

Making Poverty: A History of On-reserve Housing Programs, 1930-1996

by

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Bachelor of Arts, University of Victoria, 1994

Master of Arts, University of Victoria, 1998

A Dissertation Submitted in Partial Fulfillment
of the Requirements for the Degree of

Doctor of Philosophy

in the Department of History

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Supervisory Committee

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Abstract

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While few people would say that Canada has done a good job of housing its poor citizens, this discussion goes beyond problems of housing the poor. In this dissertation I draw from government records to uncover how, between the 1930s and 1990s, the Indian Department created and oversaw a failed housing system on reserves across the country - one decision at a time. While housing is usually seen to be a result of poverty I argue that during this time the practices and policies of the Indian Department were active participants in making Indigenous people and First Nations communities poor.

As a consequence of the persistent housing crisis on reserves in Canada Indigenous people suffered not only from living in substandard dwellings but also from the indignity and shame that comes from the association Canadians have made between the poor conditions of on-reserve housing and the personal characteristics of its occupants. What most people do not know is how it is that on-reserve housing remained in crisis for so long. On-reserve housing is something we have done not something we have studied. While federal government reports have charted the number of houses on reserves and

their physical condition, no one has examined the history of government programs or how they were delivered until now. Recognizing that my study was not designed to recommend solutions, but believing that we cannot fix a problem until we know it, I am convinced that this dissertation provides the background information future academics will need to tell a different story about housing on reserves. And with a different story we will be better prepared to make fundamental changes needed to the way housing is delivered on reserves.

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My hands are raised in gratitude to Carl Olsen, my ex husband, my sister-in-law Diane Harris, the Olsen family and my extended family and friends from Tsartlip First Nation. They have been my teachers for more than 45 years while my eyes slowly opened up so I could experience life in a way that would have been never possible if I had not moved from the middle-class side of the road and lived with you all on the reserve.

I was privileged to work under the supervision of Dr. John Lutz and to receive helpful guidance from my committee members, Dr. Richard Harris, (McMaster University), Dr. Lynne Marks (UVIC), and Dr. Jeff Corntassel (UVIC). They pushed me beyond where I could have gone on my own. Thank you Heather Waterlander from the history office at UVIC for so generously assisting me throughout the Phd process to fulfill the administrative requirements of the degree—we both know that was no small

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Thanks to my colleagues around the country who work in the field of on-reserve housing—my housing-management students at Vancouver Island University, members of the committees I have worked with—the determined people who are attempting to improve conditions on reserves. Thanks especially to Jim Munroe for persisting in the field and for being there whenever I need to talk about housing.

While the deep individual requirements of this project and the hermetical nature of the process of writing a dissertation were challenging I was never alone. My children Adam, Joni, Heather and Joaquim, their spouses, Emily, Nick and Cory and my grandchildren Yetsa, Madison, Reuben, Silas, Joseph, Ella and Jack gave up family time to give me the space I needed to pursue my studies. They raised critical concerns about housing in their community and they promoted my endeavours by finding interested audiences and opportunities for me to share my ideas. Most of all they are my inspiration for life itself and my motivation to make this world a better place. Future First Nations leaders must not have the housing burden of the past and the next generation of children on the reserves must not suffer the housing indignity of their grandparents.

Dedication

To the many whose lives have been framed by the houses...this is for you.

Note on Names

In writing this dissertation I was faced with the common dilemma of what to call things. I learned when I was a child not to call people names, at least not bad names, yet names are not a constant—names go from good to bad and bad to good depending on time, place and who is talking. The people I come from I call Canadians or settlers. Although during my life on the reserve I was called white I resist the use of the term white society because it is not an inclusive term and sets up an artificial dichotomy that does not adequately reflect Canadian society. I cannot, however, escape the two sidedness of my discussion and therefore I make the distinction between sides by calling settler society the “mainstream.”

I began using the term indigenous throughout to indicate the other side of my discussion. Yet as I proceeded the term felt like an anachronism and I reverted to the use of “Indian.” While the word has become unacceptable in the present it felt historically incorrect to change the reference terms when using archival documents. More importantly another reason I used “Indian” in my discussions about events that took place in the early to late 20th century is that I am deferring to the self ascribed moniker used by the people I lived with since the 1970s. In the context of the world in which I lived using other terms such as aboriginal and indigenous would be an imposition.

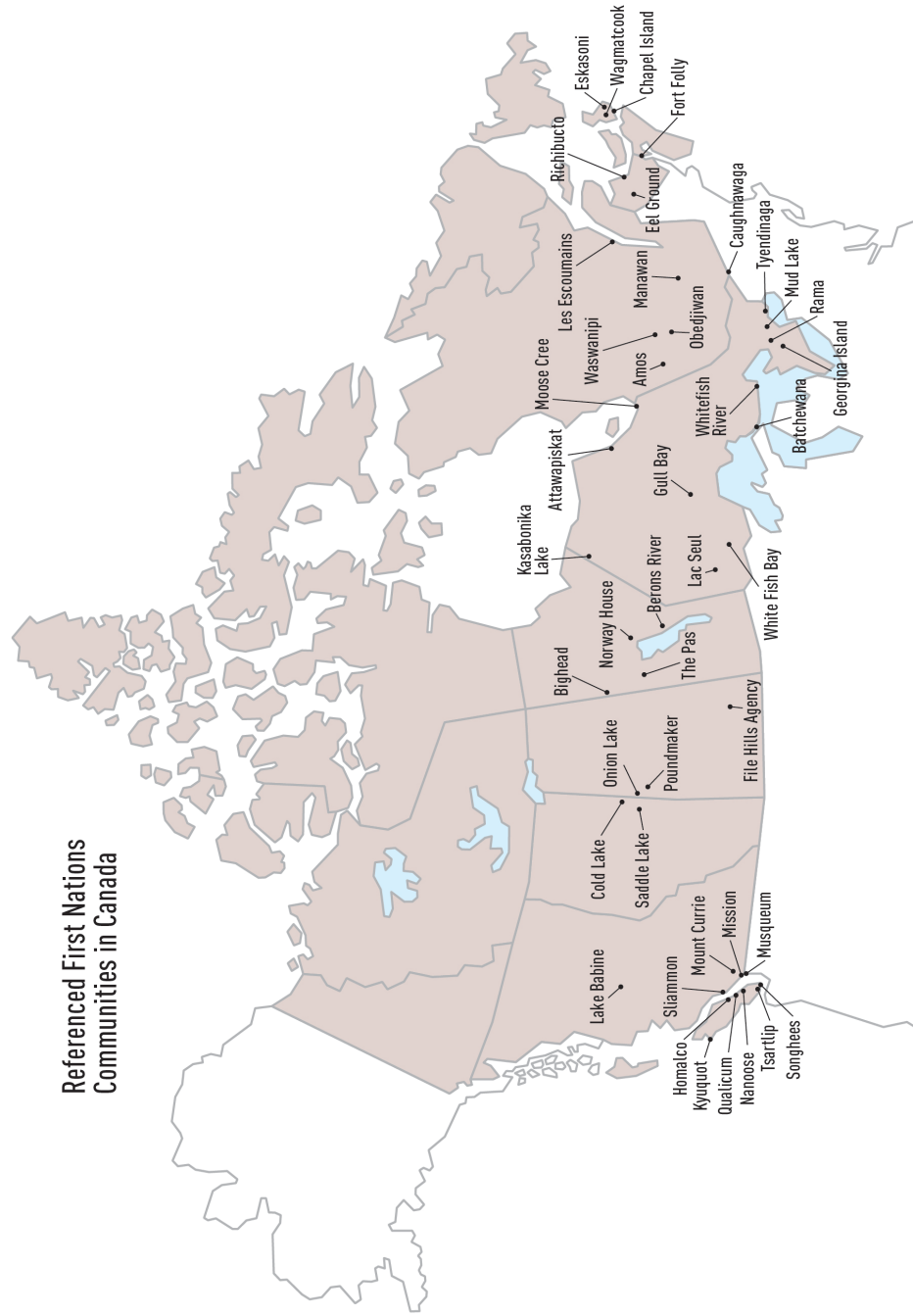
Taking my lead from the people I live with, as my discussion moves into the late 1980s and 1990s I use the term First Nations. I do not use the term aboriginal because in

Canada it tends to be used to denote a broad sweep of Metis, Inuit and Status Indians and generally in my story of on-reserve housing I am talking about Status Indians.

I call the federal government department of Indian Affairs the “Department,” while hopefully indicating correctly its official name changes over time from Department of Indian Affairs and Northern Development (DIAND), to Indian and Northern Affairs Canada (INAC), to Aboriginal Affairs and Northern Development Canada (AANDC) and now to the new INAC, Indigenous and Northern Affairs Canada.

I tread softly through this discussion and use names thoughtfully. I try to portray historical circumstances and cultural/public understanding and am constantly mindful that other people may have a different perspective than I do.

Referenced First Nations
Communities in Canada



Introduction

When most Canadians drive through an Indian Reserve the first thing they notice is the disastrous condition of most of the homes. We blame the horrible conditions on the poverty of the occupants and the poverty on the First Nations themselves. But we have it all wrong.

This dissertation, the first to look at the relationship between on-reserve housing and poverty, reveals something surprising. The dilapidated houses on reserves are not the result of poverty – they and the policy that created them – are the cause. Not only are Indian houses responsible in large measure for the poverty of reserves but they are also linked to poorer health conditions, poor educational outcomes, loss of children to residential schools and foster homes, domestic violence, addictions, high rate of house fires and ultimately shortened life spans. Indians live in these houses but they are also, in these ways, killed by them.

While many of us asked, “Why did housing on reserves become such a tragic failure?” most of us have also accepted the conditions. Government housing and land policy have ensured that Indian Reserves are pockets of poverty and struggle that so many are today and Canadians have normalized the disgraceful conditions. To change that reality, requires a change in policy and a change in policy requires an understanding of how we got to today.

On-reserve housing has become a symbol of government incompetence, legal quagmire and political and human indignity. There is a long list of contributing factors,

among which are the failure to implement the most repeated recommendation—to give First Nations control over their own housing delivery—to get out of the way so First Nations have the opportunity to provide their own housing—something money cannot buy, nor government housing programs can provide.

A house is not just a marker of a person's station in life: it is the very medium through which that station is produced. Your house is the place where you become you and, in the process of molding your identity, your house is the most important public disclosure of your social status. These commonly held ideas echo Winston Churchill's quote, which is used extensively in the housing field, "First we shape our buildings; thereafter they shape us."¹ Canadian philosopher Charles Taylor takes this idea of a house shaping our realities into the general realm of Canadian liberal thinking on which our country was built when he says,

[A man's] mode of laying out his existence is the best, not because it is necessarily the best, but because it is his own. It can only be a good life if it is chosen and isn't led by others. The western world has chosen this ideal and given it a noble and courageous honour—that a man should give shape to his own life.²

¹ This quote by Winston Churchill was said in a speech in the British House of Commons on October 28, 1944. He was referring to the rebuilding of the House of Commons. MP Ioan Evans expanded Churchill's quote in the House of Commons on July 29, 1965 when he said, "The same principles apply to our political policies. We shape our economic, defence and foreign policies, and in turn we are shaped by them." The quote has since been widely used in the housing field. House of Commons Debate, 29 July 1965, volume 717, column number 713-842.

² This quote is taken from ideas presented by Charles Taylor in his Massey Lectures, "The Malaise of Modernity," CBC with Lister Sinclair, 1991, <http://www.cbc.ca/radio/ideas/the-1991-cbc-massey-lectures-the-malaise-of-modernity-1.2946849> (accessed 25 November 2015). Taylor is using a quote from by John Stuart Mill, *Three Essays* (Oxford: Oxford University Press, 1975), 83.

Turning back to housing, Canadian architect and writer Witold Rybczynski writes, “That is why the places that people have fashioned for themselves are more touching than those—no matter how splendid—that others have made for them.”³

When applied to housing on Indian reserves across Canada, these ideas make it imperative that we understand how this country has gone so wrong—how Canada created such substandard houses for Indigenous people for more than half a century. But worse than that Canadians have used the images of the decrepit reserve houses to build our ideas and beliefs about the First Nations people themselves as if they were the architects of the houses and the system that delivered housing to reserves. Australian anthropologists Tess Lea and Paul Pholeros propose that the images we conjure of Indigenous housing serve to pathologize the householder. They suggest that the public is unaware that a “dirty realism masks the surreal--that something else is going on underneath to make the images the public are seeing.” They write that Indigenous houses in Australia are illusions. “They look like houses but lack key features of functionality... These treacherous illusions persist despite government regulations.”⁴

What dirty realism? What else is going on? Are on-reserve houses treacherous illusions? In the context of these questions we need to get to the bottom of the issue by asking a few more questions: Who shaped the buildings? Why were they shaped in such a way that they failed to provide decent accommodations? And how did housing on reserves shape, not only the people who lived in the houses but the communities

³ Witold Rybczynski, *The Most Beautiful House in the World* (New York: Viking, 1989), 190.

⁴ Tess Lea and Paul Pholeros, “This Is Not a Pipe: The Treacheries of Indigenous Housing,” *Public Culture*, 22.1 (2010): 191.

themselves? If Canadians know anything about First Nations people it is that for as long as anyone can remember reserve housing, for the most part, has been woefully inadequate and a blight on this country's reputation. What we do not fully understand is why and how this came to be.

What astounded me while researching this topic was how many times I came across government plans for a "new" program or "new" approach to housing on reserves. Each promised solutions that would improve conditions to match housing conditions found in neighbouring communities in mainstream society.⁵ Another constant was that with each new attempt to solve the problem the government remained inextricably involved in framing the questions, designing the solutions and controlling the housing decisions with little or no input from the actual people living in and affected by the day-to-day realities of the homes. In spite of the rhetoric of comparison and improvement, and notwithstanding the government's long-term goal to devolve housing responsibility to First Nations' administration as it had education and health, evidently the government never seriously considered that the state's housing delivery system was itself the key to the problem. Even by the 1980s, in the face of decades of the programs' recurring failure to achieve anything close to parity with mainstream housing, the Indian Department

⁵ The theme of matching on-reserve housing to that in the mainstream started as early as the 1860s when William Duncan built houses in Metlakatlah on the west coast to be "similar to labourers cottages at home." Quote from Adele Perry, "From 'the hot-bed of vice' to the 'good and well-ordered Christian home': First Nations Housing and Reform in Nineteenth-Century British Columbia," *Ethnohistory*, 50.4 (2003): 599. Equity as a theme in housing records is articulated by Martin P. O'Connell: "The purpose of this memorandum is to set forth a plan to bring housing of Canadian standards to Indian living on reservation." Martin P. O'Connell, "A Memorandum: Canadian Standards of Housing in Indian Reserve Communities," prepared for the Indian-Eskimo Association of Canada, May 1965," 1.

largely ignored First Nations' recommendations to hand over decision-making authority and held onto control in most communities.

On the surface there appears to have been no lack of effort to fix the problems, yet the truth is that the government housing delivery system on reserves in Canada was not broken; it was never designed to successfully deliver housing services, nor was it designed to create the opportunity for reserve residents to acquire adequate houses of their own. In fact, the reserve housing system was not designed at all. Housing delivery on reserves is best described by its lack of policy. It turns out that the day-to-day practices of Department officials were allowed to evolve into a program and what followed is that each subsequent program built on the previous until this collection of instructions, by default, became policy and the housing delivery system itself. The lack of planning does not mean the absence of systematic and foundational ideas that informed the government's approach and shaped the Department's practices. The system can best be described as ad hoc and largely based on discretionary actions of local agents; the houses provided were wholly inadequate to the needs of the occupants; the Departments' decisions were grounded on the racist idea that Indians needed and deserved a lower standard of housing than their non-Indigenous neighbours; reserves were not seen as legitimate communities but rather impermanent, misbegotten places where Indians would live until they either assimilated or became extinguished as a people; and that given the land belonged to the government Indians would always be uncomfortable tenants and could never achieve similar housing outcomes as off the reserve. With these ideas at the heart of the government's approach to Indian people, housing was not seen as the

problem but only as the symptom of something else such as the Indians' lack of character, the over-arching conditions of isolation and poverty on reserves, insufficient government funds, or the lack of private ownership. Therefore housing has never received the attention it deserved.

Perhaps because housing is such an obvious factor in our lives, it becomes like background noise and we ignore it. Then, when living conditions become a crisis, housing turns into something we do, something we fix. Such has been the case with on-reserve housing; faced with a constant crisis since the 1930s, government has approached housing Indigenous people as a practical matter of nails and tarpaper, getting houses on the ground and people under cover.

