Aboriginal Self-determination and Social Housing in Urban Canada: A Story of Convergence and Divergence

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Abstract

The right to adequate and affordable housing was pursued in Canadian policy during the 1970s and 1980s. The right of self-determination has been re-asserted by Aboriginal peoples since the 1970s, including in urban communities. The trajectories of social housing and Aboriginal self-determination were institutionalised together during the 1970s and 1980s. Such has not been the case since 1993. Self-determination in urban housing initiatives will not on its own rectify Aboriginal housing need, but must be paired with a common pursuit of adequate and affordable housing for all Canadians.

Introduction

In Canada, roughly 50 per cent of the Aboriginal population live in urban areas (Statistics Canada, 2003a).[1] In Australia and New Zealand, the urban indigenous populations are higher, at about 74 and 83 per cent respectively (Australian Bureau of Statistics, 2002; Statistics New Zealand, 2002). Despite these population figures and the importance of their historical and contemporary cultures to indigenous people in the city, the concepts of 'urban' and 'indigenous' still seem an uneasy fit in policy and public consciousness (Barcham, 1998; Peters, 1996). Connections to land bases and tribal forms situated outside the contemporary urban experience maintain significant advantages over urban communities in debates over identity, rights and resource allocation (Andersen and Denis, 2003; Barcham, 2000).

The proportion of low-income households experiencing housing affordability problems has increased significantly over time in Canada (Moore and Skaburskis, 2004). In Canada, like in New Zealand and Australia, measures of housing hardship in urban areas including affordability, crowding, state of

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repair, housing tenure and homelessness are considerably worse among the indigenous than among the non-indigenous populations (Australian Bureau of Statistics, 2001; Housing New Zealand Corporation, 2005; National Aboriginal Housing Association, 2004; Neutze *et al.*, 2000; Sanders, 2005; Statistics Canada, 2003a, 2003b; Statistics New Zealand, 2006). Racial discrimination against Aboriginal households continues to be a complicating factor in their search for adequate and affordable housing in Canada (Arnold, 1988; Corrado Research and Evaluation Associates, 2003).

State assistance in the housing sector has been one of the pillars of the social democratic welfare state since the end of the Second World War (Kemeny, 2001). Examining changes in the sector can help us to understand the changing role of the state in redistributing wealth and maintaining a social wage. Housing was formalised in state social policy as the welfare state developed in Canada. The Canada Mortgage and Housing Corporation (CMHC) developed and administered social housing through the 1970s, continuing until 1993 when it froze expenditures at current levels and discontinued the building of new stock under most of its social housing programmes (Wolfe, 1998). This crown corporation, more than any other agency, formalised the federal government's redistributive role in pursuing a social entitlement to housing for all Canadians. A major public housing programme was launched in the mid 1960s, accompanied by the urban renewal programme, and created about 200 000 units over roughly a decade (Hulchanski, 2002). With a series of changes to the National Housing Act in 1973, a number of further social housing programmes were introduced, including the co-operative housing, non-profit housing, rent supplement, neighbourhood improvement and residential rehabilitation programmes. The public, non-profit, co-operative (some of the units) and rent supplement programmes operated

as assisted rental programmes, where tenants would pay rents according to their income level, typically 25–30 per cent of household income. The rent supplement programme involves a state-initiated relationship with private landlords whereby they receive market rents for units housing tenants from social housing wait-lists. Government housing authorities pay the landlord the difference between market rent and the tenant contribution. Included in the set of social housing programmes delivered by CMHC—with rental rates pegged to tenant incomes—was the Urban Native Housing Programme (UNHP) which grew out of the pronounced need of urban Aboriginal households for culturally appropriate social housing and the capacity of growing urban Aboriginal communities to address their own priorities.[2] This targeted social housing intervention to serve Aboriginal households in urban areas made Canada an international leader in the sector. Of the roughly 661 000 units of social housing developed in Canada under the programmes listed earlier (Wolfe, 1998), close to 11 000 are UNHP units (National Aboriginal Housing Association, 2004). Once the federal government froze expenditures through CMHC and discontinued new construction under its social housing programmes after 1993, it did not re-enter the social housing market until 2001 when it introduced an Affordable Housing Initiative that provides capital subsidies to assist with local initiatives to build new affordable housing, an initiative that will be discussed in more depth later on.

Culturally appropriate housing is seen as being of great importance to the social, cultural and economic strength of Aboriginal peoples in urban areas (Royal Commission on Aboriginal Peoples, 1996a). Urban native housing corporations are run by boards of directors and staff comprised predominantly of Aboriginal people. Urban native housing portfolios are often more costly to operate than other social housing because

of their larger size (more bedrooms) and the fact that they tend more often to be pepper-potted/scattered around the city to promote assimilation or prevent community opposition. Aboriginal tenants often have large families and are moving to the city from rural and reserve communities with little experience of living in and maintaining urban homes. To assist families with the adjustment to urban living, tenant counsellors were introduced as a unique component to the urban native housing corporations in the 1970s, after several years of effort from Aboriginal housing advocates to have the position recognised by CMHC as a legitimate programme expense (Fulham, 1981; Lipman, 1986). Tenant counselling services have been an important resource for increasing resident self-reliance (Royal Commission on Aboriginal Peoples, 1996a). There is a tendency for urban native housing corporations to take a 'softer' approach to management issues such as checking tenant credit histories (Walker, 2003) and accommodating shifts in household composition that reflect a dynamic concept of home as people move between the city and rural and reserve communities (Skelton, 2002; Wilson, 2000).

The Royal Commission on Aboriginal Peoples (1996a, 1996b) provides testimony to some of the strengths of the UNHP that include family stabilisation, providing a secure base for access to education and employment, a domain of control where cultural identity can be preserved and contributing to better relations between Aboriginal and non-Aboriginal neighbours in the city. In an evaluation of its urban social housing programmes, CMHC found that the UNHP outperformed the mainstream non-profit and rent supplement housing programmes on several indicators of wellbeing (Canada Mortgage and Housing Corporation, 1999). Compared with Aboriginal tenants in non-profit and rent supplement units (i.e. Aboriginal people not resident in UNHP units),

a significantly higher proportion of households in UNHP units had increased their use of social services, made more friends, felt more secure, more settled and more independent since moving in.

