

Mutz, D. (2006). *Hearing the Other Side: Deliberative Versus Participatory Democracy*. New York: Cambridge University Press.

Neskonlith Indian Band v. Salmon Arm. (City). *2012* BCCA 379 (CanLII). Retrieved August 27, 2014, from: http://canlii.ca/t/fst86

Nevitte, N. (1996). *The Decline of Deference – Canadian Value Change in Cross-National Perspectives*. Peterborough: Broadview Press.

Newhouse, D. (2003). "The Invisible Infrastructure: Urban Aboriginal Institutions and Organizations." In D. Newhouse, & E. Peters. (2003). *Not Strangers in These Parts – Urban Aboriginal Peoples. Conference papers. Policy Research Initiative*. Co-hosted by INAC and University of Western Ontario.

Newhouse, D., & Peters, E. (2003). *Not Strangers in These Parts – Urban Aboriginal Peoples. Conference papers. Policy Research Initiative*. Co-hosted by INAC and University of Western Ontario.

Newman, D. (2009). *The Duty to Consult: New Relationships with Aboriginal Peoples*. Saskatoon: Purich Publishing.

Niemczak, P., & Jutras, C. (1994). *Aboriginal Political Representation: A Review of Several Jurisdictions.* Ottawa: The Parliamentary Information and Research Service. Retrieved August 27, 2014, from: http://dsp-psd.pwgsc.gc.ca/Collection-R/LoPBdP/BP/bp359-e.htm

Noel, A., & Larocque, F. (August 20, 2009). *Aboriginal Peoples and Poverty in Canada: Can Provincial Governments Make a Difference?* Paper prepared for the Annual Meeting of the International Sociological Association's Research Committee. Montreal. Retrieved

August 27, 2014, from: http://www.cccg.umontreal.ca/RC19/PDF/Noel-A_Rc192009.pdf

Nylen, W. (2003). *Participatory Democracy versus Elitist Democracy: Lessons from Brazil*. New York: Palgrave MacMillan.

Office of the Federal Interlocutor (OFI). (March 23, 2010). *Community Government Committee Orientation Manual: For the Community – Government Committee Orientation Day*. Winnipeg: OFI.

Pammett, J., & LeDuc, L. (2003). *Explaining the Turnout Decline in Canadian Federal Elections: A New Survey of Non-voters*. Ottawa: Elections Canada.

Parkins, J. (2010). The Problem With Trust: Insights from Advisory Committees in the Forest Sector of Alberta. *Society and Natural Resources*. Vol. 23:9, pp. 822–836.

Pateman, C. (1970). *Participation and Democratic Theory*. Cambridge: Cambridge University Press.

Peacock, D. (1968). *Journal to Power: The Story of a Canadian Election*. Toronto: Ryerson Press.

Penner Report. (1983). *Special Committee on Indian Self-Government, Indian Self-Government in Canada: Report of the Special Committee*. Ottawa: House of Commons.

Peters, E. J. (1992). Self-Government for Aboriginal Peoples in Urban Areas: A Literature Review and Suggestions for Research. *Canadian Journal of Native Studies*. Vol. 12:1, pp. 51–74.

Peters, E. J. (1994). *Aboriginal Self-Government in Urban Areas: Proceedings of a Workshop May 25 and 26*. Kingston: Institute of Intergovernmental Relations.

Peters, E. J. (2004). *Three Myths about Aboriginals in Cities. Breakfast on the Hill Seminar Series*. Ottawa: Canadian Federation for the Humanities and Social Sciences.

Peters, E. J. (2005). "Indigeneity and Marginalisation: Planning For and With Urban Aboriginal Communities in Canada". Progress in Planning. Vol. 63, pp. 327–404.

Peters, E. J. (2009). *Opportunities and Challenges Urban Environments Represent For Urban Aboriginal Economic Development*. Prince George: National Network Urban Aboriginal Economic Development.

