

# THE PATHFINDERS: David Newhouse talks First Nations self-government in the city and off-reserve



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*The Rebuilding First Nations Governance Project is chatting with movers and shakers advancing First Nations' inherent right to self-government in Canada. Part Q&A and part F.A.Q., The Pathfinders features members of our project and others talking about why self-government matters to them and why it should matter to you.*

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When Europeans came to Turtle Island, they created new concepts to set up boundaries around what it means to be a First Nations person. The idea of Indian status attempted to tell First Nations who they are. The reserve system attempted to tell First Nations where they could live. David Newhouse (pictured) from Six Nations of the Grand River has been working for decades to break down those boundaries.

David is a First Nations governance expert with over 50 years' worth of teaching and research experience on self-government and the experiences of First Nations people without status or living off-reserve. He's currently an Indigenous Studies professor at Trent University and the Numbered & Pre-confederation Treaties Co-Lead at [The Rebuilding First Nations Governance Project](#). This dedicated expert on present-day and urban Indigenous life is urging Indigenous and settler society to better recognize the rights and ingenuity of urban and non-status First Nations communities.

**In this edition of The Pathfinders:** Why urban First Nations also a have an inherent right to self-govern, what issues impact urban First Nations, how reserve communities can better include off-reserve and non-status members, and how David views the future of First Nations self-government.

## How did you personally come to be interested in First Nations self governance as an area that's worthy of study and teaching?

I spent a decade working for Indian Affairs—I spent the 80s working at the department. And so I saw the attitudes that were part of the government. There was this very strong belief that we could not do things for ourselves. But that wasn't the reality that I grew up with. That wasn't the reality that I saw out there.

I decided, when I came to academia in 1990, I was going to focus all of my efforts on that area writ large. I decided that I was never going to write about the Indian problem. And there are a lot of people writing about the Indian problem. I was going to focus my efforts on understanding what type of society we as Indigenous people wanted to build.

We need to think about our own society and need to think about the ideas that animate it. If we don't do that, then we're rudderless. We're at the mercy of someone else's ideas.

## What do you see as some of the key issues between the development of self-government on reserve lands and the self-governing interest of urban Indigenous people?

First of all, the majority of Indigenous people now live in urban environments. And this is not a Canadian phenomenon. This is a worldwide phenomenon. In a sense, city life is going to be part of the Indigenous experience going forward.

I was part of the [Urban Aboriginal Peoples Study](#) in 2011. We looked at urban Indigenous people living in 11 cities right across the country, and we interviewed about 220 people. We asked them about their view of the city and their experiences living in the city. About 75 per cent of the respondents said that the city was home and that they had no intention of returning to a reserve or rural community to live. They were going to maintain their connection, but the city was now home. And so the question now is, how do you make the city amicable to those urban Indigenous residents?

The early research done by settlers in the 1970s to the early '90s saw the city as a site of incredible loss. When Indigenous researchers began to look, they began to see a very, very different picture. In a [study of a community in Los Angeles](#), two Indigenous anthropologists looked at the development of an urban Indigenous community in Oakland, California over a 20-year period. And what they saw was a resilient community that was adapting well to living in the city. When asked about why they went back to visit their traditional territory very often, community members said “This is the way that we live. This is the way we want to live.”

The Royal Commission talked about [a way of governing without land](#)—community of interest government—and I don't know whether that will work or not. It's going to be a challenge to begin to find ways to govern a large, multicultural, multinational community. But we're beginning to see the emergence of Indigenous urban councils across the country that take some guidance and control over community programming. We're seeing the emergence of Indigenous urban organizations that focus on particular aspects of urban life, whether it's education, social policy, or child welfare, right?

I always come back to the fundamental premise that we start from our desire to govern ourselves and make decisions ourselves. One way forward is to talk about the [UN Declaration on the Rights of Indigenous Peoples](#), which talks about our right to govern ourselves. When you read it, it doesn't say the right is excluded in urban environments. The government of Canada has taken the position that Indigenous rights are somehow

extinguished or don't apply when you cross the boundary of a city. So there is a lot of work to do to move forward.

**Let's say that you are a community of First Nations folks living in an urban area, and you've decided that you would like to self-govern. Practically speaking, how do you start?**

I think the first place that you start is bringing all of the community members and organizations together and saying, "Is this a goal that we want to pursue?" I don't think you can move on with that goal unless there's a broad community consensus. And then you begin to talk about, okay, what's the shape of this governance? Who do we need to talk to? What laws, if any, do we need to challenge or revise? Then, begin to develop a bit of a strategy for ways of doing that.

Now, [the inherent rights policy that the Government of Canada put out 1995](#) doesn't say the inherent right is restricted only to land-based First Nations, Métis or Inuit communities. It recognizes that there are Aboriginal residents living in urban environments.