Housing has not been seen as something we study. One of the stunning features of on-reserve housing that I faced as I engaged in this project was how little scholarly research the topic has attracted. At first it was hard to believe. From my experience living and working on the reserve and encountering numerous researchers and hordes of studies I had assumed that housing had been investigated to death. And in some ways it has been, however, the proliferation of government-produced information in the absence of independent critical analysis has resulted in the ghettoization of on-reserve housing knowledge and as such, places it outside of Canadian housing literature and intellectual thought. In the same way as the government has controlled the houses themselves, they have also controlled on-reserve housing knowledge. Off-reserve housing faces the analytical eye of scholarship, which has produced a whole intellectual field of housing study. Yet reserve housing has been excluded from the field and has been defined

exclusively by government studies and media reports. Consequently, the government's stated goal that on-reserve housing should be raised to the standard found off-reserve existed in an intellectual vacuum. In spite of the fact that reserves contain Canada's worst housing conditions Canadian housing literature has ignored on-reserve housing. In Peter Ennals and Deryck W. Holdsworth's extensive study of Canadian dwellings they dismiss Indigenous housing as beyond the scope of their work: "aboriginal housing tends to proceed on anthropological assumptions, emphasizing matters of kinship and ceremonial space as well as transience and portability, issues beyond the scope of this study, which has a more central interest in economic and social forces that shaped the Canadian domestic landscape."⁶ It is as if shelter for Indigenous bodies does not constitute issues of the economy or society. The absence of Indigenous housing from the literature leaves us to believe that 1% or so of Canadian citizens who live on reserves do not live in housing as we know it and they do not deserve the same level of consideration and interest.⁷

My goal is to shed light on this blinkered reality. On-reserve housing must be taken out of the intellectual ghetto and included in the realm of Canadian thinking about housing. We need to fully understand the role government played in the creation, administration and financial arrangements of on-reserve housing and the impact it had on the living conditions on Indian reserves. We must investigate the topic as a field of study

⁶ Peter Ennals and Deryck W. Holdsworth, *Homeplace: The Making of the Canadian Dwelling over Three Centuries* (Toronto: University of Toronto Press, 1998), 9.

⁷ Population estimate gathered from Aboriginal Affairs and Northern Development Canada (AANDC) website (www.aadnc-aandc.gc.ca/eng).

on its own, not a side issue or symptom of something else. We must also acknowledge that on-reserve housing should be seen as more than an alternate housing delivery system, or as the government's best effort to produce accommodations within the difficult legal constraints of the *Indian Act*. Housing has been a significant contributing factor to the poverty, social unrest and isolation of reserves. The condition of on-reserve housing demands a comprehensive inquiry and full public disclosure of the government's role in creating and maintaining the most debilitating conditions in the country while it has continued to disavow its responsibility.

In recent years Canadians have named residential schools as one of the root causes for the social disruption of Indigenous people. In 2009 Prime Minister Stephen Harper apologized on behalf of all Canadians for Canada's role for the residential school abuse. The Truth and Reconciliation Commission (2008-2015) heard testimonies from hundreds of people across the country and the report called the schools cultural genocide.⁸ Compensation was paid to the victims to help them recover from the traumas they experienced in the schools.

Yet in all the condemnation of Residential Schools, there is seldom any acknowledgement that one of the key justifications for taking the children was their poor housing conditions and there has been little investigation on why that might have been the case. The poor health that killed so many children in the schools was often a result of living conditions at home. In many cases the young people brought tuberculosis to the

⁸ Truth and Reconciliation Commission of Canada, "Honouring the Truth, Reconciling for the Future: Summary of the Final Report," Library and Archives Canada, 2015, 1, http://www.trc.ca/websites/trcinstitution/file/2015/Exec_Summary_2015_06_25_web_o.pdf (accessed 25 November 2015).

schools from their homes, not the other way around as many have come to believe. Since many students had no proper houses to return to, they went from the schools to sanitariums to die. The records show that in some cases houses on reserves had less sleeping space per child than did the residential schools and far fewer facilities to cook, study and bathe, and yet we continue to attribute the deaths and social ills to the harsh conditions of the schools rather than what was, in many cases, at the root of the problems—the houses.⁹

There are many ways to tell this story, many lenses to look through and, until now, I could not tell it at all. The story was too large, too confusing, too close to my heart, so I did what everyone else did—I tried to fix it—the housing I mean. I became a First Nation Housing Manager, managing the housing office in my home community, Tsartlip First Nation, located in WSANEC territory on Vancouver Island just north of Victoria, BC. Then I managed the construction of 40 homes, which increased our units by about twenty-five percent. I travelled across the country working on provincial and federal housing committees trying to remove obstacles to improving management and construction practices. I worked as a policy analyst in First Nations in every province setting up administrative structures that could make sense out of government programs. I facilitated educational workshops with leadership and community members and finally, I developed and continue to deliver an on-reserve housing management course now offered

⁹ Library and Archives Canada (hereafter LAC), Department of Indian Affairs, RG 10, Memorandum from D.M. Hett, Superintendent, Okanagan Agency to Regional Office, Indian and Northern Affairs, 2 June 1961, volume 6856, file 901/29-2, part 4. Agents used residential school building codes and standards as a guide to housing standards. Superintendent Hett queried whether building houses with less space than the schools would bring about public criticism.

at Vancouver Island University, in Nanaimo, British Columbia. The work has been relentless, but it has also been encouraging; First Nations are making steady improvements, though the progress has been slow and has seemed at times as if I was repeating the same thing day after day, just in a different location. I knew the field was missing some basic historical knowledge of the programs we were trying to deliver. I had been teaching the On-Reserve Housing Management course in New Brunswick when I decided that it was not only me who needed to know the background of on-reserve housing programs, but the students needed something to read—an article, a book—something about how government had designed the housing system they were tasked with managing. I conducted a cursory literature review and found a few Canadian Masters Theses, Phd dissertations and published studies on on-reserve and urban/native housing, but otherwise the only scholarship on Indigenous housing similar to reserve housing was to be found in New Zealand, Australia and the US. I scoured websites and interviewed CMHC and INAC officials and in time, put together what I called the “Short History of On-Reserve Housing” and presented it to a class.

Armed with a positive response from the students I decided to take my short history further afield. I was doing policy work with several Shuswap First Nations, near Williams Lake in the interior of British Columbia, which included conducting a series of Chief and Council information sessions on housing policy. I prepared myself to face tough management and political questions that always boiled down to the same problem—how can First Nations make the programs work when the programs’ basic structures were so inappropriate for the community’s needs and economic conditions?

One sunny autumn morning I met my audience of about a dozen community leaders. I looked at the Chief who sat at the opposite end of a long table with his arms folded over his chest and his long white braids framing his serious face. Spontaneously I asked if he would mind if I started my presentation with a short history that I was working on, not of his community's particular housing conditions, but of the bigger, historical context of the programs we were all trying to manage. The Chief looked confused but curious and he nodded his head.

I told them about how one government program followed the other, each premised on the idea that on-reserve housing should match the houses of their non-native neighbours, while never providing the opportunity for the goal to be met. I described how the programs initially had been funded by the bands' own capital funds until they began to run dry, how Indian Department officials made the critical decisions and how housing assistance was restricted much of the time to the poorest of the poor because there was not enough funds to go around. I put forward many unanswered questions about ownership and said that, from what I could find, to this day, legally, no one knew for sure who was responsible for the houses. I watched the group closely, especially the Chief; I was worried that they might not appreciate what I was saying and sure enough the Chief's face grew darker and darker as I spoke. I continued until he blurted out, "F*!K." I swallowed hard expecting to have to apologize to him for taking up his time with my own story. But he said, "Why didn't I know this before? Why don't we all know this? If we'd known this at least we would understand why we have always had such poor housing and why we haven't been able to fix the problems."

At that point I only knew glimpses of what I know now about the history of Indian housing. I had some things right, some things not quite right and a lot of missing information. The presentation raised more questions than it answered. I had barely dealt with the what and when questions; I needed to know how the housing situation became what it did and why. I also needed to know how the houses affected the people who lived in them and how the housing conditions affected reserve communities. That was when I realized that the history of on-reserve housing could not be told in ten minutes and on the basis of a few days of research. I also knew that I had to make a commitment to investigate the relationship between government, First Nations and their housing and that I needed to write a longer and more definitive story. At that time I did not know how many questions I would leave unanswered even after years of research, but I was certain that I would give it my best effort. My need to know more about on-reserve housing did not only come from my students or the Shuswap chief but also from my experience living on Tsartlip First Nation.

My Story

My childhood home was a 1950s white stucco rancher at 1260 Tattersall Drive in Victoria, British Columbia. I never gave it much thought because while every house on Tattersall was different from the next ours was similar enough to the others that I had no reason to be self-conscious about it or to reflect on it in particular. It was situated in the heart of a pleasant neighbourhood on an oak-groved, Easter-lilied hillside. I loved the telephone cubby-hole in the front hallway with names and phone numbers scratched into

the textured plaster wall and the second storey corner window in the kitchen overlooking the driveway. I can still see my mother hanging out the window and tossing brown paper bagged lunches to my brothers that they had forgotten on their way to school. Until I was about twelve I shared a bedroom with my sister and then, as my older siblings moved out, the house emptied and I had a bedroom of my own.

When I became an adolescent we moved several times to similar locations. The houses of my youth were never a source of pride or humiliation. They were warm and comfortable places where my family gathered and friends came to visit. The most unusual aspect of my childhood homes was not the buildings, it was my father's habit of collecting homeless people—we always had at least one extra occupant. My mother gave them a room and fed and counseled them until they moved on. I assumed that everyone's house was like mine because from my experience, apart from our unusual guests, they were. Other than a few grand houses I visited as a child with “picture” windows or impressive front porches built of stone or brick—symbols of wealth on the west coast—almost all the houses I visited were unremarkable from the perspective of an unaware young person.

When I was 17 years old, I married Carl Olsen, a Coast Salish man from WJOLELP, “the land of maples” in SENCOTEN, one of five WSANEC communities on the Saanich Peninsula, north of Victoria—a place known as the Tsartlip Indian Reserve in 1972. Although my parents liked Carl well enough they were ambivalent about whether he was a good match for their youngest daughter. Coast Salish people, like Indians everywhere in Canada at the time, were poor and the reserve had deep-rooted social

problems, although my parents knew very little about how that would affect my life. My mother was more in favour of our union than my father, but in the end they both, somewhat grudgingly, agreed to the marriage. They were probably swayed by the fact that Carl had a good job and was a sober, well-mannered man.

I would soon find out that I could no longer take housing for granted as I had done when I was a girl. The pleasantness and easy access to housing I had been accustomed to in my past would be very different in my future. Carl did not own a house on the reserve nor did his family have one to which he could bring home his new wife. So he did what many young non-native Canadian men did in those days; he bought a house. It was located in a residential area close to the reserve. The strangeness of that seemingly normal act did not occur to me at the time—that an Indian from the reserve would buy a house off the reserve.

Carl made a \$500 down payment on the \$12,000 price tag and got a mortgage from the local Credit Union for the balance. We made \$112 payments, in cash, once a month. I loved the bright little bungalow with two bedrooms, a workshop, garage, white clapboard siding, window boxes and a picket fence. My non-Indian friends all bought houses in the early 1970s, and, like ours, they were inexpensive and the mortgages were easy to come by. Carl and I were merely following standard practice—we got married, bought a house, and were ready to have children. At least, with my people that was commonplace. Little did I know that would be the last experience of standard mainstream housing practice I would experience for more than three decades because Carl had something very different in mind than living in suburbia.

He intended to raise his family on the reserve. The little white bungalow, as it turns out, was only to be a stop-gap measure until he could acquire land “at home,” in Tsartlip where his family had lived for centuries. Carl and several of his eleven brothers and sisters had been born in “the old house” overlooking Indian Bay where they fished and over the Malahat hills, where they hunted. His mother Laura and most of her eleven siblings had been born in the same location. It was not simply because Tsartlip was the place where Carl’s people were born that fueled his desire to raise his family there. In spite of the many, complex social issues on reserves, Tsartlip, like reserves everywhere, was the only safe and friendly place for Indian people in the 1960s and 1970s. Going off the reserve, for Carl and his friends, was like visiting a foreign country where people stared and wondered if you could be trusted. This was a lesson I learned quickly as I accompanied him to restaurants and movies or simply joined him on a trip to the grocery store. Being Indian, in those days, was not something you could be without encountering deliberate disapproving looks and loudly whispered comments about dirty Indians, being turned away from empty restaurants, or refused service at neighbourhood gas stations. It was tiring and discouraging at the least and one always felt a welcome relief to get home to the reserve where you would be accepted for whom you are.

What we did not anticipate was that when we were at home for Carl we were in a foreign country for me. I never walked through the reserve alone or with the children when they came along. It was not that I was afraid. In fact I felt safer on the reserve than anywhere in terms of being attacked or robbed. But I could never be sure that someone on the reserve would not tell me to go home or that I did not belong there. The

government created reserves for Indians and that was one rule from the 1876 *Indian Act* that reserve residents policed voluntarily. There were “NO TRESPASSING” signs at both ends of the reserve road and I knew that even though, through marriage, I was a legal member of the Indian Band I was a trespasser as far as many of the people who had lived there all their lives were concerned. These were not things I could have known beforehand. Canadian teenagers had no access to reserves and mainstream adults had little more understanding of the isolated homes of First Nations people in Canada.

At seventeen I had not thought about where I wanted to live so when Carl said we were selling the house and moving to the reserve it sounded as good as anywhere to me. Tsartlip was only minutes away from my parents’ home, kids from the reserve went to my school, several were friends of mine, but I had never been to one of their houses and had only visited Carl’s family home on rare occasions. The only thing I knew about housing on the reserve was what I saw each time I drove through on the way to and from the airport. The houses were shabby. They all looked the same. Most of them were unfinished. Looking back I think I had assumed that our house would be different, but I cannot remember worrying about it.

By the 1970s Tsartlip had little available band land for housing,¹⁰ but with luck on Carl’s side and after several years of persistent appeals, for a token price of \$100, the band council granted him one of the last band-held building sites. Getting a house, however, was not going to be as easy. His new house would be located in Tsartlip, which,

¹⁰ Following James Douglas’ plan to divide reserves into individual land holdings in the late 19th century Tsartlip was surveyed and apportioned out to certain families leaving little land in band ownership. Like others who were absent at the time, Carl’s family was overlooked during the distribution.

because of *Indian Act* restrictions that I will explain later, automatically disqualified him from getting a mortgage—even though he had already been granted a mortgage and had a willing co-signer he could not convince the bank manager to lend him money to buy a house.

He applied to the band administration for a housing subsidy—the only funds available for housing on Tsartlip at the time. The trouble was, Carl had a steady job, which had qualified him straight away for a mortgage for our house off reserve, but which prevented him from qualifying for government housing assistance on reserve—he was not poor enough. In Tsartlip's de facto housing policy, need trumped all other criteria found within their housing selection process. There were plenty of other young families who were deemed to need housing more than we did and were less able to acquire it on their own. At that time our goal of a house on the reserve appeared to be impossible.

The other problem was that the reserve had another unwritten policy. In effect only people who had lived on the reserve for several years could qualify for government assistance. But there was nowhere for us to live in Tsartlip, there were no spare bedrooms in his family's homes where we could live and wait our turn, which was the housing choice of most of his friends when they got married. Besides, Carl had no intention of bringing his new blond wife to live in anyone's spare bedroom. Without a mortgage or a government housing subsidy, our third option was to scrimp and save enough money and then build. We were young, both of us made steady but not high wages, we wanted to have children and in the current circumstances we estimated that it would take us more than ten years to save enough to complete a house. We did not want to wait that long;

construction costs were on the rise and our meager savings would not have been enough to get ahead of the curve. Like young couples everywhere we needed financial assistance but unlike them we had nowhere to turn.

Within a year we sold our bungalow and with the profit we bought a small mobile home and set it up behind Carl's parents' house. By living in the mobile home on the reserve while we cleared his land, he satisfied one of the requirements to acquiring permanent housing. He continued to negotiate with the band administration to qualify for the second requirement; a federal housing subsidy.

I am becoming confused over my use of "we" and "he", and "his" and "ours" so I am sure you are as well. In truth, my relationship with the reserve and my/our house and land was ambiguous and nothing short of a complicated explanation will untangle the confusion. When I married Carl I became a Status Indian by way of the federal government designation instituted in the *Indian Act*. However, no one told us that then. Upon marriage I became a legal voting member of the Tsartlip reserve. This we did know at that time but only later did we come to know that voting in band elections meant my status had changed to that of a Status Indian. I found that out by fluke several years later when the local hospital told me I was covered under a different health program than other Canadians because I was an Indian. Though I was a legal member of the reserve, even after 35 years living in the community, working, volunteering, and raising my family I was still an outsider to the Tsartlip people. I was an outsider first because I was white and especially because I was blond, and second because I was "not from here"; a designation

ascribed to women of whatever colour “from outside” who married a reserve member. No matter how you looked at it, I was a government-issue Indian.

Tsartlip was Carl’s home, I was granted permission to live there in the little mobile home behind his parents’ house and alongside another tiny shack occupied by his older brother and his four children, but clearly only by way of government rules, not Tsartlip rules. There was no mistaking the outsider category to which I belonged. When I first moved to Tsartlip I did not understand where the deep resentments came from nor why they were so strongly felt. Nor did I know that Tsartlip women who married white men were designated government-issue white women and prohibited from living on the reserve. These were not issues that people talked about.

In spite of the government-imposed identity I became part of the community, a relationship that was uncomfortable but I had no choice. It did not take very long to become familiar with the inside of the tiny shacks called homes. The Olsen family home was 60 years old by then. It had been built off site and sledded onto the reserve in the WWI era. It was more of a barn than a house with no insulation or foundation. You could see outside through the cracks in the walls and roof. Many nights I sat terrified beside the sheet-metal box wood heater, planning my escape as it glowed red and threatened to light the dwelling on fire. Laura and Ernie, my in-laws, and their three youngest children occupied the 600+ square feet house. It was not very different from every other house in Tsartlip. It was what everyone had come to expect. It had three sleeping locations one for the boys one for the girls, and one for the parents and babies. The house doubled as a workplace for Laura, my mother-in-law, who knit for a living. Her work inhabited the

front room with her spinner and carding machines in one corner and bags of wool bulging out from behind the furniture. A line strung over the heater was used to dry skeins of wool, sweaters, toques and socks. Carl's older brother lived next door in a separate two room "house" that was about 300 square feet. It had two rooms, one for sleeping at the back and the other for sitting and cooking at the front. I was told had been built in the 1930s or so and had been his mother's home for her family of ten or eleven.

