ABORIGINAL SELF-GOVERNMENT AND
THE URBAN SOCIAL CRISIS

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INTRODUCTION

I want to critically examine Aboriginal self-government in the context of the growing urban social crisis. This Conference has “a focus on Saskatchewan,” and I plan to use Regina, Saskatchewan, where I live, work and am active in the inner city, as one point of reference. I think we can now see clear indications that Regina, like other prairie cities, is undergoing a deep social crisis that involves a growing number of Aboriginal people, particularly youth. This social crisis has historical and economic roots, and major political, as well as social, implications. It is possible that unless the quest for Aboriginal self-government refocuses from the constitutional to the social, formal self-government will fail to achieve one of its intended objectives—that of enhancing the self-determination and quality of life of the growing proportion of Aboriginal people who are moving to cities across Canada.

AN INHERENT RIGHT

In the aftermath of the failed Charlottetown Accord, and with a federal election now underway, many Canadians have come to believe that Aboriginal self-government has been put on the political back burner. Not so the Commissioners of the ongoing Royal Commission on Aboriginal Peoples. In their recently released document Partners in Confederation they argue in some detail that

the Aboriginal right of self-government has a substantial basis in existing Canadian law, even in the absence of explicit constitutional clauses of the kind proposed in the Charlottetown Accord of 1992. The original basis for this right was the autonomous status of Aboriginal nations at the time they entered into association with the French and British Crowns. The right of Aboriginal nations to govern their own affairs was acknowledged in inter-societal practice and formed a tacit premise of many treaties. The right became part of the common law doctrine of Aboriginal rights, which
emerged during the seventeenth and eighteenth centuries as a body of fundamental law governing relations between Aboriginal peoples and incoming European nations. There are persuasive grounds for concluding that the right of self-government continues to exist today as a matter of constitutional common law and qualifies as an existing Aboriginal or treaty-protected right under section 35(1) of the Constitution Act, 1982.¹

This conclusion is based on historical analysis; on the Royal Proclamation of 1763; on Canadian law on Aboriginal rights, including the Sparrow Case, and on the evolution of the Canadian Constitution. In particular, the Royal Commission on Aboriginal Peoples argues that by recognizing and affirming “existing aboriginal and treaty rights of the aboriginal peoples of Canada,” it can be argued that the Constitution Act, 1982 has entrenched the inherent Aboriginal right to self-government as a constitutional right.

The implications of this analysis are profound for the Canadian identity. Rather than “Canada” being seen as the outgrowth of the conquest and domination of Europeans over Aboriginal Peoples, Canada and the Canadian Crown would be “the symbol of the association of the various political units that make up Confederation, including First Peoples.”² Canada would be “seen as a partial and imperfect realization . . . [of] a multinational confederation of peoples and communities united in peace and fellowship.”³

The fundamental resolution of the historical injustices facing Aboriginal people requires some conception of Canada as a multinational state.⁴ There is nothing in the reports from the Saskatchewan Indian or Métis justice reviews, however, that suggests such a conception was seriously considered.⁵ It is therefore timely for the Royal Commission on Aboriginal Affairs to advance this view. To continue with their line of argument:

It follows from what we have already said that the right is inherent in its source, in the sense that it finds its origins within Aboriginal communities, as a residue of the powers they originally held as autonomous nations. It does not stem from constitutional grant; that is, it is not a derivative right. The distinction between an inherent and a derivative right is not a mere matter of symbolism. It speaks to the basic issue of how Canada emerged and what it stands for.⁶

It seems clear that this argument will come under criticism from some analysts of international law. For

although Aboriginal peoples have the inherent legal right to govern them-
selves under section 35, this constitutional right is exercisable only within the framework of Confederation. Section 35 does not warrant a claim to unlimited governmental powers or to complete sovereignty, such as independent states are commonly thought to possess. Aboriginal governments are in the same position as the federal and provincial governments: their powers operate within a sphere defined by the Constitution. In short the Aboriginal right of self-government in section 35 involved circumscribed rather than unlimited powers.  

This line of analysis purports to have clarified the controversial relationship of the Canadian Charter of Rights and Freedoms to Aboriginal self-government by distinguishing “between the right of self-government proper and the exercise of governmental powers flowing from the right.” As such “the Charter regulates the manner in which Aboriginal governments exercise their powers, but it does not have the effect of abrogating the right of self-government proper.” It is highly unlikely that this distinction will put to rest the controversy over the Charter.

The Royal Commission also tackles the implementation of self-government, which makes this document directly relevant to this conference. Under what they call their organic view of self-government, “the right of self-government would include an actual right to exercise jurisdiction over certain core subject matters, without the need for court sanction or agreements with the Crown. The core areas would include matters of vital concern to the life and welfare of the community.”

The Importance of Community

The Commissioners emphasize the importance of “community” in their discussion of principles that “serve as general guidelines for the successful implementation of self-government.” They argue that self-government can be initiated to address the “concerns of a community,” and that “external initiatives run the risk of disrupting the internal dynamics” of an Aboriginal community. They also stress that “communities may decide to join with one another in tribal, treaty, regional or larger groupings for purposes of self-government.” They write that “the need for community initiative is the practical dimension of the concept that self-government is an inherent right,” and furthermore, “not only should the structures of self-government be the product of community initiative, they should be placed under group control and remain its ultimate responsibility.” They also say, “Aboriginal communities may be ready to design and implement extensive reforms in a single step.” And finally they write about the importance of “access to lands and resources to allow for greater self-sufficiency in Aboriginal communities.” They stress that “the abstract power of self-
government is an empty vessel without the material ability to carry on the normal functions of a modern government and an adequate land and resource base to cope with current and future populations.”