Beyond the disproportionate housing need among indigenous households and the evidence suggesting better programme outcomes from housing delivered by indigenous organisations, there is also an issue of rights that stem from original occupancy and a special relationship with federal/central governments. These are based on treaty and constitutional covenants as well as judicial precedents. Rights of self-determination and self-government have been re-asserted by indigenous peoples around the world in the past few decades (Cardinal, 1969; Durie, 1998; Green, 2005; Sandercock, 2004). These rights indicate how social welfare goals are to be pursued—namely, driven largely by indigenous peoples themselves in partnership with settler governments. This paper examines the extent to which the welfare architecture around social housing in urban Canada intertwined with the right of Aboriginal self-government from the 1970s through to the present. It argues that the two converged through the UNHP, during an era where state-led redistribution of wealth through social housing and the search for ways to institutionalise self-government were occurring simultaneously at the federal level (although driven largely by Aboriginal community advocates and civil society organisations). The trajectories of social housing and Aboriginal self-determination have diverged, however, most remarkably since the mid 1990s. The state has removed itself from the pursuit of clearly articulated equity objectives in social housing and has taken a muted role centred on 'investing' in local initiatives and partnering with other sectors towards less obvious or concerted social goals. The exercise of self-determination in new urban housing initiatives will arguably produce better

housing outcomes, but is not on its own going to rectify the pronounced housing need of so many Aboriginal households in Canadian (and other White settler) cities. This must be paired with a broader programme of pursuing the progressive realisation of a common goal of adequate and affordable housing for all Canadians.

This paper provides a history of the development of the UNHP which is valuable in its own right. It also draws attention to the risk of focusing too heavily on only one of the two trajectories which make Aboriginal social housing a success, and neglecting the other. I argue that a focus on self-determination without an equally well articulated drive towards re-engaging the state in a cohesive long-term social housing programme for all Canadians is flawed, just as directing efforts towards a new social housing programme without a clear avenue for Aboriginal self-determination is untenable.

The next section provides a conceptual basis for the paper, focusing on changing state involvement in social welfare and governance over time and transformations in Aboriginal self-determination at the urban scale. The paper proceeds with an examination of Canadian social housing and Aboriginal policy during the 1970s and 1980s. Central to this is the way in which they coincided in a welfare architecture built on the pursuit of equity through social rights and a growing strength in claims for self-government and state acceptance of their legitimacy. This is then contrasted with the separation of Aboriginal and social housing policy after 1993 when the state's strategic-relational role with other sectors of society and shift in governance mechanisms become evident in work towards less clearly articulated social goals. The paper concludes with a look ahead to future prospects for Aboriginal self-determination in a robust social housing sector.

Theorising Changing State and Indigenous Society Relations in Housing

State interventions in social housing have changed considerably over the post-WWII period, rising and then falling in many countries, particularly in the 1990s with governments discontinuing or scaling back social housing programmes (Darcy, 1999; Kemeny, 2001; Thorns, 2000; Wolfe, 1998). Although housing policy is central to social welfare and interconnected with successful outcomes in many other welfare sectors (such as health, education and income security) (Carter and Polevychok, 2004; Kemeny, 2001), it has become an area of neglect by governments in Canada (Carter and Polevychok, 2004; Hulchanski, 2002). The pursuit of a right to affordable housing for all Canadians— although never achieved—was a principled basis (accompanied with significant financial resources) for social housing policy in Canada until the mid 1980s (Carter and Polevychok, 2004; Hulchanski, 2002). Canadian housing policy has changed dramatically, however, between what Ian Skelton (2000) refers to as the 'co-operative and non-profit period' spanning from the 1970s through to the early 1990s, and the 'emergent period' after 1993. The former was an era of federal government leadership in programme planning and implementation, accompanied by long-term programme funding commitments (for example, 35 years). The latter period, which began after the federal government discontinued new development under most of its social housing programmes in 1993, is characterised by a reluctance of governments to get involved in major housing programmes.

The move away from large state-led social programmes, such as housing, has been theorised in different ways. One way is encapsulated in Bob Jessop's (2000) discussion

of an emerging research agenda for a new generation of state theorising. He argues that the state should be understood as a partial and unstable system interdependent with other systems and institutions in the broader social order of society. Jessop argues that the state should be analysed in its 'strategic-relational' context. In the present political and economic environment, an increasing reliance on networks, partnerships and 're-flexive self-organisation' (Jessop, 2001) across sectors (i.e. public, private and voluntary) is developing. It would follow that governments are attempting to facilitate local initiatives to address concerns over low-cost housing, providing strategic contributions to rela-tional production processes manifesting themselves at the local level.

A second way of theorising the shift away from large state-led social programmes—seemingly compatible with Jessop's notion of the strategic-relational state—is offered by scholars like Anthony Giddens (1998) and Jane Jenson and Denis Saint-Martin (2003). Jenson and Saint-Martin (2003) argue that, in response to neo-liberal critiques of the welfare state, social democratic governments have turned away from pursuing some basic social rights such as the right to adequate and affordable housing for all citizens. Social cohesion—the overall state of social bonds in a society—has displaced social rights as the central goal driving policy- and decision-makers (Jenson and Saint-Martin, 2003). Per-ceptions of social housing have also changed from a triumph in societal equity to places of anti-social behaviour, occupied by 'problem households' (Flint, 2004; Flint and Rowlands, 2003; Schrader, 2005). The strengthening of social bonds in these problem areas through 'active citizenship' is seen as a way to increase social cohesion overall (i.e. at the urban, sub-national or national scale). At the heart of concerns about social cohesion in cities, argue Ray Forrest and Ade Kearns (2001, p. 2126),

are "the problems of poor people in poor neighbourhoods".