One day while Carl was skirting the new trailer a fellow walking by said to me, "You will be living in this trailer for the rest of your life you know." I was surprised and said, "No, we are going to move in a year or so. This place is just temporary." He laughed and said, "That's not how things work around here."

Carl never did qualify for a housing grant, but we were lucky in that I convinced my Uncle Charlie to lend us the money to buy a modular home. By the time our first child, Adam was born we lived in a 1200 square foot manufactured home in what was previously a mud hole that Carl drained and landscaped. This simple building became our family home and had many additions and renovations over the years. Although Carl had no construction experience, he never stopped making improvements, which brought complaints and accusations from other band members. I did not understand what they meant when they asked, "How did you get that driveway?" or "Why do you get a new porch?" I would answer these queries with long explanations of how we were getting the building done or what our next plans were and missing their real question which was "How did you get the band to pay for it?"

It took some time for me to understand that people on the reserve assumed that we “got” the house and “got” the driveway and additions, meaning the band had “given” it to us and paid for it. I did not think to tell them up front that my Uncle Charlie was financing what we could not afford ourselves. It did not take long for our most basic modular home to become one of the best homes in the community. Nor did community members ever stop being suspicious of how we “got” it.

Over the years some of our friends in Tsartlip and other nearby reserves died in house fires; children in our community were removed into foster care from homes that I could not imagine anyone living in never mind families with five or six little ones. Even by the mid 1970s many houses still had no plumbing, people used outhouses and got their electricity by a way of a rogue wire strung up from a neighbouring house. Carl and many of his friends continued to be examined for TB, an unusual number of people had asthma, most suffered from addictions, and a staggering number died tragically from suicide and other conditions unknown to my mainstream friends. Sadly, up until then hardly one young person from Tsartlip had graduated from high school. It was not until the early 1990s that I began to piece the whole picture together and recognized the need to find my own reasons for what I was experiencing. I became burdened with the question, “How could such conditions exist in this country?” I had thought that Canada was such a good place.

I had questioned old people and young people in the community, and though I found great wisdom and insight the only explanations I heard for the degrading living conditions on the reserve was the *Indian Act* and racism. While I knew that these two

answers were at the heart of the problems, I wanted to know why and how. In 1996 after earning a Master's degree in history where I explored the relationship between Indigenous people and the settlers I was somewhat satisfied that my questions had been answered and that I needed to do something about what I had come to know so I began to work for Tsartlip. The task I was given was to fix the housing program. At the time, none of the occupants in the subsidized housing were paying rent, the houses were deteriorating, maintenance was non-existent, and the band administration and leadership could not keep up with all the complaints about housing.

And so began the next stage of my journey. During my career at Tsartlip and later at other First Nations I managed housing programs, managed large construction projects, analyzed and wrote policy, developed training curriculum, taught on-reserve housing management, facilitated training, and sat on provincial and national on-reserve housing committees. During this time I worked in every province in the country and by the time I met the Chief of the Shuswap First Nation I was tired and frustrated by the day-to-day realities of the housing in the communities and was certain that I needed to know more. So did First Nations, all levels of government and the Canadian public.

Upon my return home from the Shuswap I told my family that I was going back to school. "I need to study housing and I need to write about it," I told them. "I want to engage with people who are thinking through these problems, not just spend all my time and energy working with the people who are trying to fix them."

This study sets out to fill in the gaps and check the veracity of my ten-minute history and to tell a story that has not been told before, but the truth is I have exposed as

many gaps as I filled. Some of the spaces I have left empty intentionally, but many are unintentional, places where I have simply missed or glossed over the point. My hope is that the missing pieces and misunderstandings will result in further investigation. While my scope seems ambitious—to study housing programs on reserves across Canada during the 60 years between the 1930s and 1990s—my goal is only to create a skeleton or an organizational framework that can acquire its flesh and blood and skin from the work of other researchers.

This study flows from my desire to uncover and better understand the federal government's housing policy, practices and programs as it relates to housing on reserves. Exactly what motivated government actions and how was it that the agents employed by the department came to create and administer the housing delivery system and yet assumed zero responsibility for its failings? And, as a Canadian who has spent most of my adult life on a reserve, living in on-reserve housing, I needed to know if the system was the inadvertent consequence of well-intentioned but patriarchal government agents or a more sinister and deliberate creation of government agents who were fully aware of the negative outcomes and proceeded just the same. Did on-reserve housing fail to meet the Department's objectives or was it never meant to succeed?

Establishing My Intellectual Location

I am a life-long searcher looking to uncover new information and to employ methodologies that will help me understand and communicate the information in ways that will make new truths and inspire change-making action. I am influenced by

Indigenous scholar, Jeff Corntassel et al's call for restorying and the danger "in allowing colonization to be the only story of Indigenous lives." According to Corntassel, "A restorying process for Indigenous peoples entails questioning the imposition of colonial histories in our communities."¹¹ I also draw on Indigenous research methodologies that require me to explore my own subjectivities and keep as an overarching goal the process of decolonization.¹² Nowhere is the stain of colonization more evident than in the field of housing on reserves and nowhere is it more important to dismantle the colonial power dynamics that so insidiously reside in Canadian society and government. In the field of on-reserve housing new truths cannot come from the old stories and old stories will not stimulate new approaches. I highly respect traditional knowledge, and while the history of on-reserve housing is deserving of a full investigation based on traditional ideas of living structures (what it means to dwell, family relationships and the relation to the land) that research must be for another time and other investigators.

While I might have employed the process of gathering traditional knowledge and oral research that methodology would not have answered my questions. If I was going to fully understand why the federal government designed and delivered on-reserve housing as it did, it became obvious that I needed to chart government decisions, policies,

¹¹ Jeff Corntassel, Chaw-win-is & T'lakwadzi, "Indigenous Storytelling, Truth-telling, and Community Approaches to Reconciliation," *English Studies in Canada*, 35.1 (2009): 139.

¹² I use as two examples Maori scholar Linda Tuhiwai Smith who challenges non-Indigenous scholars to question their cultural, theoretical and methodological approaches that influence their work. Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (New York: Zed Books, 1999). Many of the discussions on race theory and decolonizing methodologies found in Denzin, N.K., Lincoln, Y.S., & Smith, L.T. (eds.), *Handbook of Critical and Indigenous Methodologies*, Thousand Oaks, CA: SAGE Publications, 2008.

practices, and ideas and for that I needed to research government documents. To this end my journey began with a thorough investigation of the RG 10 files in the National Archives where I concentrated on agency communications as they related to housing and other associated matters. There I found ample primary source material on the Indian Department's policy, practice and approaches to housing on reserves. AANDC and CMHC's (Canada Mortgage and Housing Corporation) archives also proved to be a good source for government reports, circulars and communications. In the 1980s the two agencies began creating a sizable body of reports and studies dealing with the policy, administration, and physical condition of on-reserve housing. One of the first was Stewart Clatworthy and Harvey Stevens' 1987 review for Indian and Northern Affairs of housing conditions of registered Indians.¹³ Another was the 1999 report "Gathering Strength: Report of the Royal Commission on Aboriginal Peoples," which offers a thorough physical and social assessment of on-reserve housing.¹⁴ Given the shortage of independent and scholarly research covering this time period these government-produced materials have served to form the basis for knowledge regarding the condition of housing on reserves. The studies present the obvious problem of lack of distance and self-criticism. I know from my own first hand professional experience writing and managing several of these studies that they are vetted by the agencies and any information or voices they deem dissenting are purged from the record.

¹³ Clatworthy Stewart and Harvey Stevens, "An Overview of the Housing Conditions of Registered Indians in Canada," prepared for Indian and Northern Affairs Canada, 1987.

¹⁴ Mary C. Hurley and Jill Wherrett, "The Report of the Royal Commission on Aboriginal Peoples," Library of Parliament, 4 October 1999, <http://www.parl.gc.ca/content/lop/researchpublications/prb9924-e.htm#> (accessed 29 January 2016).

Secondly, these studies provide little or no information about their scope or purpose, making it difficult to assess their applicability. Although I recognize the problems contained in these materials I have relied extensively on them to establish numerical details about the housing programs and as a way to explore government messages about its own programs.

In spite of the limitations associated with using government files I remain confident that I have been able to bring into the light, the back story of government program delivery and that I have developed and articulated propositions that, in time, can be challenged by other researchers who will fill in the gaps and restore some of my ideas. I believe that in this work I have been able to apply strategic methodologies that, according to the Lana Ray, "are motivated by anti-colonial and anti-oppressive agendas, and work toward establishing an equitable relationship with the state."¹⁵ In order to realize these goals I have remained mindful of how western research traditions have been used to create the tremendous imbalance in the record that we have all witnessed in this field of study. Only through thorough examination using the same sources viewed by way of an informed lens can we rebalance that relationship and shed light where it has not previously been shed. I have attempted to read the records with eyes wide open to their biases and limitations, understanding that these records have been written by government officials for government purposes and were produced in the context of colonial thinking.

Linda Tuhiwai Smith, author and Indigenous scholar from New Zealand, points out research is not innocent or objective but takes place within political and social

¹⁵ Lana Ray (Waaskone Giizhigook), "Deciphering the "Indigenous" in Indigenous Methodologies," *AlterNative: An International Journal of Indigenous Peoples*, 8.1 (2012): 86.

systems, and, she states, “I understood research as a set of ideas, practices and privileges that were embedded in imperial expansionism and colonization and institutionalized in academic disciplines, schools, curricula, universities and power,”¹⁶ which on the surface could exclude government sources as useless. Yet she reminds us that even Indigenous truths may not be of use to Indigenous people because they cannot alter the fact that history remains in the hands of the dominant culture. So I was left with the researcher’s dilemma of how to find new truths in contested sources. Starting from this vantage point I came to believe that it is important to gather information wherever it can be found and that while neither traditional knowledge nor government records are uncomplicated sources, uncovering the past using a critical lens is the important point. Likewise, Smith acknowledges, “*coming to know the past* has been part of the critical pedagogy of decolonization.”¹⁷

I am a non-Indigenous woman. My ancestors came to Canada from England and Germany and I have derived considerable benefit from my privileged position in Canadian society. My birth family socialized me to assume the priority of written evidence, yet for most of my life I have loved and lived with my married family who has not shared my privilege and to whom orally derived information takes precedence. My current identity has been largely informed by the confusion and conflict that has resulted from the contested histories and world views these two families have shared. I have been politicized by my experience of looking through my privileged blue eyes into the place where I lived in which poverty and discrimination abounded. My scholarly approach

¹⁶ Smith, *Decolonizing Methodologies*, (2012), 21.

¹⁷ Original emphasis. Smith, *Decolonizing Methodologies*, (1999), 34.

follows my life experience of traversing the permeable line that separates the two worlds yet allows for the similarities and overlaps.

I also position myself as a learner, not in the sense that I am new to the world of Indigenous people, nor am I, in Paulette Regan's words, in an "unfamiliar space of not knowing."¹⁸ As I have said, that place of not knowing and the confusion that results from cultural differences have been a familiar and constant struggle in my life since I was a girl and one to which I owe my learner status. It was that very discomfort that drove me to investigate these histories. My vulnerability lies in the immensity of the topic rather than its cross cultural characteristics, both in the breadth of its reach and the depth to which on-reserve housing has negatively affected the lives and futures of so many people. I am humbled and worried about presenting my findings.

Early on I made choices to narrow my sources because my question was too big. "How did on-reserve housing come to be such a failure?" could not be satisfactorily answered in one research project. After my encounter with the Shuswap chief I decided it was not my role to tell the story of traditional housing, nor the Indigenous experience of living in on-reserve housing. There are Indigenous voices that are better positioned than I to tell those stories. I realized that I could not rely only on traditional knowledge sources because fundamentally I am not telling an Indigenous story. I am telling a story about government-imposed housing delivery on Indian reserves across Canada. My story is more about government officials than the housing occupants. I needed the answer to questions that have plagued me for decades around the part that government played in the

¹⁸ Paulette Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling, and Reconciliation in Canada* (Vancouver: UBC Press, 2010), 24.

devastation of reserves through its housing delivery system so I narrowed my questions down to queries such as, “Why is the government in the business of supplying houses on reserves?” and “Where, how and why did government go so wrong?”

My inquiry deepened when, through my work developing housing policies in First Nations across the country, I started asking groups of band members, “Who loves their house?” Sensing that most First Nations housing departments were dealing with unhappy occupants, I wanted to know how management policy could affect the relationship between occupants and their houses. During my working sessions I continued asking about the relationship progressively downgrading my questions to “Who likes their house?” and ending the series of questions with “Who hates their house?” Most people I asked, whether in New Brunswick, Northern Ontario, Saskatchewan or Vancouver, disliked their houses to some degree and there were more people by far who hated their house than those who loved them. Digging deeper, I found that many did not hate their house as much as they hated the relationship between the band, the government, their house and themselves. The people hated *housing* not their houses. I speculated that by the second decade of the 21st century we had made some improvements in the physical condition of buildings on reserves but we still had not figured out how to manage, provide or administer housing services in the unique conditions found in reserve communities. In many ways housing was still controlled by government, bands were buried in housing debt, and most people were not even sure who owned the place they called home. Where else, I thought, in this country did whole communities dislike their housing? These conversations convinced me to examine my topic through the lens of

relationships and ask questions about how the role of the federal politicians and the Indian Department programs affected individuals living on reserves and how it shaped the character of the communities themselves.

The idea of examining this topic from a national perspective was daunting, but through my research and experiences gained by working across the country I quickly found that in spite of regional and cultural differences, First Nations were experiencing the same issues and apart from small variations in government programs, housing was delivered in much the same way in reserves as diverse as Tsartlip, on the west coast of BC, Muskeg Lake Cree, in Saskatchewan, Red Bluff, in New Brunswick and Manto Sipi, in northern Manitoba. On-reserve housing is a federal program and if I was going to examine the topic I needed to consider the whole country. That being said, there is a vast range of outcomes that have developed over the years depending on the First Nations economic conditions, leadership decisions and their cultural and historical specificities. I cannot speculate on the reasons why some urban reserves are doing well and others are still struggling and why those same varied outcomes can be seen in rural and isolated communities. Again, these are questions for other research and scholars. Anecdotally, there appears to be no question, however, that the northern Cree people of this country have the worst housing of anywhere in Canada and while the reasons may appear obviously connected to isolation it is not something we should be willing to accept or continue to tolerate. Individual stories require oral histories that will bring to life the regional and community-by-community experiences. We need a flood of case studies to investigate specific histories and to document specific recollections.

I had to make hard choices during this process and decide what to explore and what to leave for another time and other researchers. I am conscious that I have ignored gender as a lens of investigation almost entirely. Housing services on reserves was delivered within a gendered system that discriminated against women in many complex ways. Women and housing, as we see later in the cases of the Tobique protests¹⁹ and the Homemakers' Clubs,²⁰ provided important impetus for social change on reserves making gender a critical housing issue. However, this topic was too big for me to address adequately. In another case, I was surprised by how frequently the Department uprooted reserve populations and moved them to more convenient locations. The reasons were numerous and the outcomes varied. Again this topic needs a thorough examination that brings to light not only the reasons and effects of the dislocations but how the moves impacted housing policies and personal experiences.

Keeping the focus on housing has been my biggest challenge, particularly at a time when we are being repeatedly faced with questions about land and the *Indian Act*, so much so that these concerns threaten to overwhelm my topic. While many people would argue that the problem I am looking at is not housing but land and that if reserves had private ownership and fee simple land housing would cease to be a problem. In other words if the *Indian Act* had not been implemented in this country, if land had not been taken by the federal government, and if Indians had not been ascribed only a usufructory relationship with their own territory, then there would never have been a housing crisis on reserves in the first place. While these assertions are true, and, while blatantly

¹⁹ See page 85.

²⁰ See page 195.

obvious, they are not particularly helpful to my probe into housing. This is like arguing that if Europeans had not settled in North America Indigenous people would be living in peace and prosperity. We do not know how Indigenous people would be living and it is not my aim to speculate. What we do know is what Arthur Manuel makes clear in his book *Unsettling Canada*:

And it is the loss of our land that has been the precise cause of our impoverishment. Indigenous lands today account for only 0.36 per cent of British Columbian territory. The settler share is the remaining 99.64 per cent. In Canada overall the percentage is even worse, with Indigenous peoples controlling only 0.2 per cent of the land and the settlers 99.8 per cent. With this distribution of the land, you don't have to have a doctorate in economics to understand who will be poor and who will be rich.²¹

I acknowledge that the loss of land and the ongoing federal government control of what little land was set aside for Indigenous people to inhabit is key to understanding poverty in reserve communities. With this in mind my objective is to explore the particular ways in which housing policy and practice became responsible for making reserves and reserve residents poor within the context of the Indian Act and pursuant to extant land conditions. From my experience attending Tsartlip Band meetings since the early 1970s as well as attending various national First Nations leadership conventions since the mid 1990s I have witnessed how land and treaty concerns consistently dominated the meetings while housing, until the past few years, was more often than not left off the agendas altogether. But waiting until land issues are settled in order to find solutions for housing has not worked in the past, and nor will we understand housing

²¹ Arthur Manuel and Grand Chief Ronald M. Derrickson, *Unsettling Canada: A National Wake-up Call*, (Toronto: Between the Lines, 2015), 8.

correctly today if we relegate it to a minor discussion point in arguments about land. In fact consigning housing to an afterthought to the issues of land has provided a smoke screen allowing those who have been responsible for housing conditions to go unchallenged; a screen I intend to remove. Continuing to support the position that the federal government was constrained by the *Indian Act* and that therefore the existing system was inevitable is to ignore the complex process that brought about the housing conditions on reserves—one decision at a time.