Peters, E. J. (2011). *Urban Aboriginal Policy Making in Canadian Municipalities*. Kingston: McGill-Queens University Press.

Porter, L. (2004). "Unlearning One's Privilege: Reflections on Cross-Cultural Research with Indigenous Peoples in South-East Australia". Planning Theory and Practice, Vol. 5, pp. 104–109.

Privy Council Office. (1990). *Public Service 2000: The Renewal of the Public Service of Canada*. Ottawa: Privy Council Office. Retrieved August 27, 2014, from: http://publications.gc.ca/collections/collection_2012/bcp-pco/BT74-1-10-1992-1-eng.pdf

Privy Council Office. (2002). *Urban Aboriginal Strategy: An Analysis.* Ottawa: Privy Council Office.

Putnam, R. D. (1995). "Bowling Alone: America's Declining Social Capital." *Journal of Democracy* Vol. 6:1, pp. 65–78.

Putnam, R. D. (2000). *Bowling Alone: The Collapse and Revival of American Community*. New York: Simon & Schuster.

Richardson, D., Dimaline, C., Blondin, F., MacLeod, E., & Lazore, J. (2002). *In the Spirit of Unity: A Synopsis of Programs and Services Available to the Urban Aboriginal Population in the Greater Toronto Area*. Toronto: Native Canadian Centre.

Rowe, G., & Frewer, L. J. (2005). A Typology of Public Engagement Mechanisms. *Science,*

Technology & Human Values. Vol. 30:2, pp. 254–290.

Royal Commission on Aboriginal Peoples. (1996*). Integrated Research Plan –Aboriginal Peoples in Urban Centres*. Ottawa: Government of Canada.

Schaller, L. (September 1964). Is the Citizen Advisory Committee a Threat to Representative Government? *Public Administration Review*. Vol. 24:3, pp. 175–179.

Schouls, T. (1996). "Aboriginal Peoples and Electoral Reform: Differentiated Representation versus Voter Equality." *Canadian Journal of Political Science*. Vol. 29:4, pp. 729–749.

Schumpter, J. (1950). *Capitalism, Socialism, and Democracy*. 3rd ed. New York: Harper and Row.

Sharvit, C., Robinson, M., & Ross, M. M. (1999). *Resource Development on Traditional Lands: The Duty to Consult.* Calgary: Canadian Institute of Resources Law.

Sheedy, A. (2008). *Handbook on Citizen Engagement: Beyond Consultation*. Ottawa: CPRN.

Shipley, R., & Utz, S. (2012). Making it Count: A Review of the Value and Techniques for Public Consultation. *Journal of Planning Literature*. Vol. 27:1, pp. 22–42.

Simrell King, C., Feltey, K. M., & O'Neill Susel, B. (1998). The Question of Participation: Toward Authentic Public Participation in Public Administration. *Public Administration Review*. Vol. 58:4, pp. 317–326.

Silver, J., Keeper C., & MacKenzie, M. (2005). "A Very Hostile System in Which to Live: Aboriginal Electoral Participation in Winnipeg's Inner City." Ottawa: Canadian Centre for Policy Alternatives.

Slattery, B. 2005. "Aboriginal Rights and the Honour of the Crown". *Supreme Court Law Review*. Vol. 29, pp. 433–445.

Slowey, G. 2008. *Navigating Neoliberalism: Self-Determination and the Mikisew Cree First*

Nation. Vancouver: UBC Press.

Smith, L. G. (1982). Mechanisms for public participation at the normative planning level in
Canada. *Canadian Public Policy*. Vol. 8:4, pp. 561–572.

Stalker, L., Abhyanker, G., & Iyer, P. (2001). *Why Some Village Water and Sanitation
Committees are Better than Others: A Research of Karnataka and Uttar Pradesh (India).*
New Delhi: Water and Sanitation Program – South Asia, pp. 1–12.