Giddens (1998) argues that a different kind of state–society relationship is emerging, one where social policy goals are pursued in the midst of partnerships between a 'social investment state' and an 'active civil society'. He argues that this is the best (seemingly the only) way forward for social democratic states in response to the state's working en-ironment following a sustained period of neo-liberal critique against social spending. Security in this model, it is argued, comes from the capacity of both individuals and the state to adapt to change, shifting priorities and policy directions quickly and strategically in response to market and social forces.

These theorisations by themselves are in-structive but unsatisfying as an analytical basis for changes in social welfare, political community and citizenship. As ways of understanding the transformations in social welfare that have been undertaken during the past two or more decades (depending on the country), theories like those of Giddens (1998) and Jenson and Saint-Martin (2003) imply an 'inevitability' to decisions taken by governments in response to neo-liberal 'globalist' critiques (Ralston Saul, 2005). There is a third way of understanding the trans-formations in social democratic state inter-vention which focuses our attention on choices and leadership, providing a critical way to analyse changes in social housing and how these have interfaced with changing indi-genous rights. Theorists have argued that the drastic dismantling of social welfare was not inevitable but was at best the result of poor political leadership in the face of financial and governance crises in the 1970s, and at worst a conscious move at a moment of historical 'opportunity' to facilitate the consolidation of power among the élite class at the expense of gains made by the rest of society in the 20–30 years following WWII (Harvey, 2005;

Ralston Saul, 2005). The neo-liberal advance in state reform after 1980 targeted the 'embedded liberalism' that had developed through state intervention characterised by Keynesian economics, public expenditure and welfare-state building, and a degree of control over the free movement of capital (Harvey, 2005). Under this type of regime, free-market economics were embedded in—and in some ways controlled by—social relations focused on the political community of the nation-state.

Under neo-liberal state reforms, the focus on collective social rights of national political communities fostered through the interventionist social democratic state was replaced with the primacy of individual (including corporate) consumption rights substantiated in the marketplace. This came with a redefinition of the notion of personal 'freedom'. Individuals would have the right to realise their own identities and aspirations through the consumption of goods, services and private assets of their choosing, with minimum state interference. The flip-side was that individuals would also bear the responsibility for their own welfare by investing in their own education, housing, income security and health. If these elements of personal development were found lacking, it would be the result of individual failings and a lack of 'entrepreneurial virtues' (Harvey, 2005).

In the case of civil society actors representing collective interests in community social welfare, such entrepreneurial values have become a foundation of a new governance regime based on competitive urban policy (Kearns and Turok, 2000). In this scenario, Jessop's notion of reflexive self-organisation across sectors is infused with new power mechanisms for government control over the outcomes of social investment. By controlling financial resources, policy/programme parameters and centrally designed accountability frameworks that can significantly constrain local diversity and innovation (Burns, 2000), the state maintains its ability to guide and reward collective organisation at the local level at its discretion. Most importantly, like at the level of the individual and family discussed earlier, through these resource, policy and accountability tools, the state is also able to normalise a culture of "enterprise and winning, at the expense of egalitarianism" (Kearns and Turok, 2000, p. 176). This is done, on the one hand, by using rhetoric of freedom and choice, while on the other hand rewarding only some of the collective actors and their local initiatives with social investment, often only a minority (for example, see Kearns and Turok, 2000) of those that engage in the social 'contest'.

By measure of degree—rather than strict presence or absence—nation-state collectivism and solidarity, given substance through welfare state programmes and social rights, gave way to the normalisation of individual, family and organisational competition and individualised accountability for successes and failures. In Canada, the elements of the welfare state where this normalisation affects public investment most dramatically are those connected perceptibly to individual (bad) choices (Banting, 1992). For example, social housing and (un)employment income supports are perceived to be connected to individual choices and qualities, whereas health and old age security pensions, for example, are seen as more clearly out of one's control. On this re-articulated terrain of perceived personal freedom, people's substantive freedom to participate in the political, economic and civic lives of their communities has suffered dramatically, made most palpable through the widening gap between rich and poor (Yalnizyan, 1998). The socioeconomic gap between the élite class and the rest of society widens as wealth and systemic advantage beget more wealth and the social wage and public infrastructure deteriorate (Harvey, 2005).

Just as state responsibility in social welfare—and social housing particularly—has

transformed in Canada and internationally over the past few decades, so has the international pursuit and recognition of the indigenous right of self-determination. Self-determination encompasses social, cultural, economic and political aspirations and refers to the inherent right of indigenous peoples to govern their own affairs as original occupants, through the reform of relations with settler governments (Daes, 1996). Indigenous communities and scholars have argued that facilitating self-determination and forging relationships based on mutual recognition and respect, with meaningful outcomes, are central to strengthening relations between the state and indigenous society (for example, Durie, 2003; Green, 2005; Maaka and Fleras, 2005; Mercer, 2003; Royal Commission on Aboriginal Peoples, 1996a, 1996b). The *Draft Declaration on the Rights of Indigenous Peoples* (United Nations, 1994) asserts the right of self-determination generally and speaks directly to the right of indigenous peoples to improved housing conditions and to determine their own priorities and programmes in housing and other economic and social sectors (Articles 22 and 23).

In practice, the right of self-determination has amounted to concepts like self-government in Canada (Green, 1997) and self-management in Australia (Mulgan, 1998), which involve the delegation of administrative authority for state programmes to indigenous institutions (Ekstedt, 1999). While providing a measure of autonomy, self-government preserves state power over the terms of indigenous development (Alfred, 1999), thereby falling short of the full intent of the right of self-determination. The terms self-determination and self-government are both used in this paper, depending on context and content.

At the urban scale, one of the most pervasive models of self-government is by 'community of interest' or 'associational community' (Barcham, 2000; Royal Commission on Aboriginal Peoples, 1996a). It is characterised

by a set of self-governing indigenous institutions in sectors such as housing, health, education, justice and can also include the development of umbrella organisations that represent the interests of these institutions collectively as well as the urban indigenous population that they serve. The housing organisations developed under the UNHP in Canada—the main focus of this paper—are an example of self-governing institutions. A distinguishing feature of this model of urban self-government is that its constituency is a self-selecting community rather than one that is circumscribed by a land-base (such as a reserve) (Peters, 1992; Royal Commission on Aboriginal Peoples, 1996a).