These “communitarian” principles for the implementation of the inherent right to Aboriginal self-government can be assessed in general, in a manner typical of much legal philosophy. However, before directly applying them to political questions, such as the roles of various levels and kinds of government, it is essential to evaluate them in terms of some major sociological trends. On the basis of these principles, you could get the very false impression that most Aboriginal people exist in distinct communities with a land base, which stand prepared for self-government. But such a view would largely ignore and perhaps even deny the massive urbanization of Aboriginal people that has been underway for the last several decades. It would ignore the class position of many, if not most, Aboriginal people that has resulted from the heritage of European colonialism.

The Commissioners seemed to have recognized this problem when they wrote: “The case of Aboriginal groups without any form of land base is different and poses a range of complex problems that cannot be dealt with here.” Before we get too carried away with these abstract principles of implementation, perhaps we should carefully re-examine our assumptions about Aboriginal people and the urban social crisis.

**Indications of an Urban Social Crisis**

Since the defeat of the Charlottetown Accord on October 26, 1992, many questions have been raised about the apparent distance between political leadership of most stripes and the Canadian grassroots. Since it appears the majority of Aboriginal people, including Indian people across Canada, did not support the Accord, questions have also been raised about whether Aboriginal leadership has been any more in touch with the grassroots than the leadership of Canada’s major parties.

When preparing for this Conference I came across an Ottawa columnist who raised this issue quite bluntly. Johnson directly criticized the Royal Commission on Aboriginal Peoples, which “maintains that Aboriginals’ serious social and personal problems stem from their cultures having been eroded by colonization. The solution proposed is aboriginal self-government to provide a milieu in which aboriginal cultures can be restored, aboriginal languages and traditions rehabilitated.”

On the basis of some of the results of the *Aboriginal Peoples Survey* undertaken by Statistics Canada in 1991, particularly the finding that “64 per cent of Indians live outside of Indian settlements,” this columnist went on to say: “Self-government, then, can hardly be a solution for the problems of the two-thirds of Indians who live away from the reserve.” He
continued, “The absence of aboriginal languages is especially acute among those who live off the reserve. The survey found that of Indians 15 or over living away from Indians communities, 43,045 can speak an aboriginal language, but 121,625 never learned one.” On the basis of various results, including the apparent lack of support for self-government as a solution to community problems, he concluded: “Those who would build an entire structure of government on the assumption of deep cultural differences will build upon sand.”

This journalist is making many assumptions, some of which relate to stereotypes about Aboriginal people in Canada. For one thing he assumes that Aboriginal people who support self-government believe that political decolonization in itself will solve community problems. While the relationships between decolonization and self-determination remain complex and contentious, Indian and other Aboriginal leadership are increasingly aware of the need to tackle community problems directly. For another thing, the assumption is being made that self-government will only apply to reserves, and that it will be land-based rather than people-based. Though some Indian leadership clearly support this view, the support for it is by no means unanimous among Indian and other Aboriginal Peoples.

**The Aboriginal Peoples Survey**

I was therefore quite skeptical and suspected that over-generalizations were being made, so I decided to go to the original document. My first concern was about the validity of the survey. The survey was based on a sample of all people in the 1991 Census “who had indicated at least one Aboriginal origin and/or that they were registered under the Indian Act.”18 The population that was sampled for the survey included a total of 625,710 Indians, Métis and Inuit across Canada. While multiple identity (with more than one Aboriginal group) might have reduced the quality of the conclusions, it turns out that “99% of those who reported Aboriginal origins identified with just one Aboriginal group.”19

Furthermore, while there are always sampling errors in a probability survey such as this, the report clearly indicates when the estimates were “too unreliable to be published.” It also indicates when estimates should be used with caution or can be used unconditionally.20 Questions always need to be asked about response rates. It turns out “the rate of response for the Aboriginal Peoples Survey (77% for the Aboriginal community area, and 79% for the other areas) was acceptable”21 in the eyes of Statistics Canada.

If there is a major problem with the survey, it has to do with the limits of the 1991 Census. During the Census there were “78 incompletely enumerated Indian reserves and settlements . . . representing approximately 38,000 persons.” Furthermore, there were “181 Indian reserves and
settlements representing 20,000 individuals" where "enumeration was not permitted." While these shortcomings in the Census limit the survey, this is clearly the most comprehensive survey ever done regarding Aboriginal Peoples in Canada. Also the problems are not as great for Saskatchewan as they are for some other jurisdictions. Only one reserve (Big Head) was incompletely enumerated, while eight reserves (Little Bone, Okanese, Cote, Red Pheasant, New Thunderchild, Makwa Lake [2] and La Loche) did not allow enumeration.

This survey therefore can help provide us with better answers to some basic questions about self-government and the urban social crisis. In particular, it is important to look at some of the relevant findings about population, language and social issues for adults and, where available, for young Aboriginal people.