Statistics Canada. (2006). *2006 Census: Aboriginal Peoples in Canada in 2006: Inuit, Métis and
First Nations, 2006 Census*. Ottawa: Government of Canada. Retrieved August 27, 2014,
from: http://www12.statcan.gc.ca/census-recensement/2006/as-sa/97-558/p3-eng.cfm

Statistics Canada. (2008). *2006 Census of Population*. Ottawa: Statistics Canada. Retrieved
August 27, 2014, from: https://www12.statcan.gc.ca/census-recensement/2006/index-
eng.cfm

Taku River Tlingit First Nation v. British Columbia (Project Assessment Director), [2004] 3
S.C.R. 550, 2004 SCC 74. Retrieved August 27, 2014, from: http://scc-
csc.lexum.com/scc-csc/scc-csc/en/2190/1/document.do

Taylor, R. (June 2003). *Indigenous Community Capacity Building and the Relationship to Sound
Governance and Leadership*. AILC. National NT Conference.

Therrien, L. (August 19, 2008). *TUMC Membership Recruitment Plan 2008-2010 Handout*.
Toronto: UAS.

Toronto UAS. (September 2009). "A Community Plan: 2009 – 2012." Toronto: Native Canadian
Centre of Toronto.

Toronto UAS. (2010). "Toronto Urban Aboriginal Strategy." Handout. Toronto: TUMC.

Toronto Urban Aboriginal Management Committee (TUMC). (July 31, 2008). *Terms of*

Reference 2008-2009 Handout. Toronto: TUMC.

Treasury Board of Canada. (2007). *Guidelines for Effective Regulatory Consultations*. Ottawa:

    Treasury Board of Canada. Retrieved August 27, 2014, from: http://www.tbs-

    sct.gc.ca/rtrap-parfa/erc-cer/erc-certb-eng.asp

Tritter, J., & McCallum, A. (2006). The Snakes and Ladders of User Involvement: Moving

    Beyond Arnstein. *Health Policy*. Vol. 76, pp. 156–168.

Turcotte, M., & Zhao, J. (July 2004). A Portrait of Aboriginal Children Living in Non-Reserve

    Areas: Results from the 2001 Aboriginal Peoples Survey. *Statistics Canada Housing,*

    Family and Social Statistics Division. Ottawa: Statistics Canada. Retrieved August 27,

    2014, from: http://publications.gc.ca/Collection/Statcan/89-597-X/89-597-

    XIE2001001.pdf

Turnbull, L. & Aucoin, P. (March 2006). *Fostering Canadians' Role in Public Policy: A*

    Strategy for Institutionalizing Public Involvement in Policy. Ottawa: Canadian Policy

    Research Networks. Retrieved August 27, 2014, from:

    http://www.cprn.org/documents/42670_en.pdf

Turner, D. (2006). *This Is Not a Peace Pipe: Towards A Critical Indigenous Philosophy*.

    Toronto: University of Toronto Press.

UAS National Director. (November 12, 2013). Personal interview conducted in Quebec.

Van Den Burg, G. (2009). The Absence of Democracy in Aboriginal Self-Government Policy.

    Federal Governance Journal. Vol. 5:6, Kingston: Queen's University. Retrieved August

    27, 2014 from: http://library.queensu.ca/ojs/index.php/fedgov/article/viewFile/4395/4410

Walker, R. (2005). Social Cohesion? A Critical Review of the Urban Aboriginal Strategy and its

    Application to Address Homelessness in Winnipeg. *The Canadian Journal of Native*

Studies. Vol. 25:2, pp. 395–416.

Walker, R. (2006). "Searching for Aboriginal/Indigenous Self-determination: Urban Citizenship in the Winnipeg Low-Cost Housing Sector, Canada." *Environment and Planning*. Vol. 38:12, pp. 2345–63.

Walker, R., Moore, J., & Linklater, M. (2011). More than Stakeholders, Voices, and Tables: Towards Co-Production of Urban Aboriginal Policy in Manitoba. In E. Peters. (2011). *Urban Aboriginal Policy Making in Canadian Municipalities*. Kingston: McGill-Queens University Press.