Conceptualising the points of convergence between changing state theory and the development of indigenous self-determination can lead to a number of scenarios. Fundamentally, the neo-liberal project is easily reconcilable with advances in self-determination and self-government. It has been argued that the implementation of self-determination can take a route whereby the transfer of resources to indigenous governance structures occurs without measures in place to ensure equity or democratic community regulation of how the resources are used and distributed. This, it is argued, can contribute to the emergence of a new indigenous élite class, simply transferring the neo-liberal model centred on individual, family and private corporate freedom to the distribution of 'collective' indigenous resources (Rata, 2005). Neo-liberalism and indigenous self-determination can also collide in ways that accentuate divisions between indigenous and mainstream aspirations, where for example the paramount status of the neo-liberal private property ethic is used to dispossess indigenous peoples of collective and historical land rights (Rossiter and Wood, 2005). In the urban sphere, where self-governing indigenous institutions are central to self-determination, such as in housing, education and other social services, facilitating

their development can also be a way for the state to dispose of its responsibilities for administering programmes, particularly when responsibility is transferred without resources (Durie, 1998).

One possibility that might be chosen is the dual pursuit of urban self-determination and social housing development such that efforts towards the former would occur alongside a general push across indigenous and mainstream society for state commitment to adequate social housing as a cornerstone of common citizenship. Inextricably linked to this common effort would be the recognition in mainstream society that indigenous self-determination in the design and implementation of new social housing would be a precursor to constructively pursuing goals in common.

In a policy environment supported by an emergent culture of "meritocracy and enterprise" (Kearns and Turok, 2000, p. 187) and state mechanisms of parameter setting, control of a limited pool of social investment finances and intensive accountability frameworks for community initiatives, self-determination pursuits by urban Aboriginal institutions are not seen as problematic. When the state was more centrally involved in maintaining a social wage across Canadian society, Aboriginal self-government was perceived as a more significant challenge to the state social project because it was something the state needed to internalise and reconcile with notions of universality in citizenship rights and responsibilities. In this paper, I argue that, in the urban social housing sector, self-determination is a muted victory for Aboriginal peoples when there is no associated state leadership concerning vision and adequate resources to realise progressively common social citizenship rights—namely, to adequate and affordable housing. While progress towards self-determination can be seen in and of itself as a positive step towards developing institutional completeness in the urban

sphere, it yields only partial and disappointing results without resources to implement social welfare that would strengthen solidarity across Aboriginal and non-Aboriginal society. The following sections examine this quandary in the Canadian social housing sector by focusing on the Urban Native Housing Programme and the policy vacuum following its discontinuation after 1993. I argue that a genuine measure of self-determination was achieved in the 1970s and 1980s when the trajectories of Aboriginal rights and a social right to housing for all Canadians converged. While the right of (urban) self-determination has continued to advance from the 1990s through to the present, the advance seems more rhetorical than actual in urban sectors like social housing that are no longer sites of sustained redistribution for the purposes of a common social wage and narrowing the gap between rich and poor.

Methods

The analysis in the next two sections derives from a larger study examining changing social and Aboriginal citizenship in the low-cost housing sector. Documentary sources form the empirical basis for this paper and comprise archived and contemporary sources. Material on housing was gathered from an exhaustive search of holdings at the Canadian Housing Information Centre in Ottawa, the most complete source of archival and contemporary documents on Canadian housing. The material on Aboriginal rights was collected from a variety of places, including university libraries and rare collections in the provinces of Ontario and Manitoba.

Documents were analysed to create an historical narrative of developments in social housing and Aboriginal rights, and how they converged in the UNHP, drawing on policy documents, the Royal Commission on Aboriginal Peoples, internal reports, court cases and accounts written by Aboriginal and

non-Aboriginal actors driving the processes. For example, Stanley Fulham's work (1981) depicts the story of the evolution of Kinew Housing and the UNHP from his perspective as an Aboriginal man and the first and longest-serving manager at Kinew. Marvin Lipman's work (1986) depicts the development of the UNHP and its organisations from his perspective as a non-Aboriginal man and Director of Social Development at CMHC head office at the time of the UNHP. This credit to two men with official responsibility for the programme, and the empirical reliance on written histories in general, neglects to bring out the important roles played by other community activists. In particular, a number of Aboriginal women, who were instrumental in starting Kinew Housing and elevating Aboriginal housing to a federal policy priority, did not write their stories as early activists. Much of their early work remains undocumented except through local knowledge and limited narrative accounts (for example, Walker, 2004).

Lipman and Fulham are credited by most in the field as being two of the principal agents in the creation and development over time of the UNHP. J. D. McNiven's (1971) work provides a perspective on the 'Kinew Experiment' based on his formative evaluation a year after it started. Policy documents and internal reports from CMHC are used to determine the goals, values and rationales for federal investment in social housing, as well as the changing responsibility mix between state, private- and voluntary-sector actors over time. Credibility of the data sources was determined according to the authority of the author and the type or purpose of the publication (Robson, 1993). Using a variety of sources emanating from different sectors and positions in society served as a means of triangulation (Bradshaw and Stratford, 2000). The excerpts used here to support findings were chosen because they provide succinct representations of points of convergence across a number of sources.

A limitation of this approach, as discussed earlier, is that the reliance on written accounts excludes other possible ways of understanding changes in policy and responsibility mix, such as personal accounts by early participants.