One of the reasons I must address land and economic solutions before I begin my explorations of housing is because one of my analytical strategies is to compare the on-reserve housing system and outcomes with off-reserve. Throughout my discussion I address topics such as the absence of mainstream housing mechanisms, barriers to using housing as a wealth-generating tool, and the lack of mobility between houses. In so doing I may appear to be arguing in favour of the adoption of the mainstream market housing system on reserves. However, to assume this interpretation is to make a logical mistake—because there are problems associated with the absence of mainstream mechanisms does not mean the presence of those mechanisms would constitute a solution. It is premature for me to speculate on solutions especially those based on a fee simple land system given that Indigenous people may not choose that system to replace the *Indian Act*. However, it is not too soon for me to state that certain housing principles such as individual choice, access to sufficient funds to build and renovate houses, building standards, a method of exchanging houses and the opportunity for mobility between houses are important and will need to be addressed if successful housing is to be achieved in Indigenous

communities. How these mechanisms are accomplished can be the topic for future studies.

Briefly I am going to look at two much discussed and controversial economic solutions often attached to discussions about on-reserve housing. First, conservative political activist and Canadian academic, Tom Flanagan argues in *Beyond the Indian Act* that housing issues are property issues, that collective property rights are the barrier to wealth on reserves, and that private property rights are the key to moving beyond poverty and improving housing conditions.²² He contends that this could be achieved through First Nations' voluntary adoption of individual property rights. According to Flanagan:

Only a housing market, based on a combination of rental and home ownership as exists in the rest of Canada, can balance supply and demand and keep the housing stock in good repair.²³ ...getting "Beyond the Indian Act" to restore aboriginal property rights will enhance economic activity on reserves, create more jobs and business opportunities for First Nations people, and improve both the quantity and quality of housing on reserves....In short it is a question of property rights — there must be owners who take pride in their own homes and see them as a savings vehicle, as well as landlords for whom the housing is an investment to yield a profitable return.²⁴

Flanagan draws on Peruvian economist Hernando De Soto's global treatment of individual property expressed in his book *The Mystery of Capital* where he argues that defective property rights and the inability to capitalize assets are responsible for the

²² Tom Flanagan, Christopher Alcantara, and Andre Le Dressay, *Beyond the Indian Act: Restoring Aboriginal Property Rights* (Montreal & Kingston: McGill-Queen's University Press, 2010).

²³ Ibid., 6.

²⁴ Ibid., 7.

poverty and misery of the Third World.²⁵ De Soto maintains that the creation and institutionalization of individual property in housing and land would allow the poor to capitalize on their assets and create the conditions for them to emerge from poverty. While De Soto's work has been widely praised by the international development community and organizations such as the World Bank its flaws have also been widely discussed. His characterization of slums as inhabited by the potentially wealthy is criticized in many ways including his lack of systematic research, his inability to prove the causal relationship between landed property rights and the rise America's economic power, a concept upon which he relies heavily, and in his treatment of the poor as an undifferentiated class.²⁶

Alongside the weaknesses of De Soto's argument my problem with Flanagan rests with his insistence that private ownership is a necessity of economic success. He builds his arguments on an assumed deficiency in traditional and communal forms of title as if they must be replaced because they are necessarily opposed to wealth and prosperity.²⁷ Both Flanagan and De Soto disparage collective ownership, communal property and traditional rights as forms of anarchistic systems that must be replaced.

At the outset these arguments lack an adequate treatment of Indigenous beliefs, values and desires and therefore, while they have wide readership, their lack of local

²⁵ Hernando de Soto, *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else* (New York: Basic Books, 2000), 1-7.

²⁶ Franklin Obeng-Odoom, "The Mystery of Capital or the Mystification of Capital?" *Review of Social Economy*, 71.4 (2013): 428-429.

²⁷ Shaun Goldfinch, "Property Rights and the Mystery of Capital: A Review of de Soto's Simplistic Solution to Development," *Progress in Development Studies*, 15.1 (2015): 90.

Indigenous input prevents me from using them as I go forward with my discussion. Their dismissal of Indigenous approaches to land and ownership is both western centric and paternalistic and if I have learned anything from the decades I have lived in Tsartlip it is that my search for solutions to Indigenous issues will not start with mainstream economists and political scientists.

While it may appear that the easy solution to the poor housing conditions on reserves would be the implementation of a market system it would be wrong to assume that fee simple land and private ownership as we know them in the western world are necessarily the solutions. The social, physical and psychological effects of colonization are too complex to expect that economic measures alone can resolve these challenges. Even if one was to think there are advantages to fee simple ownership and economic development these are not a panacea nor are they the only options; were the federal government to relinquish reserve land ownership, it would be up to Indigenous people to decide how they would establish their land laws and housing system. My hope is that this dissertation can motivate others to investigate alternative housing options outside of the constraints of the *Indian Act* and western capitalist ideas set forth by such scholars as Flanagan and de Soto.

Another limitation of my work with the sources found in the archives, they tell us about government intentions, policies, and official procedure, but fail to record what the people in the houses were doing, feeling, experiencing, and desiring. Agents' records do not help us get inside the house to find out whether the wood stove keeps the building warm or if the stovepipe stuck through the window set the house on fire. They do not tell

us where the children slept or how the mom stored and cooked the food. Keeping in mind that my question was not, “How did the occupants feel living in the houses?” but “How and why did this country create the conditions in housing where they had to feel such discomfort?” In spite of my sources, First Nations voices are not mute and their experiences are not invisible. Although there are some places in this story that we are left with only our imagination it is my hope that by the end of this document, everyone will be left with a strong mental picture of living conditions on reserves together with a new understanding of how and why the conditions were so appalling.

Structure of the Dissertation

This dissertation is structured and written in a way that reflects my queries. I began by casting a broad net across ideas of housing to examine on-reserve housing outside the narrow context of government programs. My biggest challenge in this regard was the absence of a starting point or context. The dearth of Canadian literature in this field and absence of theories on this topic left me with the task of first unraveling the story and then framing up very basic theoretical observations and explanations of the intentions and impacts of the housing system. My other persistent challenge was to be aware of myself within the story and understand how my own experience affected the trajectory of the narrative. Writing this dissertation was excruciating. Not only did I feel the task was too large for me but the emotional strain took an enormous toll on my physical health. Not a day went by when I was not saddened and frustrated by inept government decisions, officials’ lack of action, and the persistence of racist attitudes. Throughout this research I

continued to work in the housing field and was constantly pulled back to front-line issues that needed my immediate attention leaving this study feeling like a gratuitous use of my time that could have been better spent trying to fix the problems. However, I am satisfied that the research forced me to give much-needed time to fully explore my intellectual questions as well as provided me with the opportunity to return to my own story in the conclusion where I have taken the liberty of sharing my call to action.

In the first chapter I make the case that we need to understand on-reserve housing before we can fix it. To that end I examine how the *Indian Act* impacted housing specifically and then I explore a wide range of theories and philosophies of housing that evaded the planners and designers of on-reserve housing programs. I argue that though housing on reserves is different than housing anywhere else in Canada, it is important to look at the shared aspects of buildings and dwelling and in so doing to lift reserve housing out of the intellectual ghetto where government is the sole voice dominating available knowledge. I look for answers to questions about how housing intersects with issues of power and control and personal and community identity. I argue that although the government housing programs were never meant to succeed they were hastened to their decline by the small acts of resistance by the occupants that cumulatively prevented any hope of success. I submit that it is time to think differently and re-story on-reserve housing by telling a story that reflects historical reality, rather than one that is based on a profound lack of information as well as media and government reports that have fed into deeply held and destructive stereotypes.

The next four chapters guide the reader through distinct time periods based on major social, economic and political shifts both on and off reserves, which affected the government's approach to housing Indigenous people. I start my query in the mid 1930s, which coincides with the implementation of the 1935 Dominion Housing Act—Canada's first official housing policy. This also marks the beginning of two separate housing systems in this country – one for members of the mainstream, the other for Indians. My query ends in 1996, the date the Indian Department implemented their latest iteration of the New On-Reserve Housing program—the last of the 20th century.

Chapter 2 begins in the 1930s, a time when on-reserve residents had relative housing autonomy. I challenge the belief that housing in the early 20th century was largely manipulated by missionaries and agents and argue that there was a more gradual and Indian-centered shift from traditional to European housing styles, at a time when government employed an ad hoc, hands-off approach to housing in general. I claim that the impetus for government to tighten its grip on housing on reserves came about when housing independence was faced with the social and political factors in the 1930s such as deepening poverty, the increased alienation of Indians from their lands and resources, entrenched exclusion from mainstream economy, and the first signs of Indigenous population growth. These factors shed new light on the existing housing problems and set the stage for government to develop two distinct housing systems. The first was centered on expanded access to borrowing and the creation of wealth, jobs and a healthy economy for mainstream Canadians and the other was based on welfare distribution on reserves. The welfare approach to housing prevented reserve residents from gaining housing

literacy and from using their houses as a source of wealth like other Canadians, setting in place housing as an active agent in making reserves poor.

Chapter 3 takes the reader into the darkest time of on-reserve housing from the end of WW2 to the early 1960s where government dug in its heels and enforced the two-system approach. This chapter exposes the deep and hurtful contradiction where government expected the same results on and off reserves all the while providing completely different opportunities, thus setting up housing on reserves as a failure in every respect. Band welfare housing that was first funded through the bands' own capital accounts and later through government payments could not keep up with the demand. As a result, the government devised one program after the other, always with the stated intention of increasing housing production while at the same time turning a blind eye to the deplorable quality of the buildings and the social implications of the living conditions. This period established the Indian Department as the only source of housing assistance and set in place the idea on reserves that government was responsible for those conditions. Through the 1950s housing policies led to selection practices that gave priority to the poorest band members, thus excluding those people who were even somewhat self-sufficient from housing assistance. In terms of health, social and economic development and education conditions housing practices became the major contributing factor in transforming Indian reserves into enclaves of the poor.

In Chapter four I explore the socially dynamic 1960s and 1970s when the Indian Department used academics and professionals to come up with new solutions to the problem of housing on reserves. Incrementally, the 1960s programs attempted to

implement off-reserve financial mechanisms on the reserves and shift housing assistance away from being fully government funded. The Department began transferring many of the administrative responsibilities of the programs to the bands' leadership, most of whom had no experience in housing management. With the optics of control but little real authority housing became a point of contention between the bands' leadership and their communities. In this chapter I also probe the new voices in the housing discussion coming from Indian leadership groups such as the National Indian Brotherhood and the Union of New Brunswick Chiefs and trace the Department's response, which, during this period was little more than blatant disregard.

The last chapter looks at the Social Housing era that started on reserves in 1978 when the federal government included the reserves in the purview of the mainstream public housing programs and continues, although in a much reduced form, to this day. Section 95²⁸ of the National Housing Act accomplished what previous attempts to implement loans programs had failed to do by lending the mortgages to the bands rather than individuals. While, prior to this point, housing had significantly added to personal and community poverty the programs of the 60s and 70s brought about debt otherwise unknown. Bands became encumbered with mortgages they could not afford to pay and with little of value to show for it. The program turned homeowners into tenants and the bands into reluctant landlords. By the 1990s most bands were suffering from immense debt due to the programs.

²⁸ Social housing projects delivered under Section 95 of the National Housing Act were previously under Section 56.1. Throughout this document I use Section 95 when referring to all of these projects.

My conclusion is a call for action—for everyone—First Nation governments and citizens, and the federal government and the Canadian public. I challenge the way we imagine on-reserve housing and make a call for a radical rethink. The idea of a house as a roof over our heads is simply a matter of shelter but a house can also be the locus of contention and the site of anxieties over power relationships. Housing is also a generative location that produces people, as Churchill says, and produces communities. I call for a new narrative of on-reserve housing – a total redesign as it were – and a call to action to find new ways to house the poor, the wealthy and everyone in between, to find ways to include those who are currently excluded from living “at home” to doing so if they choose, and a way for First Nations to have full authority over their own housing. I want a new normal that truly includes the same housing opportunities and outcomes on reserves as off. But more importantly this document calls for new scholarship that will cast a wide net and fully investigate the role housing has played in the lives of generations of First Nations people living on reserves across Canada.

Chapter One - Concepts and Context: By Our Houses You Will Know Us

Anthony Giddens argued for the duality of structure such that man actively shapes the world he lives in at the same time as it shapes him.²⁹

According to American author Stewart Brand, “The buildings we design directly influence the way in which we live our lives, they direct and manipulate the way in which we engage with our social values, educational, commercial and spiritual needs.”³⁰ In other words, houses do not merely manifest who we are, they determine who we become.

How we make our houses is the confluence of ideology, choice, locus of control, and policy. Our houses shape us by impacting our relationships, health, education, status and identity. Peter Nabokov quotes a Kickapoo idea that “by our houses you will know us,”³¹ which speaks to the function of houses as both communication devices and social documents. Longhouses, wickiups, mound houses, and tipis indicated not only a tribe’s location, but the season of the year, the size of the family, and the location and purpose of the group. Houses can also communicate an individuals’ social standing or class. Status symbols like the latest electronic gadget, a fancy car, and a big house in a desirable

²⁹ Anthony Giddens, *Profiles and Critiques in Social Theory* (Berkeley, CA: University of California Press 1982), 21.

³⁰ Stewart Brand, *How Buildings Learn: What Happens After They’re Built* (New York, London: Penguin Books, 1995), 3.

³¹ Peter Nabokov and Robert Easton, *Native American Architecture* (New York: Oxford University Press, 1989), 11.

neighbourhood are outward manifestations of wealth and readily identifiable signs of success.

Conversely, a sub-standard home in perpetual disrepair, or an undesirable address can communicate failure to succeed. Such was the case when I first moved to the Tsartlip reserve. In response to the common question “where do you live?” I would respond, “Brentwood Bay,” which is a pleasant residential neighbourhood just north of Victoria, BC. “On the water, over-looking the Saanich Inlet and the Malahat hills,” I would add, knowing the mental images such a description would likely produce in the minds of my new acquaintances. I was blond, young, and likely, in their eyes, to be fortunate and successful. As you can imagine, their expressions changed when I added, “On the Tsartlip Indian Reserve.” It was the same geographic location, but naming my neighbourhood had changed the mental picture they created before they had even seen my house.

A house’s location, its material structure, and the housing tenure of its occupants communicate information about the social and economic status of its inhabitants. Housing provided through government programs as opposed to that owned by individuals convey very different status messages. People’s reactions to status symbols may not be conscious or intentional, but as British philosopher Peter King says, “The manner in which we and others perceive our housing leads us into certain actions and beliefs.”³² Studies indicate that people make inferences about the personality of occupants based on attributes of their houses and that houses and their associated objects are reliably related

³² Peter King, *Private Dwelling: Speculations on the Use of Housing* (London, New York: Routledge, 2004), 4.

to characteristics of the occupants. Furthermore, it is not only other people who make assumptions about the occupants; residents also make assumptions about themselves based on their house.³³

Most scholarship on the relationship between housing and identity assumes that people choose and modify their houses based on their desires.³⁴ Consequently, houses are seen as symbolic representations of their residents in the sense that the residents made or chose the house. In the case of public rental housing, where the occupants may not be seen as making choices about where they live they are still identified with their housing and are often considered to be in some way responsible for their poor circumstances.³⁵

The negative attitudes I experienced when I revealed that my home was on a reserve were the result of years of public information about substandard Indian houses. People who had driven through reserves formed their opinions from seeing the poor neighbourhoods of ubiquitous decrepit shacks with faded paint and sagging porches. People who had never been to a reserve would have read about overcrowded, un-insulated, mold-infested houses in the newspaper or seen the pitiful houses on the television news. The stereotypes prevailed to such a degree that when I lived on the

³³ Edward K. Sadalla, Beth Vershure, and Jeffrey Burroughs, "Identity Symbolism in Housing," *Environment and Behavior*, 19.5 (September 1987), 571. For more on this topic see B.E. Vershure, S. Magel, and E Sadalla, "House Form and Social Identity," in *The Behavioural Basis of Design, Book 2*, eds. P. Suedfeld and J. Russel (Stroudsburg, PA: Dowden, Hutchinson and Ross, 1976).

³⁴ Amos Rapoport, "A Critical Look at the Concept 'Home,'" in *The Home: Words, Interpretations, Meanings, and Environments*, eds. David Benjamin, David Stea, and Eje Arén (Brookfield, Vt.: Avebury, 1995), 25-52.

³⁵ See Ashild Lappégard Hauge, "The Meaning of Housing in Communicating Identity and its Influence on Self-Perception," (PhD Dissertation, Norwegian University of Science and Technology Department of Architectural Design and Management, 2009) for a discussion on associations and attitudes in terms of housing and identity both individually and in social groups.

reserve I learned not to identify my address when I wanted to avoid eliciting negative assumptions about my home and myself.