**Aboriginal Population**

In total 388,900 adults and 236,810 children and youth identified themselves as Aboriginal in the 1991 Census. This comes to a total of 625,710 people in Canada. In Saskatchewan there were 49,275 adults and 37,420 children and youth, or 86,695 people, who were identified as Aboriginal. In Regina there were 6,530 adults and 4,490 children and youth, or 11,020 people, who were identified as Aboriginal.

While these numbers will remain in dispute, they are likely the most comprehensive ones available. The high percentage of children and youth (38 percent for Canada) is noteworthy, as this will shape the future reality and demands facing Aboriginal self-government. The fact that the percentage of children and youth among all Aboriginal people is even higher in Saskatchewan than elsewhere in the country (43 percent), particularly in Regina, where it is 40 percent, will just make these matters even more pressing here. The extent of this pressure is shown by the estimate that early in the next century one in four people entering the Saskatchewan labour market and one in three entering the educational system will be Aboriginal youth.

**Language and Tradition**

The results of the survey on language and tradition for adult Aboriginals are likely not very encouraging to those seeing self-government and traditional Aboriginal culture as being intertwined. Of the 388,900 adult people across Canada who were identified as Aboriginal, 139,375 or 36 percent said they spoke an Aboriginal language (see Table I). However, 213,395 adults or 55 percent said they had never spoken Aboriginal languages.

Language assimilation in Saskatchewan has not gone as far. Of the 49,275 adults who were identified as Aboriginal in Saskatchewan, 23,675
or 48 percent said they spoke an Aboriginal language. A slightly smaller number of adults, 22,140 or 45 percent, said they never spoke an Aboriginal language.

However, of the 6,500 adults who were identified as Aboriginal in Regina, only 875 or 13 percent said they spoke an Aboriginal language. An astonishing 4,955 or 76 percent said they never spoke Aboriginal languages. It is noteworthy that in contrast to Regina, 2,085 people, or 32 percent of the 6,595 adults who identified themselves as Aboriginal, in Saskatoon reported speaking an Aboriginal language. The greater proximity to the North is likely a major factor.

There is a lot of other relevant information in the survey regarding language and tradition. For example, 159,750 or 41 percent of people identified as Aboriginal adults across Canada said they would like to learn an Aboriginal language. The figures for Saskatchewan were 18,000 or 37 percent, and for Regina 4,015 or 61 percent. This can be said to reflect a deeply seated Aboriginal identity, although the discrepancy between wishes and accomplishments in second-language acquisition is always huge.

All human cultures look to the next generation with hope for continuity or a resurgence of language and tradition. The results of the *Aboriginal Peoples Survey* for youth are not too encouraging in this regard (see Table II). Of the 148,160 people aged 5 to 14 identified as Aboriginal across Canada, only 31,715 or 21 percent spoke an Aboriginal language. (This compares with 36 percent for the adult population.) In sharp contrast, 105,220 people or 71 percent have never spoken an Aboriginal language. (This compares with 55 percent for the adult population.)
<table>
<thead>
<tr>
<th></th>
<th>Canadian</th>
<th>Percent of Total</th>
<th>Saskatchewan</th>
<th>Percent of Total</th>
<th>Regina</th>
<th>Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Aboriginal</strong></td>
<td>148,160</td>
<td>100.00</td>
<td>23,275</td>
<td>100.00</td>
<td>2,715</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Speak Aboriginal</strong></td>
<td>31,715</td>
<td>21.400</td>
<td>4,605</td>
<td>19.80</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td><strong>Never Spoke Aboriginal</strong></td>
<td>105,220</td>
<td>71.00</td>
<td>16,655</td>
<td>71.60</td>
<td>2,620</td>
<td>96.50</td>
</tr>
</tbody>
</table>

*Source: 1991 Aboriginal Peoples Survey, Tables 1.1, 3.1 and 3.2*

Even though the last two decades have seen a remarkable resurgence of Indian, Métis and Inuit nationalism and traditionalism in Canada, it appears other forces, such as urbanization, economic stratification and general assimilation, have continued to erode the continuity of Aboriginal languages and tradition from one generation to the next.

The survey provides some indication that language and tradition are more stable for Aboriginal adults in Saskatchewan than on average across Canada (see Table 1). The results for Saskatchewan Aboriginal youth, however, are not that different from the rest of the country. Of the 23,275 people aged 5 to 14 identified as Aboriginal in Saskatchewan, only 4,605 or 20 percent speak an Aboriginal language. (The Canada-wide figure was 21 percent.) In sharp contrast, 16,655 people aged 5 to 14, or 72 percent, never spoke an Aboriginal language. (The Canada-wide figure was 71 percent.)

The role of urbanization and all that this implies for Aboriginal families and youth regarding lifestyle and economic stratification is quite evident in the figures for Regina. Of the 2,715 people aged 5 to 14 identified as Aboriginal in Regina, 2,620 or 96 percent never spoke an Aboriginal language. (There is no reliable estimate of the number who speak an Aboriginal language, but it can’t be higher than 3 to 4 percent.)