The Convergence of Social Housing and Aboriginal Self-determination: The 1970s and 1980s

Housing as a Collective Social Right

During the late 1960s, the federal government sought to increase its involvement in 'social' housing as a right of citizenship, bound up with principles of equity, state responsibility and redistribution. The influential Hellyer Task Force on Housing and Urban Development (Government of Canada, 1969) prompted a series of amendments to the National Housing Act (NHA) in 1973 preceded by a $200 million social housing demonstration programme in 1970 administered by CMHC. The 1973 amendments created a framework where CMHC would lend funds to non-profit and co-operative organisations under sections 15.1 (non-profit) and 34.18 (co-operative) of the NHA. Favourable interest rates, capital subsidies and rent supplements, meant that rents could be charged to a proportion of low-income tenants at 25–30 per cent of their income (Canada Mortgage and Housing Corporation, 1980a).

Under these changes to the NHA, church groups, Aboriginal organisations, service and resident groups were able to play a greater role in administering non-profit housing to specific clientele (Central Mortgage and Housing Corporation, 1975). The state–society relationship during this phase of social housing production was direct and hierarchical, between the federal (as financier, programme architect and central administrator) and provincial governments (as secondary financial and administrative partners) and community-based organisations

(as sponsors and administrators of specific housing developments, but with little control over programme parameters).

Kinew Housing Incorporated, born from a housing working group at the Indian and Métis Friendship Centre of Winnipeg in 1970, is one example of an organisation that was able to take advantage of the $200 million demonstration programme and develop housing to serve the needs of urban Aboriginal people. The 'Kinew experiment', in turn, was the progenitor of what would become a national UNHP (Fulham, 1981; Lipman, 1986; McNiven, 1971). Led by the Friendship Centre, it was started by local Aboriginal community advocates and non-Aboriginal partners from a variety of organisations, including the Institute of Urban Studies at the University of Winnipeg. Kinew Housing was able to acquire units, develop socially and culturally relevant 'soft services' such as tenant counselling and work with a progressive group of CMHC staff at the national and local branch offices to increase operating and administration budgets and provide a 'deeper subsidy' that made these social housing units financially accessible to those urban Aboriginal households most in need. Delegations from across Canada visited Kinew Housing and by 1975 five additional urban native housing corporations had emerged in cities across Canada (Lipman, 1986). This number would grow to over 100 in the following 10–20 years.

While the federal government had put significant resources into public housing and urban renewal prior to the 1970s, the 1973 amendments were significant in that they increased the degree of federal leadership in social housing and the progressive realisation of a social right of all Canadians to adequate and affordable housing through a redistribution of wealth. The amendments also responded to calls for greater community involvement in housing delivery following the highly centralised decision-making negatively associated with public housing and urban renewal. Canada was a signatory to the *International Covenant on Economic, Social and Cultural Rights* (United Nations, 1976) wherein the right of everyone to adequate housing is affirmed (article 11). The Minister responsible for housing, Ron Basford, made his often cited 'social right' declaration following the NHA amendments

> It is the fundamental right of every Canadian to have access to good housing at a price he [*sic*] can afford. Housing is not simply an economic commodity that can be bought and sold according to the vagaries of the market, but a social right (Canadian Council on Social Development, 1976, p. 13).

Aboriginal Self-determination in State Discourse, Policy and Programmes

During the same time-period as these developments in social housing were occurring, developments of historical importance were also taking place around Aboriginal rights. In 1969, the controversial federal government White Paper on Indian Policy proposed the termination of group rights for Aboriginal peoples—arguing that this would improve their standing as full and equal citizens—and the devolution of existing Aboriginal services and programmes to the provincial governments. While Aboriginal peoples had asserted inherent rights to self-determination and self-government long before the White Paper (for example, see Harris, 2002), the mobilisation across Canada in response to it was a major catalyst to the progress since made in the area of self-government and the recognition of Aboriginal group rights. In effect, this marked the beginning of an era that would see the strengthening of Aboriginality in Canadian political discourse (Denis, 1997; Jenson, 1993) and a recalibration of state–Aboriginal society relations.

In 1969, Harold Cardinal wrote *The Unjust Society*, which was the foundation of the response by Aboriginal peoples to the White

Paper. Cardinal argued that rather than become 'equal citizens', in the absence of group rights the station of Aboriginal peoples in Canadian society would deteriorate under a myth of equal opportunity and charity

> A man [*sic*] who believes Canadian society will grant equality to the Indian because of its sense of Christian responsibility or its adherence to Christian beliefs or because of its obeisance to any concept of human rights common to all men [*sic*], believes in myths. The Canadian society, self-righteously proclaiming itself just and civilised, has not extended equality to the Indian over the past century, and there is no reason to believe, expect or hope that it will change its spots over the next century if the Indian stays weak (Cardinal, 1969, p. 165).

Cardinal argued that central to Aboriginal identity was the recognition and realisation of Aboriginal rights that were non-negotiable. Without using the terminology of self-determination and self-government that has become more commonplace since that time, Cardinal was arguing for these rights. He argued that most Aboriginal peoples would be unable to discover a sense of purpose and place within Canadian society unless they were first able to realise their sense of being Aboriginal and able to establish control over their lives in that cultural and societal context. Once the foundations of a strong Aboriginal society were firmly in place, argued Cardinal, co-operation between Aboriginal and mainstream society could develop with greater effect.

Built upon Cardinal's work in 1969, the Indian Association of Alberta responded with the Red Paper (officially entitled *Citizens Plus*) and presented it to the Prime Minister in June 1970. In his address to the Prime Minister, Cardinal (then president of the Association) called for self-determination across many sectors of Aboriginal society (such as community development, welfare services, education, law) and the transfer of

responsibility and resources to Aboriginal peoples

> Again we wish to emphasise that a fundamental principle involved in all Indian programmes must be the transfer of resources and responsibility to the Indian people and their leaders for it is they, in the final analysis, who will determine success or failure. This is the significant difference between your paper and ours—the difference between doing things for Indians, and giving Indians the resources and responsibility to do things for themselves (Cardinal, 1970, p. 4).