The Canadian government has come under international criticism for the housing conditions on reserves. While Canada consistently ranks among the top nations on the United Nations Human Development Index, if one considered the country's Indigenous population, Canada would rank 63rd.³⁶ As recently as 2012, United Nations official, James Anaya, when speaking about the state of emergency due to a lack of suitable housing in the northern Ontario reserve community of Attawapiskat, at the mouth of the Attawapiskat River on James Bay, described the living conditions as being "akin to Third World conditions." Anaya was quoted as saying, "Yet, this situation is not representative of non-aboriginal communities in Canada, a country with overall human rights indicators scoring among the top of all countries of the world."³⁷ Canada has two distinctly different housing systems, which have resulted in two very different sets of social conditions.

Through my work in the field of on-reserve housing and my examination of government records I have been able to observe how the unique on-reserve housing system produced a set of living conditions unlike anything found in the rest of the country. Government housing policy has been a dominant force in creating the people

³⁶ James Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life* (Regina: University of Regina Press, 2013). For more on the Human Development Index as it relates to Aboriginal people in Canada see Martin Cooke, Daniel Beavon, and Mindy McHardy "Measuring the Well-Being of Aboriginal People: An Application of the United Nations Human Development Index to Registered Indians in Canada, 1981-2001," in *Aboriginal Policy Research Series, Volume 1: Setting the Agenda for Change*, eds. Daniel Beavon, Jerry Patrick White, and Paul Maxim (Toronto: Thompson Educational Publishing, 2013), 47-48.

³⁷ Kim Mackrael, "UN official blasts 'dire' conditions in Attawapiskat," *Globe and Mail*, 20 December 2011, <http://www.theglobeandmail.com/news/politics/un-official-blasts-dire-conditions-in-attawapiskat/article4085452/> (accessed 25 November 2015).

who live on reserves. Poverty, poor health, the lack of education, loss of children to residential schools, foster care and adoption, violence and addictions are a few of the social problems that can be linked to poor housing and poor housing is a direct result of government policy through most of the 20th century. These conditions, together with a systematic prioritization of the poor in housing selection on reserves, which stands in stark contradiction to everything we know about housing in the rest of Canada, created communities populated by poor people. If we are to understand the symbiotic relationship between the government on-reserve housing system, the buildings and their occupants we need to understand its history and its unique characteristics within broad ideas of housing in general.

The past and present are populated with hard-working people in First Nations, government, and business who all agree that housing on reserves is, and has been, a disgrace to Canada and a cause of untold suffering for the occupants. These people have tried, and continue to try, to change the housing system, raise building standards and improve living conditions on reserves. There is little scholarship, however, about the basic concepts and ideas underlying the provision of housing on reserves or on the history of the government system designed to deliver housing services. Generally, housing is something people do—something they build, manage, and repair—not something they study. Nowhere is this truer than on reserves.

Over the years, when I asked colleagues in the field of on-reserve housing, whether First Nation or not, what are the most important questions about the history of on-reserve housing, invariably they said they would not look at the subject from an historical

perspective because it was more important to focus our attention on fixing the current critical problems. Without exception, their main interest was in finding practical solutions that would bring immediate improvement to living conditions on reserves before another generation suffered the housing indignity experienced by their parents and grandparents. With such appalling conditions, why would that not be the case?

While I respect my colleagues' position I do not believe we can fix the problems until we understand them. We need to ask the right questions if we want to find the right answers. It is my contention that we have been relying on an old narrative, written by colonial officials and reinforced by the Canadian population that is woven around a commonly held assumption that housing conditions are generally the result of the occupants' choosing. When transported to the reserves this idea get lost in translation. The assumption of choice may apply to societies with market conditions, housing opportunities and mobility, but in the context of reserves it ignores the unique legal and economic restrictions that have impeded opportunity and choice and forced Indians to rely on government controlled assistance. The assumption has had a powerful effect on the Canadian story that includes narratives such as; band members get free houses and they do not appreciate their good luck; band housing is in such a state of disrepair because band leaders have mismanaged government funds or that Chiefs live in lavish houses while their people live in shacks. There are other narratives, presented by Indigenous people themselves, that include notions that Indians have been wounded by poverty or their past experiences in residential schools so they do not have the life skills they need to produce and maintain adequate housing for their families. The stories,

whichever way they are told, turn on the assumption that housing conditions were a result of the occupants' choosing and that in some way Indians picked their housing destiny and that it was in their power to fix it. These stories, sometimes based on shards of truth, have fed negative stereotypes of Indigenous people for generations. The failure of what I believe to be one of Canada's most notorious social experiments—the on-reserve housing programs—has been placed on the shoulders of the recipients because we have been telling the wrong stories.

We need to “restory” Indigenous history using traditional methods of investigation by telling and listening to Indigenous stories and taking an oppositional approach to society's old methods and messages.³⁸ When the histories of families and their generational struggles to be housed are told they will raise themes and elicit ideas that will no doubt disrupt the current stereotypical Canadian story. As a non-Indigenous Canadian I believe I can contribute to restorying on-reserve housing in two ways; first by examining mainstream ideas about housing and placing on- and off-reserve housing into a common field of discourse and second, by using mainstream sources and methods and setting out the previously untold history that is contained within government documents, telling, as it were, the government's own story about its housing programs. In this way I can begin to disrupt these faulty assumptions and create a new understanding that may lead to new solutions.

³⁸ Cornassel, “Indigenous Storytelling,” 146-147.

British philosopher, Peter King says that it is common sense to put a roof over people when it is raining, but the way government delivers housing, particularly to the poor, is a political act based on a particular ideology.³⁹ Extending this argument, political ideology and action impact not only how many houses are built or what sort of houses they are, but also has an effect on methods of housing acquisition, financing options, and regulations associated with its construction and maintenance. Using King's perspective, it follows that all aspects of housing, on reserves and off, can be said to be political acts and as such are more than unintended consequences but arise from the ideology of the powerful. The history of the overwhelming failure of on-reserve housing to adequately shelter reserve residents has kept us in crisis mode and focused on fixing immediate problems. The desperate need for quick solutions has prevented us from taking the time to question the political thinking that created the systems that produced the houses.

In this chapter I use examples from British Columbia to take a brief look at the transition from traditional to European-style housing. I then examine the particular conditions that exist on Indian reserves as a result of the *Indian Act* and the Indian Department administration that impact housing delivery and its outcomes. At the same time I challenge us to think outside of the arguments of colonialism and to understand on-reserve housing within the broad western philosophical context in which the government officials conducted their job. By using the analytical categories of choice, identity, resistance, and power and control we are able to view the meaning of housing on Indian reserves through the lens of the modern world.

³⁹ Peter King, *A Social Philosophy of Housing* (Burlington, VT: Asgate, 2003), 32.

The Transition

Ironically, early European visitors to the land that became Canada were often impressed by the amazing Indigenous architecture and building techniques they found, particularly on the west coast. These Europeans were fascinated in the building technology of the grand multifamily dwellings, which may have resembled eighteenth-century households in Europe. In 1778 Captain James Cook described the houses he saw in Yuquot, a Nuuchahnulth village as;

long range of buildings, some of which are one hundred and fifty feet in length' and between 24 and 30 feet in breadth. The interiors of these building were divided into apartments about 12 feet wide and 18 feet long, using boarded partitions three or four feet high. Each apartment was 'the property of one family.'⁴⁰

Archaeologist, Yvonne Marshall describes several Boston traders' responses to these west coast longhouses in her article, "Transformations of Nuuchahnulth Houses."

When John Meares visited the Clayoquot village of Opitsat in 1788, he found Clayoquot chief, Wickaninish living 'in a state of magnificence much superior to any of his neighbours.' Wickaninish's house was exceptionally massive, and on the inside was a huge figure whose mouth served as the doorway. In May the following year, [Robert] Haswell was similarly awed by Wickaninish's huge house and its numerous carved pillars, 'so large that the Mouth serves as doorway [sic] into their houses.'⁴¹

Other early travellers were disgusted by the smoky, noisy communal living spaces. By the late nineteenth century, this latter attitude was in the majority, in part because European housing had become the target of social reformers fueled by anxieties about

⁴⁰ Yvonne Marshall, "Transformations of Nuuchahnulth Houses," in *Beyond Kinship: Social and Material Reproduction in House Societies*, eds. Rosemary A Joyce, and Susan D. Gillespie (Philadelphia: University of Pennsylvania Press, 2000), 82.

⁴¹ *Ibid.*, 83. Robert Haswell, Boston trader sailed on the Columbia to Clayoquot Sound in 1791.

infectious diseases and the sexual immorality they believed were inevitable results of close and “dirty” multifamily living quarters.

The transition from traditional housing to modern European-style dwellings took place at different times and at an uneven pace across the country.⁴² In spite of government and missionary desires to rid reserves of traditional housing evidence shows that the new did not replace the old overnight but rather that, more often than not, both the new and the old coexisted.⁴³ According to Adele Perry, “housing became a significant site of conflict in the colonial encounter, a vehicle through which the reorganization of First Nations society was imagined, attempted, resisted, and ultimately fashioned.”⁴⁴ As the title of her article suggests, “the hot-bed of vice” to the “good and well-ordered Christian home,” missionaries were unrelenting in their criticism of traditional housing. Perry quotes Roman Catholic missionary to the Nuu-chah-nulth of Vancouver Island, Joseph Brabant’s description of the Ahousahts’ houses and his declaration, “How could I instruct these people in such a horrible place of filth and smoke? not to mention the noise

⁴² I am conscious when I use the terms “modern” and “traditional” that the binary has been used by European imperialists who imposed their versions of the “modern” on Indigenous people who were framed as “primitive” or “traditional.” For a further discussion on what is meant by modern and traditional see Hosagrahar. Jyoti Hosagrahar, *Indigenous Modernities: Negotiating Architecture and Urbanism*, London: Routledge, 2005, 1-2.

⁴³ It is hard to establish a timeframe for the transition from the old to the new in a discussion that is national in scope. I can best estimate using my own experience from working in the field over the past twenty years or so. On the west coast there is plenty of evidence that some people, including my father-in-law, still lived in traditional up until the 1920s. When I work in northern Manitoba and Ontario people say that some community members did not totally transition into modern housing until the 1950s and 1960s. In southern Ontario and Quebec it is clear that many people had completely adopted western style housing in the early 19th century.

⁴⁴ Perry, “From ‘the hot-bed of vice’ to the ‘good and well-ordered Christian home,’” 588.

made by the quarrelling of the women, the crying of children and the fighting dogs—and then the immodest bearing of the numbers inmates!”⁴⁵

Thus, one of the primary colonial goals became to replace traditional housing through the construction of wood frame single-family houses. To illustrate this thinking Perry quotes Reverend Thomas Crosby, an English Methodist missionary who worked with First Nations people in coastal British Columbia;

There is no better teaching than the object lesson of a good and well-ordered Christian home. . . . Indeed, this is the only way to win the savage from his lazy habits, sin and misery,” he wrote. “So soon as the Missionary gets the language of the people—and every missionary should do so—he should make an effort to get them out of the wretched squalor and dirt of their old lodges and sweat houses into better homes.”⁴⁶

There were other instances of missionary-imposed housing projects such as William Duncan’s utopian village built in Metlakatla where one of Duncan’s first village rules mandated that all residents agreed, “To build neat houses.”(underline in the original)⁴⁷ A few years later missionaries, Robert Doolan and Robert Tomlinson attempted to recreate Duncan’s village and worked with the Nisga'a to build eleven houses of European design.⁴⁸ But in neither case does there appear to have been any obvious or significant unwillingness on the part of the Indians to construct the houses. Susan Neylan argues in her study of Tsimshian encounters with Protestant missions on

⁴⁵ Ibid., 592.

⁴⁶ Perry, “From ‘the hot-bed of vice’ to the ‘good and well-ordered Christian home,’” 594.

⁴⁷ Ibid., 599. Quoted in Adele Perry from William Duncan to the Committee of the Church Missionary Society, 28 April 1862, Church Missionary Society, microfilm AW 1 R4796, 31.

⁴⁸ E. Palmer Patterson, *Kincolith's First Decade: A Nisga'a Village (1867-1878)* (Brandon, MB: Department of Native Studies, Brandon University, 1992), 232.

the Pacific North Coast of BC during the latter half of the nineteenth century that the houses in these experiments show an unresisted transition rather than an oppressive imposition. Missionaries may have intended and wished that Indigenous houses follow their plans exactly but according to Neylan, native builders constructed hybrid dwellings; building the façades to look like European dwellings while removing interior room partitions to accommodate their traditional lifestyles rather than allowing the inflexible material impositions to impinge on their habits of holding large gatherings in their homes. Furthermore, she argues that while the builders consented to place the houses in neat and tidy straight lines paralleling the beach they chose their own traditional locations in order to continue existing life patterns.⁴⁹ With these examples in mind Neylan contends that early European style houses were modifications of traditional houses, that important transitions from traditional to western-style housing took place without overt confrontation and that there was collusion rather than contest over physical social spaces.⁵⁰

An example that appears to support Neylan took place in the early 20th century in Bella Bella on B.C.'s west coast. The wife of a missionary living with the Heiltsuk explained what she saw as an inconsistency between the men constructing the houses and the women making the homes.

In many cases where we find the men building good houses and anxious to have things comfortable and more like white people, yet when we go into

⁴⁹ Susan Neylan, *The Heavens are Changing: Nineteenth-Century Protestant Missions and Tsimshian Christianity* (Montreal: McGill-Queen's Press, 2003), 81.

⁵⁰ *Ibid.*, 76.

the houses we find the women sitting around on the floor, while things are in pretty much the same untidy state that existed in the old Indian houses.⁵¹

Seen through a different lens there is no contradiction. While there is little doubt that missionaries attempted to persuade the Heiltsuks to abandon their traditional homes and adopt brooms and other western domestic housekeeping accouterments, like the Nisga'a, the Heiltsuks appear to be making independent choices to adopt the new building technologies and then adapting the houses to suit their needs. These were, importantly, only their village homes, as Harkin goes on to explain, the Heiltsuks lived much of the year in traditional houses in their camps and they did not appear to disrupt their living habits to impress the missionary's wife. The records show little evidence that the missionaries were able to coerce the Heiltsuks to adopt European building techniques and therefore abandon their culture and way of life.

While it has been important to acknowledge the powerful effects the messages of the missionaries would have had on the west coast people, we risk underestimating the agency of the Heiltsuks and the ignoring the possibility that their adoption of new construction techniques was an act of accommodation, in the least, and could be considered an enthusiastic embracing of new ideas. The re-housing project was, in many areas, remarkably successful as can be seen in the Department of Indian Affairs agency records that report a rapid increase in the number of European-style "houses and huts" on BC reserves. From 255 such dwellings in 1880, the number increased by a factor of 13 to 3,391 in 1883, and more than tripled again in the next two years to an astounding 11,509

⁵¹ Harkin, "Engendering Discipline," 648.

in 1885. The Department reported 45 times more European style houses in just five years, even as the Indigenous population shrank due to epidemics.⁵²

The BC building boom along with the modifications Indigenous people made to their buildings to suit their lifestyles show an initial interest and willingness to adopt and adapt European construction techniques and materials for their own purposes and is not necessarily an indication of the missionaries' success in converting Indigenous people to a new lifestyle. As an illustration I am reminded of a story a friend from the west coast of Vancouver Island told me about his grandfather, a Nuuchahnulth man, who in the early 20th century moved from a traditional long house to his first wood-framed home. The home had glass windows. His grandfather told my friend how he loved to look at the window. He was not so interested in looking out the window; he could go outside and see all he wanted of the forest or the sea. He liked to sit and look at the marvel of the transparency of the glass and the light it brought inside. The window gave his house a new interactive relationship to the outdoors and gave him a new way to live inside his home. Door hinges provided the same sort of fascination as did tar paper and new ways to shingle his roof. Like cast iron pots and pans, these new technologies likely appealed

⁵² Ibid., 602. There is nothing to say that these houses necessarily replaced traditional homes. All indications from the records show that they likely supplemented seasonal homes with log or wood frame cabins. Thus the change in living practices likely was much slower than the adoption of new and interesting building techniques. Without substantial buy-in from the people the colonial project could not have brought about a 45 times increase in euro houses in a mere five years. There were not enough agents and missionaries in the field and their influence not strong or organized enough to achieve such a building boom. For example, in a 1974 interview with Chief Thomas Settee of Cumberland Housing in the RCAP collection, he talks about how his people in the 1930s still built log houses in their settlements and teepees when they were hunting. Northern Saskatchewan Archives (hereafter NSA), Royal Commission Report on Aboriginal Peoples, interview with Chief Thomas Settee of Cumberland Housing, 11 December 1974, volume 117, box 19.

to Indigenous people as they would have appealed to other cultures and could account for the seeming willingness to adopt European building methods.⁵³

In her Masters thesis, “The Development of Cultural Change, Mutual Accommodation, and Hybrid Forms at Fort Simpson/Laxłgu‘alaams, 1834-1862,”⁵⁴ When Marki Sellers accounts for the ways nineteenth century missionaries and government agents appealed to Indians to adapt their housing styles she draws on Homi K. Bhabha and Marwan M. Kraidy’s theory that hybridity is not only a descriptive approach to global and local interaction but a practice which, according to Marwan M Kraidy is, “constitutive of, and constituted by, sociopolitical and economic arrangements. Understanding hybridity as a practice marks the recognition that transcultural relations are complex, processual, and dynamic.”⁵⁵ Sellers’ use of the idea of hybridity allows us to avoid viewing the transition to European style housing as merely either a blending of cultural practices and materials, or as a starkly divided matter of colonizer and colonized and domination and resistance.