**Indian Discontinuity of Language and Tradition**

The general category of “Aboriginal identity” will understandably not satisfy particular Indian, Métis or Inuit groups involved in negotiations over self-government, so let us look at the largest group among Aboriginals, the
### Table III: Aboriginal Language for Adult Indians Living On and Off Reserves in Canada and Saskatchewan

<table>
<thead>
<tr>
<th></th>
<th>On Reserve</th>
<th>Off Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent of Total</td>
</tr>
<tr>
<td><strong>Canadian</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Adult Indians</td>
<td>102,075</td>
<td>100.00</td>
</tr>
<tr>
<td>Speak Aboriginal</td>
<td>66,720</td>
<td>66.30</td>
</tr>
<tr>
<td>Never Spoke Aboriginal</td>
<td>28,585</td>
<td>28.00</td>
</tr>
<tr>
<td><strong>Saskatchewan</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Adult Indians</td>
<td>16,355</td>
<td>100.00</td>
</tr>
<tr>
<td>Speak Aboriginal</td>
<td>11,365</td>
<td>69.60</td>
</tr>
<tr>
<td>Never Spoke Aboriginal</td>
<td>3,995</td>
<td>24.40</td>
</tr>
</tbody>
</table>

Source: 1991 Aboriginal Peoples Survey, Tables 1.1 and 2.3

288,365 adults identified as Indians across Canada.

Due to the existence of many separate Indian communities across Canada, some may expect Canadian Indians to show less sign of language assimilation. Of the adult Indians across Canada, 109,765 or 38 percent reported speaking an Aboriginal language. However, a larger number, 150,210 or 52 percent, never spoke an Aboriginal language.

In Saskatchewan the figures were 18,870 of 33,800 adult Indians, or 56 percent, who had spoken an Aboriginal language. A smaller number, 12,295 or 36 percent, had never spoken an Aboriginal language. In Regina the figures were 710 of 4,315 adult Indians, or 16 percent, who had spoken an Aboriginal language. An astonishing 3,055 or 71 percent had never spoken an Aboriginal language.

The comparison of adult Indians whose usual residence was on or off a reserve requires attention (see Table III). Of the 102,075 adult Indians usually living on reserves in Canada, 66,720 or 66 percent spoke an Aboriginal language. A much smaller number, 28,585 or 28 percent, of the total had never spoken an Aboriginal language.

The picture is remarkably different among adult Indians usually living off reserves. Of the 186,295 adults Indians usually living off reserves in
### Table IV: Aboriginal Language for Indian Youth (5–14) Living On and Off Reserves in Canada and Saskatchewan

<table>
<thead>
<tr>
<th></th>
<th>On Reserve</th>
<th>Off Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent of Total</td>
</tr>
<tr>
<td>Canadian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Indians Aged 5–14</td>
<td>40,500</td>
<td>100.00</td>
</tr>
<tr>
<td>Speak Aboriginal</td>
<td>17,945</td>
<td>44.30</td>
</tr>
<tr>
<td>Never Spoke Aboriginal</td>
<td>18,460</td>
<td>45.60</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Indians Aged 5–14</td>
<td>7,865</td>
<td>100.00</td>
</tr>
<tr>
<td>Speak Aboriginal</td>
<td>2,875</td>
<td>36.50</td>
</tr>
<tr>
<td>Never Spoke Aboriginal</td>
<td>4,120</td>
<td>52.40</td>
</tr>
</tbody>
</table>

*Source: 1991 Aboriginal Peoples Survey, Tables 1.1 and 3.3*

Canada, 43,045 or 23 percent spoke an Aboriginal language. A much larger number, 121,625 or 65 percent of the total, had never spoken an Aboriginal language.

The picture that emerges for adult Indians in Saskatchewan is not as extreme. Of the 16,335 adult Indians usually living on reserves in Saskatchewan, 11,365 or 70 percent spoke an Aboriginal language. A much smaller number, 3,995 or 24 percent, had never spoken an Aboriginal language. Of the 17,465 adult Indians usually living off reserves in Saskatchewan, 7,505 or 43 percent spoke an Aboriginal language. (This compares with 23 percent Canada-wide.) The number never speaking an Aboriginal language, 8,300 or 47 percent, is only slightly higher and compares with 65 percent Canada-wide.

On the basis of the results of this survey, the continuity of language and tradition among adult Indians in Saskatchewan has not been as disrupted as on average across the country. But what about the next generation, the Indian youth who are today living on or off reserves?

The picture that emerges from the *Aboriginal Peoples Survey* is not encouraging (see Table IV). Of the 40,500 Indian youth aged 5 to 14 usually living on reserves, 17,945 or 44 percent speak an Aboriginal language. A
slightly larger number of youth living on reserves, 18,460 or 46 percent of the total, have never spoken an Aboriginal language. The situation of the larger number of off-reserve Indian youth is, however, very different. Of the 67,465 Indian youth usually living off reserves, only 6,095 or 9 percent were reported as speaking an Aboriginal language. An astounding 83 percent or 56,385 youth usually living off reserves had never spoken an Aboriginal language.

Findings for Saskatchewan, which are fairly similar, will not be encouraging for Indian elders and leaders. Of the 7,865 Indian youth usually living on reserves, 2,875 or 36 percent speak an Aboriginal language. (This contrasts with 70 percent for adults.) A larger number, 4,120 or 52 percent, have never spoken an Aboriginal language. (This compares with 24 percent for adults.) Of the 8,510 Indian youth usually living off reserves in Saskatchewan, only 1,295 or 15 percent speak an Aboriginal language. A much larger number, 6,545 or 77 percent, have never spoken an Aboriginal language.