Warren, M. (1992). Democratic Theory and Self-Transformation. *American Political Science Review*. Vol. 86:1, pp. 8–23.

Warren, M. (2009). Citizen Participation and Democratic Deficits: Considerations from the Perspective of Democratic Theory. In J. DeBardeleben & J. Pammett (Eds.). (2009). *Activating the Citizen*. Toronto: Palgrave MacMillian.

Western Economic Diversification Canada (WD). June 2008. "News Releases $5.6 million Initiative to Return Central Park to Former Glory." Winnpeg: WD. Retrieved August 27, 2014, from: http://www.winnipeg.ca/cao/media/news/nr_2008/nr_20080620.stm#2

Williams, M. (2000). The Uneasy Alliance of Group Representation and Deliberative Democracy. In. W. Kymlicka & W. Norman (Eds.). (2000). *In Citizenship in Diverse Societies.* Oxford: Oxford University Press.

Wherrett, J., & Brown, D. (1992). *Self-Government for Aboriginal Peoples Living in Urban Areas.* Prepared for Native Council of Canada. Kingston: Institute for Intergovernmental Relations.

Wherrett, J., & Brown, D. (1994). "Models for Aboriginal Government in Urban Areas". Part 1

of E. J. Peters, (1994), *Aboriginal Self-Government in Urban Areas: Proceedings of a Workshop May 25 and 26*. Kingston: Institute of Intergovernmental Relations.

Wondolleck, J. M, Manring, N. J., & Crowfoot, J. E. (1996). Teetering at the Top of the Ladder: The Experience of Citizen Group Participation in Alternative Dispute Resolution Processes. *Sociological Perspectives*. Vol. 39:2, pp. 349–262.

Woolcock, M., & Narayan, D. (2000). Social capital: implications for development theory, research, and policy. *World Bank Research Observer*. Vol. 15:2, pp. 225–249.

Zukewich, N. (2006). *Aboriginal Peoples Survey, 2006*. Ottawa: Statistics Canada. Retrieved August 27, 2014, from: http://www5.statcan.gc.ca/bsolc/olc-cel/olc-cel?catno=89-637-XIE&lang=eng#formatdisp

Questions related to the Developmental Component
   1. **Deciding Subject Matter**
       i.   How was agenda/policy direction decided? In other words, what policy projects get pushed through and how/why?
      ii.   To your knowledge were members of the steering committee given the opportunity to decide the purpose or form of the consultation? Or, was this decided prior to your involvement?
   2. **Deciding Consultation Mechanism**
       i.   What about consultation mechanisms, who gets to decide this?

Questions related to the Empowerment Component
   3. **Selecting Representatives**
       i.   What is your involvement in the SC and within the Aboriginal community?
      ii.   Do you know how members were contacted and chosen to join the SC?
     iii.   How were you chosen or approached to be part of the steering committee (SC)?
     iv.   Is the UAS trying to be the face of the urban Aboriginal population in Winnipeg?
   4. **Availability of Resources and Training Provided**
       i.   Were the tools/resources (internet, transportation cost, access to info, sufficient time, funding, training) needed for participation made available to you?
      ii.   Finally, in your opinion what is needed to make the participation of members more effective?
   5. **Communication Process**
       i.   What obstacles (trust issues, bureaucratic control, lack of communication), if any, do you think hindered your ability to fully participate?
      ii.   Is there any suggests on how to make the process work better for Aboriginals?

Questions related to the Relationship-building Component
   6. **Political Will**
       i.   How does it attempt to forge relationships with the community and how does it build capacity?
      ii.   Why do urban Aboriginal organizations seem to cooperate so well with each other?
     iii.   Is the UAS an effective way for governments to work collaboratively with the Aboriginal community?
     iv.   Would you be able to comment on why Winnipeg is one of the more successful UAS communities?
      v.   What elements were present that allowed Winnipeg to be a success?
     vi.   Finally, what could make this strategy more effective for Aboriginals in terms of the achieving the main goals of the UAS?
   7. **Decision-Making Authority**
       i.   How does the SC reach final decisions?
      ii.   Is the process democratic?
     iii.   How is your input used in the final decisions
     iv.   How does the SC overcome conflict?