The federal government responded to the protest against their White Paper and abandoned it, choosing instead to go in the opposite direction, towards working with Aboriginal peoples to strengthen their group rights in Canadian society (Trudeau, 1970). In 1973, the Calder case fought in the Supreme Court expanded legal discourse around Aboriginal title to lands and was a judicial test for prior occupancy as a basis for Aboriginal rights, of the kind being advocated for in the expanding political discourse following the White and Red Papers. The following excerpt from the internal policy document, *CMHC priorities for policy development 1975–1978* (Central Mortgage and Housing Corporation, 1975), suggests that the evolution of federal 'native policies' following the rejection of the White Paper and the legal battles being fought for Aboriginal rights had an incremental impact on CMHC programming. At the federal level, departments concerned with Aboriginal affairs (such as Indian and Northern Affairs Canada) could work with CMHC directly and were subject to the same political leadership and policy directions.

> The Government has placed a major priority on native policies; this emphasis coincides with a major set of proposals being developed jointly by Indian Affairs and CMHC for the extension of new housing programmes to Indians on reserves. This on-reserve housing programme will address some of the worst

housing conditions in Canada. The new pro-
posals will combine an increased use of the Cor-
poration's programmes, with supplementary
assistance provided by DIAND [Department
of Indian Affairs and Northern Development]
over the next five years; programme admini-
stration will be decentralised to Indian Bands.
A rural and native housing programme off
the reserves is now being implemented by the
Corporation and the Métis and non-status
Indian organisations. Policies are envisaged
as well to address the critical needs of native
peoples, both status and non-status, in *urban*
[original emphasis] centres (Central Mortgage
and Housing Corporation, 1975, pp. 2–3).

Social Housing and State Redistribution in the 1980s

The section 15.1 (non-profit) and 34.18
(co-operative) housing programmes were
replaced with the section 56.1 Non-profit and
Co-operative Housing Programme in the
late 1970s. This new programme required
co-operative and non-profit housing organ-
isations to obtain loans from private 'approved
lenders' instead of borrowing directly from
CMHC (Canada Mortgage and Housing
Corporation, 1980b). Like under section 15.1
and the earlier social housing demonstration
programme, Aboriginal sponsor organisations
like Friendship Centres, or already established
housing organisations like Kinew Housing,
participated in the 56.1 programme.

Re-affirming the connection in the 1980s
between social housing and the notion of
individual rights as inextricably linked with
collective responsibility for social equity
through the redistribution role of the federal
government, CMHC wrote

> In Canada, income redistribution is widely ac-
> cepted as a proper function of the state. In effect,
> society has made an ethical judgement that
> increased equity in the distribution of income is
> desirable and it is this concept of equity which
> provides the primary rationale for govern-
> ment involvement in the provision of hous-
> ing. It is apparent that this concept of equity is

closely related to the notion of individual rights
(Canada Mortgage and Housing Corporation,
1984, p. 65).

This notion of individual rights based in
social equity is different from the neo-liberal
notion of individual freedom hinging on the
individual right to consume goods and ser-
vices with minimal intervention by the state.
The flip-side to this individual freedom, as
discussed earlier, is the individual 'freedom' to
remain responsible for one's own welfare.

Entrenching Self-government and Coupling with Social Housing in the 1980s

Progress was continuing to be made in the
expansion of Aboriginal right claims during
the 1980s in parliament and in the courts.
Advocacy by Aboriginal organisations during
the 1970s led to the recognition and af-
firmation of existing Aboriginal and treaty
rights in section 35 of the 1982 *Constitution Act*
(Wherrett, 1999).[3] This section of the Consti-
tution would be tested with positive results in
1990 when the Sparrow case involving fishing
rights was decided before the Supreme Court.
Between 1983 and 1987, four constitutional
conferences and one special committee on
Aboriginal self-government attempted to
define in more explicit terms what these rights
entailed. The Special Committee on Indian
Self-government, chaired by Keith Penner,
produced a final report in 1983 advocating
for major change in federal Aboriginal legis-
lation. Although it focused primarily on
self-government for Indian bands on reserve
lands, it argued that Aboriginal people living
off-reserve, and particularly in cities, are also
a federal responsibility and should have access
to special federal programmes by virtue of its
constitutional responsibility (Penner, 1983).

The affirmation of Aboriginal self-
government and its coupling with social
(housing) rights is visible in policy discourse
in the early 1980s as well, around the time
when Cabinet was making its decision to put

into effect an official policy for the UNHP. As Wayne Antony (1981) argues, the conflict over pursuing 'equal rights' versus 'special status' was on-going into the 1980s and specifically in the housing policy sector. As a means of breaking the cycle of dependency upon mainstream charity and recognising a distinctive 'native identity' and the importance of this to wellbeing, a specific urban native housing policy was being advocated for (Antony, 1981).

The Urban Native Housing Programme as such did not come along until 1985, although in practice it is considered to have begun in three main stages during the 1970s (Lipman, 1986). The first stage was during the 1970 $200 million social housing demonstration programme, where the 'Kinew Experiment' (McNiven, 1971) got its start in Winnipeg. Secondly, with the 1973 amendments, urban Aboriginal organisations across the country sponsored non-profit and co-operative housing developments under sections 15.1 and 34.18 of the NHA, building on the Kinew model. The third stage in the development of the unlegislated version of the urban native housing programme came in 1977, when under pressure from urban Aboriginal organisations and the Native Council of Canada (now the Congress of Aboriginal Peoples) on behalf of Métis and off-reserve First Nations people, CMHC agreed to dedicate 400 units a year—10 per cent of the 1978 social housing allocation—to urban Aboriginal housing organisations (Fulham, 1981; Lipman, 1986). In 1983, a 'deeper subsidy' was begun unilaterally by the federal government for urban native housing units (400 units a year in 1983, increased to 1000 units in 1984), ushering in the official version of the UNHP. All of these developments in the area of Aboriginal housing owe largely to the efforts of local and later national Aboriginal organisations across Canada, as well as leadership from within CMHC. The UNHP was a meaningful expression of self-determination in urban social housing for two principal reasons. First, there was state commitment to redistribution and equity for Canadians through social housing. Secondly, Aboriginal peoples were able to articulate and implement their notion that the most effective way for this national commitment to social housing to be realised among the urban Aboriginal population was through Aboriginal organisations exercising the right of self-government.