The theory of hybridity, like the word itself, is an emerging idea, taking its shape as scholars complicate and refine its tenets. Bhabha argues that hybrid colonial identities are shaped by subjectivities such as class, gender ideology and context. Other scholars

⁵³ New material such as windows and sawn lumber were acquired and produced through kinships and relationships with HBC newcomers and took on old meanings of prestige while creating excitement amongst Indigenous people. When Jacob Johnson installed windows in the front of his house he called his tribe together and sang a song he had composed, “First house to have windows—nobody have windows like me.” Marki Sellers, “Wearing the Mantle on Both Shoulders’: An Examination of the Development of Cultural Change, Mutual Accommodation, and Hybrid Forms at Fort Simpson/Laxłgu‘alaams, 1834-1862,” (Master’s Thesis, Simon Fraser University, 2005), 104.

⁵⁴ Sellers, “Wearing the Mantle on Both Shoulders,” 38-40.

⁵⁵ Marwan, M., Kraidy, “Hybridity in Cultural Globalization,” *Communications Theory*, 12.3 (2002): 319.

complicate hybridity further by addressing temporal, spatial, geographic, political and economic aspects of colonization.⁵⁶ Richard Harris looks at hybrid forms of housing in the colonies where Europeans lived in the minority and adapted their building styles to include local building techniques and housing designs. Harris quotes French sociologist Georges Balandier's description of 'the colonial situation' where he finds "numerous communications, multiple exchanges, and an interplay of reciprocal influence" in colonial settings. These ideas are useful as we reflect on Neylan's description of early housing encounters in British Columbia and try to understand the nature of the transition from traditional to modern housing.⁵⁷

While 19th century missionaries carried colonial intentions to isolated Indian reserves, few of them had Duncan's enthusiasm for building and it appears there were few housing projects with the scope of Metlakatla. The ongoing transition from traditional to European-style housing likely had more to do with the availability of building materials, proximity to urban centers, the level of isolation, the unique lifestyles of the people and region, their local economies, the individuals' ability to pay and their personal choice than colonial coercion. Though many scholars have written about government officials' interference⁵⁸ and the imposition of "White, middle-class" standards. By assuming that colonial wishes and desires were implemented with the force

⁵⁶ I drew on Sellers, "Wearing the Mantle on Both Shoulders."

⁵⁷ Richard Harris, "Development and Hybridity Made Concrete in the Colonies," *Environment and Planning*, 40.1 (2008): 24.

⁵⁸ J.R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada* (Toronto: University of Toronto Press, 1989), 189; Olive Patricia Dickason, *Canada's First Nations: A History of Founding Peoples from Earliest Times* (Norman: University of Oklahoma Press, 1992), 319.

they were articulated we risk overstating the effect of the missionaries and agents on the everyday lives of reserve residents.⁵⁹

By the early 20th century there is little evidence that government agents in the field possessed the missionary zeal of the likes of Duncan. The lack of Department capacity and the sheer paucity of economic resources would have tempered any of the ambitions they might have had to physically interfere with housing conditions on reserves. While some Indian Agents (especially on the prairies) lived in the communities and had day-to-day contact with the residents, more commonly agents would make short visits to the reserves only several times a year.⁶⁰ Field agents' reports from this time period show nothing more than a cursory interest in housing conditions, many simply repeating the same report year after year.⁶¹ These records show no evidence of agents initiating housing projects such as Metlakatla or Kincolith and it is my sense that the opposite is more likely to be true—by the 1930s agents avoided involvement in housing if they could. This can be seen, for example, in E.M. Eastwood's, Indian Agent for Rice and Mud Lakes Agency near Peterborough Ontario correspondence with Indian Affairs in Ottawa. After providing dental assistance to several band members the agency was inundated with requests that could not be satisfied. Faced with chronic lack of funding

⁵⁹ I have also gleaned this information from my work over the past twenty years doing housing policy analysis and training in First Nations across the country.

⁶⁰ It is hard to quantify how often agents visited reserves and the frequency would have been time and region specific. The sense I get from my research is that yearly visits would have been common in the north and other isolated locations, while in some regions such as the prairies agents lived on the reserves and had much closer contact.

⁶¹ This is my general observation from examining reports on housing in the Indian Department yearly reports for the period pre WWII.

Eastwood's approach was to ignore appeals for housing assistance because he feared the situation might "turn out to be another rush like that experienced with the dental work."⁶²

Reserves and Housing Under the *Indian Act*

Indian reserves are tracts of land set aside under the *Indian Act* and treaty agreements in which the legal title is vested in the Crown and that are reserved for the use and benefit of a specific Indian Band. Today there are more than 600 First Nations in Canada with approximately 3,100 separate tracts of land (reserves). More than half (53.6%) of the 901,053 Registered Indians in Canada live on an Indian reserve.⁶³

Reserves existed in Canada as early as 1637 when French missionaries set aside land around their churches with the intention of creating Christian communities of Indigenous people. As settlers began occupying Indigenous territories colonial authorities viewed the creation of reserves as a way of preventing land disputes. The process was not initially overseen by a central authority or administered by a central policy, and so practices, purposes and outcomes of the creation of reserves varied between regions. Over the years as the populations of the reserves have grown the size of many reserves has been reduced through government "cut-offs" and expropriations. The displacement of Indigenous people from their traditional territories onto these government-issued/government-owned and controlled land holdings coupled with the legislation

⁶² LAC, Department of Indian Affairs, RG 10, Letter from Indian Agent V. M. Eastwood, Rice and Mud Lakes Agency to The Secretary, Indian Affairs Branch, 29 June 1937, volume 10289, file 481/29-2-22.

⁶³ Demographic information found on the AANDC website. <https://www.aadnc-aandc.gc.ca/eng/1303134042666/1303134337338>

making Indians wards of the federal government set the conditions in place for the creation of the on-reserve housing system.

During the first few decades of the 20th century while the transition from traditional to modern housing continued to take place across the country there was a period of virtual Indigenous population stagnation. Reserve residents relied on their own resources and lived in relatively poor housing of their choosing. The main challenge for agents was to provide building materials for the very poor to repair the old houses rather than constructing new dwellings. By the 1930s three persistent problems began to disrupt the precarious balance—deepening poverty exacerbated by the Great Depression, the ongoing deterioration of the existing houses and an increase in reserve population. These issues pressed agents to find new ways to manage the distribution of housing assistance and the constraints of the *Indian Act* became more onerous.

Canada's official commitment to on-reserve housing stemmed from the federal government's legal and constitutional obligation to Status Indians in Section 91(24) of the *British North American Act of 1867*.⁶⁴ The consolidated *Indian Act of 1876* declared that Indians and lands reserved for Indians fell under the exclusive legislative authority of the Parliament of Canada. Through this section of the *Act* the government of Canada gained jurisdiction over many aspects of on-reserve life including housing. Although the *Act* made no direct reference to housing, four sections affected the way housing would be delivered.

⁶⁴ Mark Stevenson, "Section 91 (24) and Canada's Legislative Jurisdiction with Respect to the Metis," *Indigenous Law Journal*, 1 (Spring 2002): 237.

Under Section 1(3) of the *Act* an "Indian Reserve" was land held by the Crown "for the use and benefit of the respective bands for which they were set apart."⁶⁵ This meant that neither Indians nor Indian bands owned the land reserved for them; they had only an occupancy relationship to their reserves.⁶⁶ This ambiguous situation resulted in confusion over who owned and was responsible for improvements on the land and houses in particular; a matter that has yet to be resolved legally.

Second, in Section 30⁶⁷ the *Act* gave Parliament the authority to determine who was permitted to live in the houses and even, in some cases, the authority to restrict access to reserve land through the use of a pass system. While passes were not widely enforced, restrictions to residency would exclude certain people from housing opportunities. For example, the primary resident in a house was required to be a Status Indian and a member of the band. Indian women who married non-Indians lost their Indian Status, and those who married non-band members lost their membership to the band of their birth. As a result of this rule, for ninety-nine years both groups of women and their families had no claim to residency on their home reserves and were frequently expelled if they tried to return to their homes after having married out.⁶⁸ Although in 1985 Bill C 31 overturned

⁶⁵ "An Act to amend and consolidate the laws respecting Indians (Indian Act)," S.C. 1876, c.18., section 1-3, https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/textetext/1876c18_1100100010_253_eng.pdf (accessed 25 November 2015).

⁶⁶ For further reading on special property rights systems available on reserves see Christopher Alcantara, "Certificates of Possession: A Solution to the Aboriginal Housing Crisis on Canadian Indian Reserves," *Canadian Journal of Law and Society/Revue Canadienne Droit et Societe*, 20.2 (2005): 36-38.

⁶⁷ "An Act to amend and consolidate the laws respecting Indians (Indian Act)," section 30.

⁶⁸ The Tobique women who fought and won the battle that finally ended the *Indian Act's* sexual discrimination against Native women, began their political activity, not to change the *Indian Act* but because of housing issues on their reserve. For further reading see Janet Silman, *Enough is Enough: Aboriginal Women Speak Out* (Toronto: Women's Press, 1987).

this legal restriction and opened the way for women to return to their home communities, many bands continued to maintain restrictions over band residency by giving housing priority to members who had lived on the reserve without interruption for generations.

Third, the *Indian Act* placed government officials in control of managing the day-to-day aspects of Indians and their land, giving them veto over band leadership decisions and trapping reserve residents in the childlike status of wards of the state with no power over their own affairs.⁶⁹ For housing, this meant that Indian agents became bankers, construction supervisors and property managers, roles few of them had the education and skills to successfully fulfill.⁷⁰ The records are full of examples of agents taking responsibility for housing transactions away from reserve residents who were trying to manage their own affairs. Such was the case with Percy Ross of Songhees who rented his house while living away. A letter from Indian Agent Alfred Lomas in 1934 states: “Will you please let me know just what has happened in regard to Lease of your house and lot on Songhees-term of years and annual rental. In future these leases to White people have to be consented to by Ottawa.” Not only did Ross require Ottawa’s consent but Lomas demanded to be in full control of the matter. This top-down approach left residents no say in even the cosmetic appearance of their homes and the result was occupants living in

⁶⁹ For more on the effect of the *Indian Act* see: Ken Coates, “The Indian Act and the Future of Aboriginal Governance in Canada,” Research paper for the National Centre for First Nations Governance, 2008; John Tobias, “Protection, Civilization, Assimilation: An Outline History of Canada’s Indian Policy,” in *Sweet Promises: A Reader on Indian-White Relations in Canada*, ed. J.R. Miller (Toronto: University of Toronto Press, 1991).

⁷⁰ Library and Archives Canada (hereafter LAC), Department of Indian Affairs, RG 10, volume 12729, file 1/22.2, part 2. Communications between Mr. Percy Ross and Alfred H. Lomas, Indian Agent.

houses not of their choosing.⁷¹ Meanwhile most reserve residents lost the opportunity to acquire and practice anything other than the most basic housing skills.

In the same vein, but with even more dire consequences, Sections 61 and 62⁷² of the *Act* restricted Indians from managing their own financial affairs and gave government officials control over all financial transactions in regard to reserves. This restriction affected housing on the macro level in that Indian leadership did not have ultimate control over community revenues, even those earned through the sale of reserve lands and / or resources. It was therefore difficult to make use of community funds to develop housing strategies that might have drawn on their own traditions. Nor could they use their own funds to develop modern housing mechanisms such as lending or investing programs that would fit their needs.⁷³

Ironically, the most damaging aspect of the *Act* as it relates to housing is Section 89. (1), which was meant to protect Indian land and property from being transferred to non-Indians. It states:

Subject to this Act, the real and personal property of an Indian or a band situated on a reserve is not subject to charge, pledge, mortgage, attachment, levy, seizure, distress or execution in favour or at the instance of any person other than an Indian or a band.⁷⁴

⁷¹ In most cases there were few cosmetic details in the housing materials packages, but it was common practice for agents to order the same colour paint and linoleum for every house, which had the effect of making every house look the same.

⁷² “An Act to amend and consolidate the laws respecting Indians (Indian Act),” section 61-62.

⁷³ It was not until 1968 that Six Nations set up its own revolving loan fund. Only a handful of other bands have successfully used the government subsidy programs to create their own financial mechanisms for housing loans. For more about the Six Nations loan fund see Alcantara, “Certificates of Possession,” 80-90.

⁷⁴ “An Act to amend and consolidate the laws respecting Indians (Indian Act),” 89.

This section guaranteed that reserve land could not be dismantled a parcel at a time but it also prevented on-reserve assets from being used for collateral and denied reserve residents access to the financial mechanisms that other Canadians used to finance house construction.⁷⁵ Furthermore, this restriction also had the effect of preventing reserve residents from using the equity in their homes to help finance businesses or other wealth-generating activities.⁷⁶

Though the federal government had exclusive authority to govern reserve lands and people it had few options to provide housing opportunities given the barriers to mainstream financing erected by the *Indian Act*. Faced with these restrictions the Indian Department filled the gap with an alternative financial arrangement by fitting housing into the existing welfare program, using the bands' capital and revenue accounts and the federal Welfare Vote to provide housing assistance to the most destitute band members. It appears that up until the 1930s this welfare approach to housing filled the need and that

⁷⁵ While it was assumed throughout the 20th century that this proscription could not be mitigated it is important to remember that by the early 21st century government, banks and First Nations found ways to circumvent the problem without changing the *Indian Act*.

⁷⁶ It is common thought that paying off a mortgage on a home has been the most successful way for lower income households to build personal wealth. According to Monica Fisher and Bruce Weber, "Increasingly, scholars argue that poverty is not only a lack of income or consumption, but a lack of assets as well." Monica Fisher and Bruce A. Weber, "Does Economic Vulnerability Depend on Place of Residence? Asset Poverty Across Metropolitan and Nonmetropolitan Areas," *The Review of Regional Studies*, 34.2 (2004): 138. To pursue this discussion see: Christopher Herbert, Daniel McCue, and Rocio Sanchez-Moyano, "Is Homeownership Still an Effective Means for Building Wealth for Low-Income and Minority Households? (Was it Ever?)," Joint Center for Housing Studies of Harvard University, 27 November 2013, <http://www.jchs.harvard.edu/research/publications/homeownership-symposium-homeownership-still-effective-means-building-wealth> (accessed 28 November 2015). According to the authors homeownership has long been an effective means of accumulating wealth among low-income and minority households and having assets is a fundamental determinant of the long-run well-being of families and individuals. They argue that in spite of the challenging period in the U.S. from 1999-2009 when an economic slowdown culminated in the subprime mortgage crisis and collapse of several major financial institutions there is still a positive association between owning a home and accumulating wealth.

although most reserves were poor and isolated, until the Great Depression⁷⁷ reserve residents were still largely self-sufficient, welfare was distributed to the aged and infirm only, and even by 1944 new housing and repairs for the indigent only accounted for about eleven per cent of the welfare budget.⁷⁸ During this period most Indians provided shelter for their families using local resources and their own skills and labour as they always had done and neither asked for nor received help from the agents. Many lived in log and wood frame houses similar to those built by other rural Canadians, at the same time as others from the same reserve communities continued to live in traditional housing.⁷⁹ Housing choices were often linked to seasonal employment with hunters and trappers living in tipis and tents in the summer and log-or wood-frame houses in the winter. Using funds from the bands' own capital accounts the Indian Department⁸⁰ provided the destitute with building supplies—wood, tar paper and roofing material—enough to build a rudimentary shelter. By the mid 20th century reserve housing was widely known for its

⁷⁷This is not a hard and fast time frame. From my work on reserves I have come to know that many isolated reserve communities especially in the north and on the prairies continued their traditional lifestyles and took care of their own housing needs until the 1950s and 60s. I also make this assumption from the relative absence in the records of housing requests, the simple nature of the requests, the number of times I came across a reference to houses that had been built by the owner without assistance and the agents' uncomplicated response, which was to draw from its Welfare Vote for building supplies. It is hard to calculate what proportion of the housing assistance came from welfare and what came from the bands' capital accounts.

⁷⁸ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, part 1, 16. This does not account for how much was being drawn from the bands' capital accounts. As far as I know no one has created these numbers.

⁷⁹ See Appendix "A". Another example is found in the 1928 Battleford Agency, Saskatchewan, report for Sweet Grass Reserve, which states that, "Many of the Indians were living in tents." LAC, Department of Indian Affairs, RG 10, Battleford Agency Report, 1928, p 4, volume 8462, file 671-23-17, part 4.

⁸⁰ Various names reflect the changes in the federal departments responsible for Indians, therefore I use the title "the Department" throughout this dissertation to avoid confusion. The Department of Indian Affairs, 1880 -1936, was moved to the Department of Mines and Resources until 1950 and then moved to the Department of Citizenship and Immigration from 1950 - 1965 all the while still being called Indian Affairs. The Department of Indian Affairs and Northern Development (DIAND) was created in 1966 and later became known as Indian and Northern Affairs Canada (INAC). In 2011 the name was changed to Aboriginal Affairs and Northern Development Canada (AANDC).

poor quality, as described at a social work convention in Ottawa in the 1940s, “Our Indian people, insofar as they live in settled communities, are a race of slum dwellers.”⁸¹

There is little literature on the effects of the *Indian Act* on Indigenous housing. Susan Neylan and Adele Perry’s investigations are important discussion of the way 19th century housing was used as a colonial tool used to civilize Indigenous people, but they offer no analysis of how Indigenous housing fits into the broader context of housing in Canadian society. Several dissertations and thesis make important contributions to the 20th century discussion of on-reserve housing, most significantly were Mary Sudebar’s study of First Nations communities, which focused on the physical and community aspects of reserves,⁸² and Christopher Alcantara’s investigation of the modern on-reserve housing crisis and search for housing solutions through ideas of private property.⁸³ The intellectual alienation of the field of on-reserve housing has reinforced its separateness and kept discussions about houses on reserves locked in the intransigent issues of the *Indian Act*, treaties, and welfare and as a result the federal government has been able to continue to absolve itself from its particular responsibility for failing to provide housing opportunities on reserves. When the broad concepts of housing I explore in the rest of this

⁸¹ Joint Submission of Canadian Welfare Council and the Canadian Association of Social Workers to The Special Joint Committee of the Senate and the House of Commons, appointed to examine and consider the *Indian Act*, Ottawa, 1947, 4 as cited in Cyril Kirby Toren, “Indian Housing and Welfare: A Study of the Housing Conditions and Welfare Needs of the Mission Reserve Indians,” (Master’s Thesis, University of British Columbia, 1957), 15. Toren’s study arose out of the interest of Indian Affairs in the housing needs of the Squamish Band and was to be used to develop a housing plan for a modern native community. Two surveys were made that involved home visits and questionnaires over a considerable period of time on the Mission Reserve, a small community of the Squamish Nation located within the North Vancouver City boundaries. His information tables used a random selection of twenty-seven homes.