But the big challenge is also seeing urban Indigenous communities as legitimate and not just as extensions of First Nations communities. When we released the results of the Urban Aboriginal Peoples Study, Aboriginal representative organizations said, "this is just opinion; it's not real." So this idea that urban Indigenous residents have turned their back on their communities and are not therefore deserving of any attention is prevalent within First Nations politics. And so trying to develop those relationships which are important to do governance is also going to be challenged. Urban communities face a challenge not just from municipal governments but also from colleagues in Aboriginal representative organizations.

**How can communities ensure their people who don't live on reserves still have access to resources and services?**

I guess there are a couple of ways. I mean, one way that has emerged is urban reserves. They were originally conceived as economic spaces. There was no residential housing on them. Urban reserves are now beginning to be seen as a site for urban Indigenous residents that are connected to a local community. That's an approach that's going to require some nuancing because the urban Indigenous community has members from a whole variety of different reserves.

But you're making an assumption in your question by assuming that the locus of First Nations life is the reserve. You can't make that assumption when more than half of your members don't live there. So you have a dual locus these days. You have urban and you have reserve First Nations people. And we're having a hard time coming to terms with that change.

**Thank you for pointing that out. On that topic, how can reserve communities who are making governance decisions make sure that their urban populations are represented and able to take part?**

As a result of court cases, they have to ensure that all of their members, regardless of residency, can vote in any election. So they have to make some outreach. Some do better than others.

And some people say it is open to abuse, that we will have people who are not members of our community, who don't live here, making decisions about the community and what's important. They begin to say those who live in the city are different from us, and therefore they have different objectives and don't know us anymore.

So, you need to develop some institution that brings all residents, on and off reserve, into conversations on a regular basis. And that that's easier these days with things like Zoom and newsletters. You have to then begin to think about the structure of the government and its committees. So it requires a bit of a change in thinking and practice. And it requires the community begin to think of not “us” and “them over there.”

**There's another subsection of the Indigenous community that doesn't often get their credence—and that's non-status First Nations people. How can communities make sure they're including non-status folks in their self-government initiatives?**

Well this is where you begin to talk about citizenship codes or membership codes. The government has amended the Indian Act so that status is now conferred by the government. The only entity in Canada that can make Indians is the Government of Canada.

But First Nations can make citizens. They decide upon their membership codes. They can decide who is a member of their community and what those membership rights are as well. And so the way I think to include people who don't have status is to use the membership codes or citizenship codes to do that.

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“My advice to any First Nation would be to take on that little stuff first and work your way up into the larger responsibilities. Transition into it. Inherent right governance is hard work, but its rewards are



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**You're someone who has been involved in promoting and protecting First Nations inherent right to govern themselves for decades now. What kind of progress have you seen? And what kind of future do you envision?**

I guess, let me start by telling you a bit about the town where I grew up, Six Nations of the Grand River. I attended school on the reserve in the 1960s. I learned, in 1969, of [The White Paper](#). We were very much afraid of what was going to happen. We didn't know what was going to happen to our homes. We didn't know where we were going to live. We didn't know where we were going to go to school. And we had no idea what was going to happen to the community. There was that level of fear that existed within the community. And that decision had been made by the government. They said they had done some consultations with Indian leaders at that time, but it was a very limited form of consultation.

So I look at the situation in 1969, and I compare it to the situation in 2022. There's a remarkable change. We have made a great deal of movement forward. We never gave up our idea to govern ourselves, and we fought for that idea over the last half century, since 1969. It was a push back by a whole variety of Indigenous leaders.

They managed to get The White Paper rescinded. And what happened was it then began to create a different political consciousness [we're now seeing in a younger generation](#). This is a consciousness of people who know what has happened and who are determined to ensure that it doesn't happen again.

And so when I think about the last half century, I see incredible progress. And I see the Canadian nation state slowly beginning to come to terms with an Indigenous presence on this land so that we create a place of dignity and respect for Indigenous peoples. It's slow, and it's difficult because we're dealing with institutions. We're dealing with a nation state. And nation states don't change easily. They take a lot of discussion. They take a lot of work.

### Why should the average First Nations person, whether they're on a reserve or not, care about First Nations' right to govern themselves?

Because it gives you control over your life, right? I mean the right to govern yourselves is one of the fundamental human rights—the right to make decisions about one's own life. And all of those decisions were taken away by the imposition of the Indian Act. Or I should say, most of them were taken away.

And so if we're ever going to be able to develop our own communities in the way that we would like them to develop—and that includes economies and governments—we need them to start from the premise that this is our right, and we can do this.

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More questions?  
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