The Divergence of Social Housing and Aboriginal Self-determination: The 1990s and Beyond

From Social Right to Social Investment in Housing

Although the programme architecture did not change much between the mid 1980s and 1993, the federal budget allocation for building new units of social housing began to decline steadily from the mid 1980s when the Conservative government was elected, presaging more dramatic changes to come. The number of new units built went from 25 000 for 1983 to zero in the 1993 budget (Hulchanski, 2002). From the 1990s, documents show a remarkable change in focus within the federal government and CMHC on the role of social housing within the Canadian welfare architecture. In *Social housing and the social safety net: directions for the 1990's and beyond* (Canada Mortgage and Housing Corporation, 1991), there was a general stock-taking and conceptual evaluation of where CMHC and the federal government saw themselves targeting housing interventions. Trying to fit the role of social housing within the broader contours of a changing federal social agenda, CMHC began to conceptualise its retreat from redistribution and social citizenship and did so in terms of contemporary debates over 'welfare' versus 'workfare'. Ideas that would later be embodied in Giddens' (1998) work on third way politics and the social investment state

were being explored, such as moving away from social rights and entitlements towards social investment in partnership with other sectors of society, most notably an active civil society.[4]

> Given the increasing percentage of social assistance recipients living in social housing, should the push towards self-sufficiency and an active society applied in recent reforms of social assistance also apply to or affect social housing programmes?
>
> Are there disincentives to rejoining or staying in the workforce for those living in social housing?
>
> If the new social assistance philosophy is to promote the reintegration of single-parents and others into the labour force, what services could/ should be added to help promote this transition? (Canada Mortgage and Housing Corporation, 1991, p. 43).

In 1991, CMHC and federal government created the Canadian Centre for Public/Private Partnership Housing to facilitate public–private partnerships for low-cost housing (Canada Mortgage and Housing Corporation, 1996). This was a significant shift in the responsibility mix associated with different sectors of society. Rather than bearing primary responsibility for social redistribution and equity through the financing of social housing, the federal government was rolling back its role into predominantly that of a 'facilitator' for initiatives with community-based origins (and funding) where they emerged.

The most dramatic transformation in the federal government's role in social housing came in 1993. At this time, it discontinued most of its social housing programmes, including the UNHP. While it committed to providing continuing operating subsidies for the duration of existing social housing agreements, new units would not be built. The administration of the existing stock of social housing, generated over past decades, was transferred to most provincial governments through bilateral agreements beginning in 1996. This included the UNHP portfolio prompting a political and legal response from the Aboriginal community. The main point of contention was that the move did not take into account the fiduciary relationship between the federal government and Aboriginal peoples, and the responsibility of the federal government to consult with them when it exercised legislative powers in a way that may affect their wellbeing (B. Morse and Associates, 2002; Hill, 2003).

Operational Urban Self-government in the 1990s and Beyond

While the federal government's involvement in social housing was retrenching during the 1990s, work on Aboriginal rights, particularly to self-government, was expanding. In 1993, the newly elected federal government committed to recognising the inherent right of self-government. The Inherent Right policy, adopted by the federal government in 1995, asserts that self-government rights can be provided for under section 35 of the Constitution Act of 1982. In the absence of a land base, forms of public government, devolution of programmes and services and the development of Aboriginal institutions can be considered (Wherrett, 1999).

The Royal Commission on Aboriginal Peoples finished its work in 1996, advancing the understanding of the special place and circumstances of Aboriginal peoples in the Canadian federation. The Commission advocated for the design and delivery of programmes and services by Aboriginal institutions in urban areas where the population was large enough to support them. Aboriginal service institutions (such as Aboriginal housing corporations developed under the UNHP) would be manifestations of the 'community of interest' or 'associational community' model of self-government in urban areas.

Gathering strength: Canada's Aboriginal action plan (Government of Canada, 1997), the official policy response to the Royal Commission, expands on the 1995 Inherent Right policy, including a specific reference to urban Aboriginal self-government. The 1999 Corbière case in the Supreme Court extended the right to vote in band council elections to band members living off-reserve. This set a precedent for the extension of rights associated with band membership to those living off the reserve land base and, in effect, this has meant extending the geographies of 'Indianness' into urban areas (Peters, 1997). The 2004 Federal Court of Appeal decision in *Misquadis v. Canada* defended the right to urban self-government in the area of human resources development, adding legal clarity and certainty to the model of urban self-government by associational community and self-governing institutions (Walker, 2005).

Disjointed Re-investment: Housing with Incoherent Social or Aboriginal Development Objectives

A commitment from the federal government to building new social housing was not forthcoming until 2001, when the federal and provincial governments agreed to a framework for a new five-year Affordable Housing Initiative (AHI). The AHI shows the extent to which the social welfare objectives have changed from maintaining an adequate social wage to making a relatively small social investment in the housing sector. The key difference between the social housing programmes—including the UNHP—that were discontinued after 1993 and the AHI is that the funding through the latter comprises a one-time lump-sum capital subsidy to assist initiatives underway or being started locally. Release of federal funds under the initiative is contingent on matching funds from the province/territory and, looking back, the AHI has produced very few new housing units across the country (Shapcott, 2006). The

level and type of funding from government are generally insufficient to reduce rents low enough to serve those most in need of social housing (National Aboriginal Housing Association, 2004; Simms and Tanner, 2004). Further, there is not a sustained subsidy to maintain rents at an affordable level over the medium to long term. The funding is a short-term 'strategic' investment from government, which acts as a partner in a network of actors, with ultimate responsibility for the sustainability of housing initiatives resting within civil society. It is a departure from the earlier role of the federal government, during the 1970s and 1980s, as the actor with central responsibility for substantiating the progressive realisation of a social right to housing for all Canadians.