Appendix B. Interview Questions to Participants – Toronto

Questions related to the Developmental Component
  1. Deciding Subject Matter
    i. How was agenda/policy direction decided? In other words, what policy projects get pushed through and how/why?
    ii. To your knowledge were members of the steering committee given the opportunity to decide the purpose or form of the consultation? Or, was this decided prior to your involvement?
  2. Deciding Consultation Mechanism
    i. What about consultation mechanisms, who gets to decide this?

Questions related to the Empowerment Component
  3. Selecting Representatives
    i. What is your involvement in the SC and within the Aboriginal community?
    ii. Do you know how members were contacted and chosen to join the SC?
    iii. How were you chosen or approached to be part of the steering committee (SC)?
    iv. Is the UAS trying to be the face of the urban Aboriginal population in Toronto?
  4. Availability of Resources and Training Provided
    i. Were the tools/resources (internet, transportation cost, access to info, sufficient time, funding, training) needed for participation made available to you?
    ii. Finally, in your opinion what is needed to make the participation of members more effective?
  5. Communication Process
    i. What obstacles (trust issues, bureaucratic control, lack of communication), if any, do you think hindered your ability to fully participate?
    ii. Is there any suggests on how to make the process work better for Aboriginals?

Questions related to the Relationship-building Component
  6. Political Will
    i. How does it attempt to forge relationships with the community and how does it build capacity?
    ii. Why do the urban Aboriginal organizations seem to not be on consensus with each other?
    iii. Can you comment on why the steering committee in T.O was dismantled?
    iv. What were some of the major issues/problems for the steering committee?
    v. Is the UAS an effective way for governments to work collaboratively with the Aboriginal community?
    vi. Finally, what could make this strategy more effective for Aboriginals in terms of the achieving the main goals of the UAS?
  7. Decision-Making Authority
    i. How does the SC reach final decisions?
    ii. Is the process democratic?
    iii. How is your input used in the final decisions
    iv. How does the SC overcome conflict?

Appendix C. List of Interviews – Winnipeg

Community member. August 30, 2011. Phone interview conducted in Winnipeg.

Community member. October 13, 2011. Phone interview conducted in Winnipeg.

Community member. January 14, 2012. Phone interview conducted in Winnipeg.

Community member. April 17, 2012. Personal interview conducted in Winnipeg.

Community member. April 18, 2012. Personal interview conducted in Winnipeg.

Community member. April 23, 2012. Personal interview conducted in Winnipeg.

Community member. April 24, 2012. Personal interview conducted in Winnipeg.

Community member. May 1, 2012. Personal interview conducted in Winnipeg.

Community member. May 2, 2012. Personal interview conducted in Winnipeg.

Former committee member. April 25, 2012. Personal interview conducted in Winnipeg

Former government representative. June 2, 2011. Personal interview conducted in Winnipeg.

Government representative. April 23, 2012. Personal interview conducted in Winnipeg

Government representatives. April 30, 2012. Personal interviews conducted in Winnipeg.

Government representatives. May 3, 2012. Personal Interview conducted in Winnipeg.

Appendix D. List of Interviews – Toronto

Community member. November 07, 2011. Personal interview conducted in Toronto.

Community member. December 22, 2011. Personal interview conducted in Toronto.

Community member. January 27, 2012. Personal interview conducted in Toronto.

Community member. March 01, 2012. Personal interview conducted in Toronto.

Community member. April 04, 2012. Personal interview conducted in Toronto.

Government representative. February 02, 2012. Personal interview conducted in Toronto.

Government representative. February 10, 2012. Personal interview conducted in Toronto.

Government representative. February 23, 2012. Personal interview conducted in Toronto.