Movement on and off reserves is quite common among Indians in this province as elsewhere. This being the case, the attempt to analyse Indian people as though they lived in one place or another could be said to be culturally biased. And yet the astonishing differences in the results regarding language and tradition of Indians reporting their usual residence on or off reserves, especially among young Indians, suggest that something very profound is actually occurring. These findings provide compelling evidence of the need to critically re-examine concepts and prospects for Aboriginal self-government in the context of the urban social crisis facing Aboriginal Peoples.

**Self-Government and Community Problems**

One of the social questions asked adults during the *Aboriginal Peoples Survey* was whether people thought “that problems in Aboriginal communities or neighbourhoods could be overcome” by various measures. One option that was given was “self-government”; others were “more policing,” “shelters for abused women,” “family counselling,” “more employment,” “more education,” etc.

Self-government, of course, continues to mean different and even contradictory things: everything from municipal government to national sovereignty. So it is hard to interpret the meaning of the responses. Furthermore, the fact that Indian people have lived under band councils operating under the *Indian Act* likely shapes their view of what self-government at the community level might be. This colonial experience may have influenced their apparently unenthusiastic response regarding self-government.
TABLE V: ABORIGINAL ADULT SUPPORT FOR
SELF-GOVERNMENT TO OVERCOME COMMUNITY PROBLEMS
(PEERCENT OF TOTAL POPULATION)

<table>
<thead>
<tr>
<th></th>
<th>Canada</th>
<th>Saskatchewan</th>
<th>Regina</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal</td>
<td>1.40</td>
<td>1.60</td>
<td>5.20</td>
</tr>
<tr>
<td>Identity</td>
<td>1.40</td>
<td>1.60</td>
<td>5.20</td>
</tr>
<tr>
<td>Indian</td>
<td>1.50</td>
<td>1.90</td>
<td>6.50</td>
</tr>
<tr>
<td>On Reserve</td>
<td>0.90</td>
<td>1.10</td>
<td>—</td>
</tr>
<tr>
<td>Off Reserve</td>
<td>1.70</td>
<td>2.60</td>
<td>—</td>
</tr>
<tr>
<td>Métis</td>
<td>1.20</td>
<td>1.20</td>
<td>—</td>
</tr>
<tr>
<td>Inuit</td>
<td>1.00</td>
<td>—</td>
<td>—</td>
</tr>
</tbody>
</table>

(Source: 1991 Aboriginal Peoples Survey, Tables 1.1, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.7)

It may even have created some cynicism.

The extremely low level of reported support for self-government to help overcome community problems may suggest how problematic the debate over self-government is seen to be by Aboriginal people at the grassroots. The results may provide further indication of why there was the lack of support among many Aboriginal people for the Charlottetown Accord.

Of the 388,900 people identified as Aboriginal adults across Canada, only 5,390 or 1.4 percent reported that they thought self-government could help overcome community problems (see Table V). Of the 49,275 people identified as such in Saskatchewan, only 800 or 1.6 percent reported this. However, of the 6,530 identified as adult Aboriginal people in Regina, 340 or 5.2 percent reported that they saw self-government in this light.

This survey suggests there is little overall Aboriginal support for self-government as a means to solve community problems. Furthermore, the results suggest a bit of a paradox: that a higher proportion of urban than rural, reserve-based Aboriginal people support self-government in this context.

The results for Indian adults show slightly more support for self-government to overcome community problems. Of the 288,365 adult Indians in Canada, 4,240 or 1.5 percent reported that self-government could help overcome community problems. Of the 33,800 adult Indians in Saskatchewan, 635 or 1.8 percent reported this. However, of the 4,315 Indian adults
in Regina, 280 or 6.5 percent reported that they saw self-government in this light.

The results of adult Indians living on and off reserves also seems paradoxical. Of the 102,075 adult Indian people living on reserves across Canada, only 915 or less than 1 percent agreed that self-government could help overcome community problems. Only 185, or slightly over 1 percent, of the 16,335 adult Indians on reserves in Saskatchewan reported this. In contrast, “more policing” was mentioned by 17 percent and “more employment” by 8 percent of adult Indians on reserves across Canada. The percentages for Saskatchewan were 16 percent for “more policing” and 6 percent for “more employment.”

More support for self-government to overcome community problems was shown by off-reserve adult Indians. Of 186,295 off-reserve adult Indians in Canada, 3,320 or 2 percent indicated this viewpoint. Of 17,465 adult Indians in Saskatchewan, 450 or nearly 3 percent indicated this. Percentages for “more policing” and “more employment” were 7 percent in Canada; and 11 percent and 8 percent, respectively, in Saskatchewan. (No reliable estimate could be made from the small sample size for Regina.)

In all these cases, for both all adult Aboriginal people and adult Indian people in Canada, Saskatchewan and Regina, several other options were seen as more likely than self-government to overcome community problems. Options that had to do with direct human-service interventions in community problems or more structural changes had much more support than self-government or, another option, a “return to traditional lifestyle.”