⁸² Mary Subedar, “When States Design: Making Space on Native Reserves,” (PhD Dissertation, University of British Columbia, 2005).

⁸³ Alcantara, “Certificates of Possession,” 183-205.

chapter are applied to on-reserve housing they provide new opportunities for exchange and not only will reserve housing benefit from ideas generated in the mainstream field of housing the opposite is also true. Reserve housing has a lot to teach the mainstream, if only because it is arguably the most interesting and distressing test case in Canada of how not to operate a housing system.

House and Home—The Idea of Dwelling

The common distinction between a house and a home sets an empty room in a house against a comfortable chair and braided rug in a home. Peter King uses the word “dwelling” to move beyond these notions of house and home, differentiating “housing”—the physical entity we call a house—from “dwelling”—what we have and do inside that building. Dwellings are recognized for their function as habitable shelters, places where children, and therefore societies are socialized, where humans protect themselves and their families from the outside world. People live in groups of dwellings that make up communities. The idea of “dwelling” embraces ideas of privacy, intimacy, and recuperation and also sharing, learning, and protecting.⁸⁴

According to Tim Putnam, “Dwelling is at the core of how people situate themselves in the world.” A dwelling is where human beings inhabit space in the broadest sense, transcending bricks and mortar to encompass the human condition across races and cultures, comprising physical and sociological factors as well as “those

⁸⁴ King, *Private Dwelling*, 171.

psychological, ontological and emotional resonances we experience within the context of our personal physical space.”⁸⁵

Martin Heidegger claims that, "if we are capable of dwelling, only then can we build,"⁸⁶ adding that buildings are constructed with dwelling as their goal. Heidegger and many thinkers who have followed him evoke poetry in their descriptions of the relationship between the dweller and builder. In a similar way to Nabokov, Heidegger suggests that if humanity is to reach its full potential, our buildings or dwelling places must engage peacefully with the sun, the earth, the sky and seasons. Reena Patra describes buildings as “mediating objects through which we create a world for ourselves and enter into a dialogue with the world around us by defining and articulating our relationship to our fellow beings, nature and its phenomena and ‘the world beyond’.”⁸⁷

There is a tangible angst and longing in Heidegger’s ideas that I find interesting because he wrote after World War II, when most of the urban areas of Germany had been turned to rubble. The mass destruction of infrastructure created a demand for new buildings and also opened up a space and an opportunity to rethink housing altogether. Heidegger called the post-war era the “precarious age,” when the housing shortage was extreme and architecture was faced not only with the question of what sort of places would shelter people, but also what sort of peaceful dwelling or cohabitation post-war

⁸⁵ Tim Putnam, “‘Postmodern’ Home Life,” in *At Home: An Anthropology of Domestic Space*, ed. Irene Cieraad (New York: Syracuse University Press, 1999), 144.

⁸⁶ Martin Heidegger, *Poetry, Language, Thought*, trans. Albert Hofstadter (New York: Harper and Row, 1971), 157.

⁸⁷ Reena Patra, “A Comparative Study on Vaastu Shastra and Heidegger's ‘Building, Dwelling and Thinking,’” *Asian Philosophy: An International Journal of the Philosophical Traditions of the East*, 16.3 (2006), 213.

Europeans would be capable of experiencing. He imagined that “the real dwelling plight lies in this, that mortals ever search anew for the nature of dwelling, that they must ever learn to dwell.”⁸⁸ Heidegger questioned whether war-torn German people were capable of dwelling in a place with some sense of permanence and peace.

Stewart Cook disrupts the static and seemingly essential nature of Heidegger’s brick and stone dwellings by pointing out that Indigenous shelters in Australia are not permanent structures and must respond to the instability of an unsympathetic environment, while providing spaces for peaceful dwelling. The conditions Cook describes bring us back to the circumstances that resulted in the wide variation in traditional Indigenous shelters across Canada, each responding to environmental imperatives and accommodating the occupants’ travel, food acquisition, and other daily needs with less permanence but ample flexibility to accommodate their lifestyles.⁸⁹ Cook argues that dwellings do not necessarily need to be permanent to be part of an integrated social system. In the past, this system of flexible and responsive housing facilitated a peaceful relationship between the building, environment, and occupant and thus exemplified Heidegger’s notions of dwelling.

Mirroring Heidegger’ metaphysical description of housing as a poetic affiliation between the material structure and the people living inside, anthropologist Walter Goldschmidt described American tribal architecture as “responsive as much to the inner

⁸⁸ Heidegger, *Poetry, Language, Thought*, 161. For a further discussion read Martin Woessner, “Ethics, Architecture and Heidegger,” *City: Analysis of Urban Trends, Culture, Theory, Policy, Action*, 7.1 (2003): 23-44.

⁸⁹ Ideas from Stewart Cooke, “Echo-Coherence: Moving on from Dwelling,” *Cultural Studies Review*, 17.1 (March 2011): 230-246.

environment of cultural presupposition and social interaction as it is to the external environment of wind and weather.”⁹⁰ The idea of integrating dwellings with the environment—of a balance between meaning and function, refers to “function” in a universal sense and implies the use of local materials, human ingenuity, and homeowner and community effort.

Craig Keating argues that the material aspects of a house impact more than individual and environmental relationships and have a profound effect on all social relationships. Houses, Keating observes, play important roles in the cultural construction of class, gender and individual identities, and, furthermore, housing has “symbolic and ideological values that have been important to the structuring of European society in the past.”⁹¹ According to Kevin Gotham and Krista Brumley, living space is not simply a place where social action occurs but is, rather, “a constitutive dimension of social life that shapes life experiences, social conflict and action”⁹² Looking at housing in this way allows us to understand housing as an active agent in creating both our status and the structure of our societies and not as simply a reflection of societal position.

King contends that we need to address similarity over difference in our consideration of housing and that we are able compare the human need for a house, the materiality of houses and the living conditions experienced in the houses across regions

⁹⁰ Nabokov, *Native American Architecture*, 12.

⁹¹ Craig Keating, “Culture and Popular Culture: Modern Recreation and Leisure, Religion, Education and Literacy,” *Encyclopedia of European Social History*, ed. Peter N. Stearns (Detroit: Charles Scribner’s Sons, 2001): 461.

⁹² Kevin Fox Gotham and Krista Brumley, “Using Space: Agency and Identity in a Public–Housing Development,” *City and Community*, 1.3 (September 2002): 267.

and cultures.⁹³ When imagining shelter that can be found in different forms around the world and over time, whether in caves or mansions, at a fundamental level, there are ideas about the material aspects of shelters as protection from the elements that are common throughout humanity as are the consequences of the lack of adequate shelter.⁹⁴

The separation of Indigenous studies from mainstream scholarship has resulted in its exclusion and by overlooking similarities and limiting our understanding of on-reserve housing to issues of colonization and race we have ignored the fact that Indians need the same quality of shelter as the rest of society. We have allowed the *Indian Act* to restrict our vision and we have become stuck in the position that without changing the whole system; dissolving the powers of the Indian Department and overturning the legislation that we can do nothing. Yet, if we had looked at similarities we would, perhaps, have realized that even within the system and taking into account the unique conditions that existed on reserves that we need not have been bound by what did happen, as if there were no other possibilities.

With the case for inclusion in mind we need to remember that on-reserve housing is unlike any other housing in Canada and as my study reveals in subsequent chapters it operates under a unique set of policies and practices. From the start Indigenous people had different housing traditions that included the long, narrow, elm pole and bark Iroquoian longhouses, the Ojibwa's domed wigwams sheathed with cattails or bulrushes, the portable cone-shaped teepees covered with bison hides of the Plains people, the semi-

⁹³ King, *A Social Philosophy*, 5.

subterranean pit-houses of the BC Interior people and the moveable, split-plank houses of many of the peoples of the Pacific Coast. These houses were not merely physical buildings but family, economic and cultural organizational structures, where “houses” take on the crests and totems of clans and co-function as houses of government.

While some Indigenous groups in southern Ontario and Quebec made the transition to modern single-family wood-framed homes more than a hundred and fifty years ago most Indigenous groups across the country adopted modern housing styles much later than that. The transition to modern housing styles was sometimes tied to government relocation, as was the case in Amos, Ontario as we will see in Chapter Three, but often it was tied to changes in modes of earning a living. For example, in 2011 when I worked in Moose Cree First Nation on the southern tip of James Bay, I was told that until the 1950s most of the community had continued to trap and live in “old-fashioned” wigwams as they had done for generations. To this day Moose Cree people continue to construct and live in similar temporary shelters when they are on the trap line.

The transition to modern housing took place relatively recently for my own family on Vancouver Island. One family story of the early 20th century is of my children’s great grandmothers who headed out in their canoes in the early spring to set up camp on Mayne Island⁹⁵ where they would fish with their families until heading back to their winter village in Tsartlip at the end of the season. I was also told that my father-in-law, Ernie Olsen, was born in 1917 in a long-house on a neighbouring island and did not live in modern accommodations until he was sent to residential school at the age of 8 or 9 years.

⁹⁵ Historically the Tsartlip people had a fishing village on Mayne Island, approximately 42 kilometres north-east of Tsartlip.

The topic of the transition from traditional to modern western-style housing is as wide reaching as the regions of the country and as varied as the communities themselves and it is a topic I am not qualified to discuss fully. However, I am raising the topic of transition again here as a way of reminding us how recent the changes have been to many people and that there is no doubt that the memory of such housing experiences continue to affect current Indigenous housing realities in ways I cannot express.

In the 1930s government established two housing systems in Canada, one for the mainstream, the other on reserves⁹⁶ based on housing concepts that were largely in opposition to many of the broad western ideas we associate with housing such as individual expression, investment, enjoyment and privacy. That is not to say that houses on reserves have not fulfilled some of these desires or that reserve residents do not express themselves through their houses. Nonetheless houses on reserves became imposed objects, symbols of oppression and experiences of discomfort and shame designed by a government whose intentions in the early years were to eliminate Indigenous people in Canada and delivered by government agents who assumed that the occupants and the Indian communities had not reached a state of maturity adequate for handling their own housing decisions. Furthermore it was commonly thought that Indians deserved a lower standard of housing than other Canadians and, I have heard it argued that because they lived in seasonal food gathering villages with temporary and transportable dwellings that they expected nothing more when they settled in permanent

⁹⁶ For my full discussion see chapter two.

communities.⁹⁷ For these and other reasons, on-reserve houses continued to be primarily rudimentary structures defined by scarcity and inadequacy rather than production and improvement. Built on government property, reserve homes were never seen as an investment and as a result suffered constant tension over who was their rightful owners, and barely provided a basic sense of housing security. Instead of enjoyment, reserve residents often resented their houses and relationships between houses, First Nations, and, particularly, government-controlled housing programs has been fraught with difficulty.

As I examine the series of failed relationships, in later chapters, that have come to define on-reserve housing, I am mindful that I am talking about the intimate relationships people have with their homes and I do so with profound respect. It is not my intention to reduce reserve residents' experiences of their houses to a negative stereotype or to expose it for the purposes of the observers, as, I believe, has been the case in the modern media. While there has likely been a wide range of sentiment from love to hate towards houses on reserves it is certain that Canada's system of on-reserve housing has created an often hostile relationship between the occupants and their houses, between the occupants and First Nations, and between First Nations and the federal government.

Who Decides Where, How, and With Whom We Live?

The broad strokes of on-reserve housing theory can be seen as a political struggle between the liberal democratic principles of the new Canadian state and the collectivist, domination-oriented practices imposed by the *Indian Act*. The principles of individual

⁹⁷ This topic is developed in the next few chapters.

expression and equal access to wealth and opportunity expressed in liberal democracies through free markets and capitalism were withheld from reserves by the state, while Indigenous political structures and modes of economy were destroyed thus guaranteeing housing poverty and powerlessness. I am not extolling the virtues of the free market or suggesting that the market approach to housing successfully provides access to all. But in the absence of mainstream mechanisms and functional traditional economies the government-controlled system failed to produce the basic necessities of housing production such as adequate resources, individual and community choice, building standards, and the opportunity to develop housing knowledge.

It is hard to fathom why in a liberal country like Canada, so rich in resources and with such a high standard of living, such substandard living conditions persisted for a clearly defined and situated underclass. Peter Malpass, discussing working class housing in Britain and the problems associated with poorly housed populations, states:

It is to no one's long-term advantage for a large proportion of the population to be living in unhealthy or seriously inadequate accommodation. Decent housing is economically necessary to capitalist interests: an efficient and productive labour force must be adequately provided with those services such as education health-care and housing which maintain and enhance the capacity of labour."⁹⁸

As recently as 2012, United Nations official, James Anaya stated that Canada has created a separate class of poor on reserves that has earned the country not only criticism of the United Nations but has cost an untold amount financially and socially. In his report to the United Nations in 2014 he states, "The statistics are striking. Of the bottom 100

⁹⁸ Peter Malpass and Alan Murie, *Housing Policy and Practice* (London: Macmillan, 1982), 3.

Canadian communities on the Community Well-Being Index, 96 are First Nations and only one First Nation community is in the top 100.”⁹⁹ From this perspective, it should be in the interest of the state to resolve housing issues on reserves. Ostensibly the state solved the problem by filling the gap left by the absence of mainstream financial mechanisms by providing contributions managed by the Indian Department. Taking Tom Flanagan’s argument that “a market economy has to be undergirded by a set of rules about ownership that make efficient exchanges possible,”¹⁰⁰ the first impulse is to agree that in the absence of the legal possibility of market solutions, government intervention was not only needed it was essential. But this is setting up a false dilemma; either there is market housing or a government-controlled system, which prevents us from seeking other approaches based on the traditional structures that were destroyed in the process. Even if we assumed that housing needed to be government controlled it does not necessarily follow that the system that did occur was the only or the best option available.

My intention is not to examine other housing options, or to present “what if” arguments. However, from my reading of the records and my experience working in the field of on-reserve housing it appears obvious that even within the reserve system, faulty and oppressive as it was, there were other options and approaches available to the state that would have brought about fundamentally different and better outcomes. For example, the Department could have provided opportunities for band leadership and residents to make design choices, administer their own finances, and develop their own

⁹⁹ James Anaya, “Report to the Special Rapporteur on the rights of Indigenous peoples,” United Nations General Assembly, Human Rights Council, 4 July 2014, 7.

¹⁰⁰ Flanagan, Alcantara, and Dressay, *Beyond the Indian Act*, 131.

housing policies and thus creating their own housing culture on reserves. Another possibility was that when the Department borrowed mainstream mechanisms such as loans and mortgages and building inspections¹⁰¹ they could have amended the policies and practices to fit reserve economic and social conditions to ensure successes as they have done in the last ten years. Without changing the *Indian Act* since 1956 or land ownership arrangements, banks, bands and the federal government have made individual mortgages available on reserves with similar administrative requirements as off reserves with the same level of success. Band members in many First Nations can now build and own their own houses. This is just one example that, along with others, could have been incorporated into the reserve system and would have led to significantly better outcomes.

This leads me to ask if the programs were ever intended to succeed or did the Department¹⁰² accept failure as part of its approach. In his book *What is the Indian "Problem"?* Noel Dyck argues that, "the theory of Indian 'inferiority' provided the rationale for the unilateral assumption of control over Indian lands, resources, communities and ways of life."¹⁰³ Accordingly, the thorough exclusion of Indians from any decision-making authority over their housing is an example of the racist assertion of European superiority. The same theory of Indian inferiority can be one explanation of what prevented the Department from providing adequate housing opportunities on reserves and instead allowed and expected if not intended housing to fail.

¹⁰¹ This is discussed in chapters four and five.

¹⁰² Over the years the federal department in charge of administering Indian programs changed its name several times. Throughout this dissertation I use the term "Department."

¹⁰³ Noel Dyck, *What is the Indian 'Problem': Tutelage and Resistance in Canadian Indian Administration* (St. John's: The Institute of School and Economic Research, 1991), 25.

What Is Fair and Just?