In the bilateral negotiation processes with provinces and territories to determine priorities, the federal government did not undertake to secure a stream of targeted funding for urban Aboriginal housing that would have in effect carried on the trajectory of self-government created and subsequently vacated by the discontinued UNHP. In 2006, a new commitment of federal funding to low-cost housing started to be rolled out over a three-year period, with just over 20 per cent earmarked for off-reserve Aboriginal housing. It resembles the AHI in terms of the responsibility mix between sectors of society. The method of administration varies by province and it is uncertain whether it will be controlled and administered by Aboriginal housing organisations. In some provinces, such as British Columbia, there have been clear indications that the resources will be channelled through the existing urban Aboriginal housing organisations in one way or another. The resources will not go very far in meeting the growing need for affordable housing generally, or within the urban Aboriginal population specifically. It is not certain at this stage how the funding will be divided between repairing and maintaining existing

social housing units versus building new ones. As with the AHI, there is no provision for continuing subsidy on new units and it is unlikely that they will be sufficiently affordable to house those most in need, like many of those served by the UNHP. Finally, there is no coherent vision or principled basis underpinning federal government investment in the sector.

Conclusion

As the international pursuit of indigenous self-determination proceeds apace alongside an international trend in restructuring the nature of state involvement in social housing (Darcy, 1999; Kemeny, 2001; Thorns, 2000; Wolfe, 1998), it is unclear how the two will coincide positively. In Australia, the trend is towards mainstreaming the delivery of indigenous social housing and dismantling rather than improving the way indigenous community organisations have delivered housing since the 1970s (James *et al.*, 2006). In New Zealand, the most recent government initiative in the low-cost housing sector, the Housing Innovation Fund, has not gone very far towards creating more than a handful of new housing units for a handful of 'winning' proposals. It has kept civil society actors busy, however, trying to package proposals for minimal levels of capital funding from central government. New Zealand does not have a strategy to address the disproportionately high housing hardship among Māori peoples or to promote self-determination in the housing and most other social welfare sectors.

Developments in Aboriginal rights at the federal level in Canada were institutionalised in social housing through the UNHP during the 1970s and 1980s when the federal government took much of the responsibility for the progressive realisation of a social right to housing. State intervention in social housing changed from leadership and responsibility to strategic partner (Jessop,

2000) and social investor (Giddens, 1998; Jenson and Saint-Martin, 2003) in initiatives driven by local networks of actors. The trend, in this context, is towards strategic injections of up-front capital funding, as opposed to long-term programme funding agreements (for example, 35 years). Early indications in Canada (and New Zealand) are that the social investments characterising new state allocations to low-cost housing are not adequately resourced or directed towards a coherent national redistribution programme. Further, the perceived strengths of local innovation are dulled by inflexible and intensive accountability frameworks for state social investments (Burns, 2000).

The move towards pairing a social investment state with an active civil society to achieve housing goals might be able to work effectively in the future, but adequate state financial resources and stewardship over a coherent national vision based on equity and redistribution among citizens will be necessary. With these in place, advances that continue to be made in urban self-determination will have an impact on social welfare. Without these, gains in indigenous urban governance rights will be anti-climactic and may even distract leadership in the indigenous community from the fundamental issue that there is no principled and coherent effort from the state to narrow the growing gap between rich and poor through programmes of action such as social housing. This is not to discount the importance of progressing towards institutional completeness in urban indigenous self-determination (for example, across housing, education, health and other sectors), particularly in light of the imbalance between governance rights in urban versus reserve/rural communities. It is simply to point out that self-determination on its own will not go far towards alleviating housing hardship, even though evidence suggests it will improve outcomes from whatever resources are invested. In order for Aboriginal

and non-Aboriginal society to engage with each other constructively and tackle the common systemic problem of inadequate state investment in social housing, Aboriginal self-determination will need to be accepted in mainstream discourse at the local level (as well as in federal policy) (see Maaka and Fleras, 2005, especially ch. 8). This will be a significant challenge, but it is one worth tackling in common.

Notes

1. The term 'Aboriginal' peoples is used in this paper in specific reference to descendants of the original inhabitants of Canada, given that it is the legal term referring to First Nations, Métis and Inuit peoples, as per the Constitution Act of 1982. The term 'indigenous' peoples is also used, but in reference to indigenous peoples more broadly—including, for example, Aboriginal peoples in Canada and Australia and Māori in New Zealand. The terms 'Native' and 'Indian' are used at some points, particularly in historical references, given their wide and interchangeable use in the latter half of the 20th century to denote Aboriginal peoples in Canada. 'Indian' is typically a reference to First Nations people, however, and less so Métis and Inuit.

2. There is also an on-reserve Aboriginal housing programme that continues to be delivered by CMHC. It was the only social housing programme that was not discontinued after 1993. The federal government maintains that its primary responsibility in Aboriginal affairs is to the status reserve-based population. This position is a source of constant debate and conflict between the federal government and Aboriginal peoples living off-reserve and between the federal and provincial/territorial governments. There was also a Rural and Native Housing Programme delivered by CMHC and provinces in rural communities. It was not targeted exclusively at Aboriginal households, but was significantly so. It began several years prior to the Urban Native Housing Programme, but several years after the on-reserve Aboriginal housing programme.

3. Section 35 of the *Constitution Act* relates to the rights of Canada's Aboriginal peoples. It states that

   (1) The existing Aboriginal treaty rights of the Aboriginal peoples of Canada are hereby recognised and affirmed.
   (2) In this Act, "Aboriginal peoples of Canada" includes Indian, Inuit and Métis peoples of Canada.
   (3) For greater certainty, in sub-section (1), "treaty rights" includes rights that now exist by way of land claims agreements or may be so acquired. And
   (4) Notwithstanding any other provision of this Act, the Aboriginal and treaty rights referred to in sub-section (1) are guaranteed equally to male and female persons.

4. Skelton (1996, 2000) and Hulchanski (2002) both provide more comprehensive analyses of changing state investment in Canadian social housing and the decentralisation of federal government responsibility in their own right, from the 1950s onwards. My analysis is abbreviated for the specific purposes of this article.

Acknowledgements

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