“More policing” was reported as a way to overcome community problems by 10 percent of adult Aboriginal people in Canada, and 12 percent in both Saskatchewan and Regina. This was indicated by 11 percent of adult Indians in Canada, and 13 percent in both Saskatchewan and Regina. “More employment” was mentioned by 8 percent of Aboriginal adults both across Canada and in Saskatchewan, and by 4 percent in Regina. This was indicated by 7 percent of adult Indians in Canada and Saskatchewan. (Again, no reliable estimate could be made for Regina.)

**Métis and Inuit Views**

The views of Métis and Inuit adults across Canada don’t alter the picture of apparently low support for self-government as a way to overcome community problems. Only 1 percent of the 84,155 adult Métis across Canada and the 15,670 in Saskatchewan indicated they supported this view. In contrast, 7 percent of the Métis adults across Canada said they supported “more policing,” and 9 percent said they supported “more employment.” In Saskatchewan, 9 percent agreed with “more policing” and 10 percent with
"more employment." (No reliable estimate could be made for Regina.)

Much the same holds for the Inuit. Only 1 percent of the 20,805 adult
Inuit across Canada indicated support for self-government as a way to over-
come community problems. In contrast, 11 percent supported "more po-
licing" and 12 percent supported "more employment." (Sample sizes were
far too small and unreliable to make any estimates for Saskatchewan.)

**Land and the Dispossessed**

These results do not necessarily mean that the principle of Aboriginal self-
government is being rejected. But they do suggest that the view of self-
government popularized through negotiations by Aboriginal and other
politicians is not seen to be highly relevant to the everyday problems fac-
ing Aboriginal people in their communities. Perhaps the most noteworthy
thing about these results is that there does not appear to be any positive
association of support for self-government as a way to address community
problems and the possession of a land base. This is most glaring in the case
of the Inuit, where the Nunavut agreement was in the making when this
survey was done. If the existence or potential of a land base was to translate
directly into greater support for self-government, we would expect the Inuit,
as well as the on-reserve Indians, to so indicate. Yet the off-reserve Indians
and urban Aboriginal adults indicate significantly more support for self-
government as a way to resolve problems in the community.

Without more culturally appropriate and participatory research to
validate these results and directly explore the meaning of self-government,
there is little point speculating in any detail about interpretations. Without
results being available on views of self-government among young Aborigi-
nal people (such as I have provided for language and tradition), it is not
possible to say whether a generational shift would be evident in any direc-
tion. But it would be interesting to know whether the next generation is
going to become more or less adamant about the pursuit of self-govern-
ment and what they might mean by this.

It is possible that urban and off-reserve Aboriginal adults can see and
hope for the potential of the land base they have left. Often facing extremely
painful social and economic problems in the city, without much commu-
nity support or context, they may see the need and hope for self-govern-
ment "back home." It is, of course, always possible that the greater re-
ported support for self-government among the urban and off-reserve adults
reflects a deepening move to make the quest for Aboriginal self-govern-
ment directly pertinent to urban problems and conditions. If self-govern-
ment is to play any major role in alleviating and preventing social and
economic problems facing Aboriginal people, this will likely be one of its
greatest challenges.
Another line of interpretation could have to do with the complexity of linking constitutional and political changes to economic and social changes at the level of the community. In view of the severity of social, economic and health problems already well documented for Aboriginal people in Canada, problems well reflected in parts of the Aboriginal Peoples Survey that are impossible for me to analyse here, it is perhaps not surprising that self-government received little support compared with options that purport to directly address these human and social problems.

While the decoupling of issues of self-government from pressing community problems does not in itself nullify the relevance of the quest for self-government, it does suggest that the conception of self-government (for example, in terms of constitutional rights) and the assumptions about how victories at this level translate into the everyday lives of Aboriginal people require serious re-examination. There is indication that such rethinking is going on in some locations, for example, in northwestern Ontario, where a report from the Grand Council for Treaty 3 recommended that:

The prevention, treatment and amelioration of Family Violence must be integral to the planning and implementation of the Aboriginal, inherent right of self-government jurisdiction, laws, policies and institutions.

The challenges of linking the quest for self-government to preventing and solving community problems is the subject of the three-report Series on Aboriginal Justice published by Prairie Justice Research at the University of Regina.

**The Urban Social Crisis: The Case of Violent Crime**

Saying there is a growing urban social crisis facing Aboriginal people should in no way downplay the deep and painful problems facing rural and northern Aboriginal communities. Often it is these rural and northern problems that are leading Aboriginal people to move to the cities. And clearly any form of self-government that begins to reverse these rural and northern problems has some potential for reversing this urbanization.

However, with nearly two-thirds of Indian people and the vast majority of Métis already living in towns or cities, problems of urbanization are already being directly faced. These problems are already so pronounced, and the human harm is so widespread, that it would be foolhardy, as well as naive, to expect self-government solely where there is a rural or northern Aboriginal land base to make a significant difference.

There are many indicators of the depth of the urban, as well as the rural and northern, social crisis in the results on social and health problems
reported in the *Aboriginal Peoples' Survey*. However, because of its scope and method, this survey fails to provide any comprehensive picture of these problems for any particular community.

Another recent publication by Statistics Canada on official crime among Aboriginal people in Calgary, Saskatoon and Regina provides some startling and provocative information. I will focus on the findings for Regina.

**The Limits of Official Statistics**

Clearly there are fundamental problems with official crime statistics, some having to do with systemic discrimination in the Canadian criminal justice system. Therefore the use of statistics created by this system must not be used as the sole basis for generalizing about problems of crime and disorder among Aboriginal people and in Aboriginal communities. It is possible that the under-reporting of the size of the urban Aboriginal population could inflate the differences in official crime rates between Aboriginals and non-Aboriginals. Also, under-reporting of criminal victimization—especially by Aboriginal people who may not feel they can count on the justice system—will limit the validity of any results. It is possible, for example, that even more crimes by Aboriginal people—including those against other Aboriginal people—would be in the results if such under-reporting didn’t exist.

Furthermore, the fact that only cleared offences, where an accused person has been identified, could be used to make ethnic comparisons leaves room for error. The “subset” of offences that this group reflects may not be representative of the larger group of reported crimes. A strong argument could have been made to focus on convictions, not charges, so as to try to minimize systemic discrimination, but clearly the numbers would be much lower.

Finally, the fact that police practices for identifying ethnic background are not standardized and are open to stereotyping, and the added fact that self-reports are not particularly credible in such a highly charged, adversarial context, should create further skepticism about the results. Readers should in particular be skeptical of assuming that it is being “Aboriginal” that is causative in the crime rates. A subgroup of Aboriginal people facing serious problems due to their social and economic location, not Aboriginal people in general, are likely responsible for most of the reported crimes.

Even so, Statistics Canada believes the results provide “general indicators of the nature and extent of Aboriginal involvement in urban crime,” and I will proceed on that basis. Furthermore, it is vital to know about the rates of Aboriginal offenders and victims presently going through the dominant system. The transition to a parallel or separate Aboriginal justice system would require some solid information on this, in part to help distinguish between the role of systemic discrimination and “real” problems of crime and disorder.
Saying there is systemic discrimination in the dominant justice system clearly doesn’t mean there are not serious problems of crime and disorder facing and being perpetuated by Aboriginal people. The fact that the Aboriginal Peoples Survey found Aboriginal people looking to more policing (along with family counselling and improved community services) to overcome community problems more than any other interventions suggests that problems of crime and disorder are a very high priority to Aboriginal people themselves. The truth is there are problems of both over-policing and under-policing facing Aboriginal people across Canada.³⁰

**Aboriginals Accused and Victimized in Regina**

The results on crime in Regina, limited as they are, may help explain why many Aboriginal, as well as non-Aboriginal, people have deep concerns about Aboriginal crime and disorder. The study grouped criminal offences into violent, property, drug and “other” offences. I will concentrate on violent offences, which accounted for 13 percent of the total in the twelve months under study in 1990–91. More can be determined from an analysis of violent offences; in part because ethnicity went unreported only in 4 percent or less of these cases, and in part because there was only information available on victims involved in violent crimes.

Overall, 32 percent of the reported crimes involved at least one Aboriginal person, compared with 44 percent involving at least one non-Aboriginal person. Though these incidents are not mutually exclusive, due to the involvement sometimes of Aboriginal and non-Aboriginal persons in the same event, the results do suggest a great over-proportion of Aboriginal persons in official crime in Regina. The rate according to these figures would be twelve times the non-Aboriginal rate.

The rate was found to be even higher, fifteen times the non-Aboriginal rate, for violent crimes. Forty-seven percent of the people accused of violent offences were Aboriginal, which is much higher than the relative Aboriginal population in Regina, which this report estimated to be 5 percent of the total.

Overall, Aboriginal women were more involved than non-Aboriginal women in the reported crime rate in Regina; however, Aboriginal men were still predominant. In the case of violent offences, 79 percent of the Aboriginal persons accused were men.

While youth aged 15 to 24 years of both Aboriginal and non-Aboriginal background were over-involved in the reported crime, this was far more the case for Aboriginal youth. Forty-four percent of Aboriginals accused of violent crimes, compared with 39 percent of non-Aboriginal people, were in their younger years.

In the twelve-month period under study, 1,664 persons in Regina were reported to be victims of violent crimes. Aboriginal people, who made up
31 percent of this group, were very over-represented. Sixty-eight percent of the Aboriginal victims of reported violent crimes in the city were Aboriginal women.

The age of Aboriginal victims, as with non-Aboriginal ones, was fairly young, with a median age of 22 and 21. However, a high percentage of Aboriginal victims were also between 25 and 34 years old.

The human relationships of the Aboriginal victims of reported violent crime were somewhat different. The report states:

While the largest proportion of non-aboriginal victims were strangers to the accused (35%), the largest proportion of aboriginal victims were spouses or ex-spouses (24%). The next most common relationship for both aboriginal and non-aboriginal victims to accused was acquaintances (22% and 23%, respectively). Further, 28% of all aboriginal victims were living with the accused compared to only 15% of the non-aboriginal victims.31

Furthermore, more than 50 percent of the reported violent crimes for both Aboriginal and non-Aboriginal victims occurred in residences (either private or commercial).

A higher percentage of Aboriginals accused of violent crimes (30 percent) than non-Aboriginals (20 percent) used weapons (other than force or threats). Aboriginal victims had more weapons used against them and sustained more serious injuries than non-Aboriginal victims. Also, more Aboriginal people accused of violent crimes and more Aboriginal victims were reported to have consumed alcohol and/or drugs at the time of the offence.

The report suggests that these differences may relate to several factors: the fact that Aboriginal people in Regina tend to be younger than non-Aboriginal people; and that Aboriginal people have less formal education, more unemployment—three times as much—and much lower incomes. (Aboriginal males had three-quarters and females had only two-thirds the average income for their gender in Regina in 1986.) The apparent over-representation as both offenders and victims, the apparently greater use of weapons, greater injury and the likely role of alcohol/drugs, all provide a stark picture of the severity of urban living for Aboriginal people in conflict with the law.

**Conclusion: Prospects for Addressing the Urban Crisis in Saskatchewan**

It is estimated that 30 percent of Regina’s population, as well as that of Saskatoon and Prince Albert, will be Aboriginal by the turn of the century. The demographics and rate of urbanization are increasingly going to be a challenge to all one-dimensional views of Aboriginal self-government.
The National Film Board film on the Oka crisis illustrates why Aboriginal people have been relentless in protecting what little land base they have left after European colonialism. And clearly without a just settlement of outstanding disputes over land, a viable self-government and self-determination will not be possible.

There is also the need to explore people-based views and processes of self-government and self-determination. The idea being promoted that reserve bands will simply administrate urban-based programs for Indian people is not particularly realistic, nor does it account for the diversity of Aboriginal people in the cities. There is no particular reason why political forms established by the Indian Act should limit the approaches to Aboriginal self-government, including in the cities.

The principle of the right of urban Aboriginal people to self-organize to better meet their needs and wants, as an expression of their own self-government and self-determination, clearly needs to be concretely explored. Urban reserves are only one of many possible approaches that can be taken. An Aboriginal-controlled elementary and secondary school system in the cities (as well as a child and family services system) is certainly as vital as the development of an Aboriginal justice system per se.

Unless an Aboriginal-controlled education system is developed in the cities, linguistic and cultural assimilation will likely continue to the point where there will not be a foundation for alternative, so-called customary, approaches to justice. Notions of sentencing, coming from the dominant society, are already taking precedence over the more positive notions of healing. Without an alternative educational base in the urban environment, Aboriginal justice will itself likely follow an assimilationist perspective.

Urban approaches to Aboriginal self-government clearly have to put the needs of the many women and children coming to the cities at the forefront. These children, both male and female, will continue to provide the chance for a new beginning—real alternatives to the urban social crisis. We seem to spend more time focusing on the destructiveness brought to Aboriginal families and communities by such practices as the Residential Schools in the past, than on those practices continuing to this day through the massive over-incarceration of Aboriginal people, especially the thousands of young Aboriginal men and, to a lesser extent, women in the province’s jails.

The necessary and urgent changes required in the cities will, of course, not occur in a vacuum. The dominant society, too, is in crisis regarding the pursuit of justice. It may be that new notions of healing and reconciliation will be able to extend into the wider human community in the cities.

Aboriginal self-government, whether in the North, rural areas or cities, does not mean a new form of segregation or isolation. People who have
gained more basic control of their lives will continue to contribute to social changes, creating new or renewing old forms of human culture in the shrinking world in which we live.

People in Saskatchewan really have no alternative but to get on with this. The challenges to the provincial government will be immense. While, based on this very Conference, there is some reason to be hopeful, one must remain skeptical of both politicians and bureaucrats who can always find so many reasons not to take positive action. The present NDP government’s Aboriginal Policy Framework Agreement doesn’t even seem to put its many indications and insights into an urban problem-solving context. Multiculturalism, not multinationalism, still seems to predominate the thinking. Statements about the government’s commitment to “maximize the self-reliance and self-determination of Aboriginal peoples in balance with its responsibilities for the whole community of Saskatchewan”33 don’t really come to grips with the startling social crisis in the cities.

Ultimately the province, the cities and the Aboriginal organizations—including new Aboriginal organizations destined to emerge within the cities—will have to reconstitute their decision-making relationships so that things happen that make a real and direct difference to the people directly suffering and being affected by the emerging urban social crisis of Aboriginal peoples.

NOTES

2 Ibid., 30.
3 Ibid., 31.
6 Royal Commission, Partners in Confederation, 36.
7 Ibid.
8 Ibid., 39.
9 Ibid.
10 Ibid., 38.
11 Ibid., 41.
12 Ibid.
13 Ibid., 42.
14 Ibid.
15 Ibid.
16 Ibid., 44.
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17 William Johnson, "Native Leaders have a Credibility Problem," Kitchener Waterloo Record, Wednesday, July 14, 1993, Editorial page.
19 Ibid.
20 Ibid., 219.
21 Ibid., 220.
22 Ibid., xviii, 220.
23 Ibid., 2–4.
24 Ibid., 8–54.
25 See results in sections 4 and 5.
29 Ibid., 14.
31 Canadian Centre for Justice Statistics, "Police-Reported Aboriginal Crime," 28
32 Kanehsatake. Directed by Alanis Obomsawin. Produced by the National Film Board of Canada, Studio B, 1993.