Setting aside arguments of treaty rights and whether or not the government owed status Indians housing as compensation for what they lost due to the *Indian Act*, if one looks at government intervention within the parameters of the reserve system, then the question of different treatment becomes an issue of fairness. It becomes an issue of whether Canada is a just society as imagined by former Prime Minister Pierre Trudeau, “The Just Society will be one in which all of our people will have the means and the motivation to participate... The Just Society will be one in which the rights of minorities will be safe from the whims of intolerant majorities.”¹⁰⁴ While it may appear that government has contributed more to on-reserve housing than off, reserves have never come close to achieving equal housing standards to neighbouring communities. It can be argued that the contribution and the Department’s control over its distribution were not a benefit but rather were largely responsible for the housing problem. If Indigenous people had control over their own housing decisions, though poverty and isolation may have continued to have a negative effect on housing outcomes, the failure would have been tempered with housing successes. Even if the economies of the reserves were such that only a few residents could have afforded to acquire substantial homes at least other reserve residents would have witnessed housing success, would have known there were housing opportunities and would have been able to imagine their own successes. The trouble with ‘if only’ is that we can never get to neutral—there was no time or place since

¹⁰⁴ Pierre Elliott Trudeau, Ron Graham, ed., *The Essential Trudeau*, Toronto: M&S, 1998, 18.

the early 1900s when the government did not intervene and did not treat housing on reserves differently than housing in the rest of the country.

When the housing problem on reserves deepened in the decades after WWII, government responded by tightening its control on subsidies, adding more administrative requirements and implementing increasingly restrictive housing programs. The Department never seemed to have contemplated the idea of on-reserve housing without state control—increasing intervention was deemed to be not only the solution, but the *only* solution. From the start the state limited its options by preventing Indians from accessing mainstream financial mechanisms, but that it continued to support and increase its interventions in the face of failure is evidence of persistent and pernicious colonialism and racism.

In the book *Housing: Who Decides?* Peter King and Michael Oxley look at this question from outside the colonial perspective and debate who should decide on issues of housing provision and to what degree government should determine housing outcomes. King takes the position that the “role of government should be limited to facilitating individual choice and removing restrictive and centralizing barriers to choice and freedom.”¹⁰⁵ He argues that if individuals are provided with maximum choice and options then, generally speaking, they are competent and will make rational decisions that are best for their circumstances and families and that social policy, therefore, should be made based on that assumption. He contends that direct assistance, whether in the form of

¹⁰⁵ Peter King and Michael Oxley, *Housing: Who Decides?* (Basingstoke: Macmillan Publishers, 2000), 174.

finance or management and maintenance, exacerbate rather than eliminate problems and de-incentivize recipients.¹⁰⁶

Oxley's vision of the state's role in housing is more extensive and includes empowering individuals and regulating market activities. In his view, governments should take a "significant interest in the housing provision process and the details of its outcomes."¹⁰⁷ He counters King's proposition of an individual and market-based approach to housing and makes the point that housing policy is itself a collective, as opposed to an individual, approach to the provision of housing. Social policy implies the "possibility of social decision making and beneficial policy requires that the social decision is, in some respects, better than individual decision making". He posits that redistribution of wealth for the purpose of housing the poor is essential if a just society is to equalize structural inequities. "Being in favour of some decisions being made on behalf of society is not to argue that society, or an agent of society, should be the owner or the supplier of housing."¹⁰⁸

King's libertarian and Oxley's liberal approaches to housing have limited application on reserves, given the absence of housing markets and government intervention being thoroughly entrenched in almost every aspect of on-reserve housing. Therefore, their disagreements over the virtues of the market are not as pertinent to this discussion as are their points of agreement. Both argue that housing policy debates must rise above discussions of supply and instead question the purpose of public housing

¹⁰⁶ Ibid., 26-45.

¹⁰⁷ Ibid., 174.

¹⁰⁸ Ibid., 71.

policy, and that the discussion must also include questions about the means to achieve ends. They agree that housing policy must ensure there is opportunities for adequate housing for all citizens and that policy should determine the level of government participation in housing decisions. While King believes in almost no government input and Oxley allows for considerably more, they agree that when the state is involved, its role should be limited to achieving specific ends for particular problems that the state can resolve within a given time frame and should not devolve into permanent direct government provision; there is no place for piecemeal and crisis-driven policy or “extensive direct public provision.” Their points of agreement are driven by the shared belief that “a significant element of individual choice over personal housing decisions, such as where to live, what sort of house to live in and how much to spend on housing,” is critically important for successful housing.¹⁰⁹

On-reserve housing can be seen as a case study of King and Oxley’s worst scenarios put into practice. Nowhere in Canada is there an example of a higher degree of persistent government intervention in housing than on reserves. The federal government created a national housing system and applied it in a one-size-fits-all approach to reserves, not for a set time-frame or to address a particular set of circumstances, but because from the beginning government intervention was legally required as a result of the *Indian Act*. Most significantly on-reserve residents had little individual choice over personal housing decisions, such as where to live, what sort of house to live in and how much to spend on housing.

¹⁰⁹ Ibid., 172-177.

The Department assumed control over housing from the details of design to the financial management of building projects. Generally, decisions were made for reasons of economy and efficacy and focused on what could be excluded and reduced rather than what was needed or desired. While some Indian agents lived close to the reserves and would have had some understanding of the housing conditions, many did not. In both cases field agents answered to their supervisors in Ottawa, who rarely, if ever, visited the reserves and had little or no understanding of how their decisions affected the people who lived in the houses they provided. In the 1960s, the Department released to the bands control over some administrative functions while maintaining authority over major housing decisions. Even by the mid 1990s few reserve residents were given the opportunity to choose even the cosmetic details of their houses such as paint colours and floor coverings.

King and Oxley argue that an individual's freedom to choose his/her housing is generally an issue of competence. Governments usually take control over housing only when competence, or, in the case of the poor, the ability to pay, is questioned, or when choice is withheld, as is often the situation with institutionalized housing such as prisons and hospitals. Otherwise, housing choice is seen as a basic human requirement if a person is to thrive. According to King, the problem with competence is that if an individual is deemed incompetent and the state acts on that person's behalf, the assumption is that the state will act competently.¹¹⁰ In the case of on-reserve housing government initially withheld choice because of its perception that Indians, as wards of the state, were

¹¹⁰ King and Oxley, *Housing: Who Decides?*, 28-29.

incompetent to manage their own affairs and as time went on poverty and the ability pay became a supporting reason. By the 1950s¹¹¹ when it became perfectly clear that the state was acting incompetently as could be seen across the country in that the system failed to produce livable housing, the Department bolstered its involvement and implemented subsequent programs to increase production rather than, as King and Oxley suggest, examining the means by which it was trying to achieve its goals.

In response to concerns over residents' growing dependency on government programs and the lack of the residents' personal responsibility for their houses, the Department increased government control. In the 1970s when Indian leadership began to demand Indian decision-making authority over housing, their protests were met by the Department's reinforced commitment to government-knows-best policy, exacerbating a central confusion over ownership and responsibility. Government maintained authority while using rhetoric of band and individual ownership and withholding the financial and legal mechanisms bands needed to control their own housing destinies.¹¹² The social effect of removing decision-making authority from the residents and band leadership resulted in the absence of housing skills such as making loan and rental payments, basic home maintenance and repairs, and effective landlord/tenant relationships. Arguably the most debilitating outcome of the government control was that it stripped reserve residents of hope.

¹¹¹ See chapter four.

¹¹² For a similar discussion in the British context read King and Oxley, *Housing: Who Decides?*, 1-7.

We are familiar, in the west, with the idea that a critical component to human well-being is the ability to imagine something better in a possible future. Many of us have been convinced by Paulo Freire in *Pedagogy of Hope: Reliving Pedagogy of the Oppressed*, in which he writes, “without a minimum of hope, we cannot so much as start to struggle. But without the struggle, hope...dissipates, loses its bearing, and turns into hopelessness.”¹¹³ Research posits that hope is dependent on two ways of thinking: the person’s perceived ability to pursue goals despite obstacles and his/her perceived ability to find a way to achieve those goals.¹¹⁴ This idea is evident in mainstream housing where people plan for years to purchase or build their dream home. Conversely, on reserves personal housing goals were restricted by the meagre possibilities set by the government housing system. Generations of reserve residents experienced the same obstacles to their housing imagination resulting in a whole population that has had no opportunity to hope or dream about their houses. While the psychological and spiritual effects of the absence of hope have not been studied in the context of reserve housing Princeton theologian Donald Capps looks at the dynamic of hope and hopelessness and the imagination as an instrument of coping in the context of institutional living. Accordingly he states, “I

¹¹³ Paulo Freire, *Pedagogy of Hope: Reliving Pedagogy of the Oppressed* (New York: Continuum International Publishing Group, 1992), 2.

¹¹⁴ Robert Weis and Elena C. Speridakos, “A Meta-Analysis of Hope Enhancement Strategies in Clinical and Community Settings,” *Psychology of Well-Being: Theory, Research and Practice*, 1.5 (2011): 3. For other discussions on the relational aspects of hope, achievement and success see: Kevin, L. Rand, Allison D. Martin, and Amanda M. Shea, “Hope, but not Optimism, Predicts Academic Performance of Law Students beyond Previous Academic Achievement,” *Journal of Research in Personality*, 45.6 (December 2011): 683-686; Lewis A Curry, C.R. Synder, and David L. Cook, “Role of Hope in Academic and Sport Achievement,” *Journal of Personality and Social Psychology*, 73.6 (1997): 1257-1267.

conclude that among the selves that comprise our composite Self, the hopeful self is essential to life itself.”¹¹⁵

No act of devastation, like WWII in Heidegger’s Germany, occurred in the history of on-reserve housing. Rather, the struggle to peacefully dwell was the result of a slow loss of control from the integrated traditional system of dwelling of their own making that responded to seasonal needs to a state-delivered system that was at odds with the location and the occupants. Tiny government-issue houses were incompatible with the needs of the burgeoning population and because they were so cheaply built they soon became unsuitable for human habitation. They were places where hope was extinguished and where people, over time, lost their ability to dwell in the buildings. By the mid-late 20th century, after several generations of reserve residents had lived in devastatingly inadequate houses, we are able to see how the buildings that were made by the Indian Department had begun to create the type of people who lived in them. Government programs produced poor houses that caused alienation between residents and their homes and when housing is understood in this way, it is put in its rightful place as an active force in creating poverty and the endless social problems suffered on the reserves.

Power and Resistance

The legal constraints around housing on reserves and the systematic delivery of housing assistance were creations of the state and not the making of the people who lived

¹¹⁵ Donald Capps, “Imagining Hope: William F. Lynch’s Psychology of Hope,” *Pastoral Psychology* (8 May 2015): 1.

in the houses. Therefore the central task of my investigation was to examine state records and to explore the government discourse to reveal the ideas, plans, and actions of the people who made the decisions that resulted from the housing programs.

The bigger challenge was to explore the same records and therein find a legitimate story of the residents' response to their housing conditions. Initially, I had planned to gather oral testimony and let the actors speak for themselves. I believe that if on-reserve housing is to be fully restored it will be through the recollections of Indigenous people across the country, but that is a topic for other studies, other researchers, and another time. The challenges of gathering the pieces of the story from the government archive and the insights therein are enough for one dissertation.

There are obvious methodological problems with using government records to find Indigenous voices. Convincing warnings come from scholars such as Edward Said in his book *Orientalism*, where he claims it is not possible to find anything real about the Orient in the discourse¹¹⁶ and from Gayatri Spivak who claims “the subaltern cannot speak”¹¹⁷ almost persuaded me that I should not discuss resistance in the absence of the resisters and that my settler status may preclude me from speaking at all. After reading the records I was persuaded that resistance could be heard in Department records and though the voices are muted and likely distorted they provide unique and important insights into the narrative.

¹¹⁶ Edward W. Said, *Orientalism* (New York: Vintage Books, 1994).

¹¹⁷ Gayatri Chakravorty Spivak, “Can the Subaltern Speak?” in *Marxism and the Interpretation of Culture*, eds. C. Nelson and L. Grossberg (Basingstoke: Macmillan Education, 1988), 90.

Sherry Ortner maintains that authentic voices of resistance can be found in written records in spite of their provenance. She writes that it is “grotesque to insist on the notion that the text is shaped by everything but the lived reality of the people whom the text claims to represent.”¹¹⁸ Accordingly government correspondence proved to be a rich source of examples of resistance, but not in the way I had expected. Looking for obvious and powerful examples of opposition to the Department and its agents proved disappointing. It was not until the 1970s rise of the pan-Indian movement that a strong Indigenous voice of resistance emerged. Though in the earlier records there were hints and traces of push-back from residents, I needed a way to understand what I was reading.

The records, although purposefully written by and for the government, are importantly shaped by the subjects; by particular individuals and bands, and by regions and eras. If read with particular circumstances and context in mind, the documents create a relational representation of conditions and events that could not be garnered through face-to-face research. The narrative does not emerge from a single text, but from an abundance of communications written by dozens of government officials, about many Indians and circumstances, in diverse locations across the country and over several decades. The proliferation of details provides a sense of the multiple, layered and interactive relationships at play.

¹¹⁸ Sherry Ortner, “Resistance and the Problem of Ethnographic Refusal,” *Comparative Studies in Society and History*, 37.1 (January 1995): 188. See Susan Seymour, “Resistance,” *Anthropological Theory*, 6.3 (2006): 303–321.

While individual people and their experiences are present in the texts, the act of interpreting their actions as resistance is fraught with ambiguity. According to James Scott the search for significant public protests against oppressive government systems is often misplaced and that it is more important to understand “everyday” forms of resistance. These types of struggle are not outright collective acts of defiance, but ordinary “weapons of relatively powerless groups,” a group to which reserve residents most surely belonged. “Weapons of the weak” Scott states, are common while they are not easy to identify and comprise everyday acts such as, “[f]oot dragging, dissimulation, false compliance, pilfering, feigning ignorance, slander, arson, [and] sabotage.”¹¹⁹

Using Scott’s model, acts of resistance, are found throughout the records in the form of unsolved fires, refusal to cooperate with building schedules and plans, acts of vandalism, sabotaging the housing programs by not paying loans and rent and lack of home maintenance. Like the peasants of the Malaysian village, studied by Scott, reserve residents were “scattered across the countryside, lacking formal organization and best equipped for extended, guerilla-style, defensive campaigns of attrition.”¹²⁰ While Scott’s theories of class and guerilla actions garnered from peasant studies are not entirely applicable in this instance, the similarities are obvious. Reserve residents responded to

¹¹⁹ Scott, *Weapons of the Weak*, 28-29. See also James Scott, “Resistance without Protest and Without Organization: Peasant Opposition to the Islamic Zakat and the Christian Tithe,” *Comparative Studies in Society and History*, 29.3 (1987): 417-452. I cannot easily transport ideas about peasants to First Nations or Indian reserves. There are inherent dangers in simplifying Marxism and molding it into other purposes. However, the usefulness of Scott’s observations cannot be overlooked.

¹²⁰ *Ibid.*, xvii.

housing delivery as Scott described, “nibbl[ing]” away at housing policies with acts of non-compliance.¹²¹

Marshall Sahlins argues that Scott’s descriptions of everyday resistance risks turning every act into resistance and turning the potentially trivial into the “fatefully political.”¹²² From this point of view, Scott’s theory provided a way for everyday forms of resistance to be used to interpret almost any action as being intentionally resistant and an act of politics. Furthermore without evidence of collective and political intention can individual acts be seen as resistance?

British Marxist historian, Eric Hobsbawn, explores the question, “Are peasants political?” in his studies of peasant revolts.¹²³ His treatment of peasants has interesting similarities to reserve residents in the mid 20th century. Peasants, according to Hobsbawn were confined to their own communities with a heightened awareness of their internal politics but excluded from the outside world. He claims that peasants were aware of their distinction from and their subordination to their oppressors, yet they were less likely to be able to discern the wider political influences that affected them.¹²⁴ This exclusion, he argues, prevented political organization against the larger political power oppressing their societies.¹²⁵ Apart from Hobsbawn’s focus on class, similarities can be seen between the peasants he studied and reserve residents in the period from 1930 to 1970. Reserves were

¹²¹ Ibid.

¹²² Wing-Chung Ho, “James Scott’s Resistance/Hegemony Paradigm,” *Acta Politica*, 46 (2011): 46.

¹²³ Eric Hobsbawn, “Peasants and Politics,” *Journal of Peasant Studies* 1.1 (1973): 5. Hobsbawn argues that in the case of peasants the influences came from outsiders who instigate true political resistance.

¹²⁴ Ibid., 13.

¹²⁵ For a further discussion on Hobsbawn see Philip Corrigan, “On the Politics of Production: A Comment on ‘Peasants and Politics’ by Eric Hobsbawn,” *The Journal of Peasant Studies*, 2.3 (1975): 341-342.

isolated communities with few means of outside communication and residents were separated from mainstream society by race, culture and economy. Notwithstanding that their houses grew to be dramatically worse in comparison to neighbouring mainstream villages, there is little evidence that they primarily compared themselves to people outside the reserves. Generally they looked inside for comparisons—who was getting what—thus, they did not associate their substandard housing with wider political influences. Furthermore, agents actively limited their exposure to off-reserve housing and any opportunity that might foment discontent. It was not in the agents' interest to let comparisons take place that would raise awareness of the vast gap between housing standards on- and off-reserve.¹²⁶

Looking at resistance through a lens of collective protests and revolts Hobsbawn ignores the everyday acts of resistance and argues that peasants needed outsiders to instigate their resistance—that change happened *to* peasants—that they did not represent themselves. This could be said of the reserves in the 19070s when “outsiders” appeared on reserves in the form of a new group of pan Indian leadership that took housing complaints to a decidedly political level. However, my sense is that this leadership movement grew out of the experiences of discontent and individual acts of non-compliance; while the hundreds of acts of struggle against the system over several decades may not be called overtly political they created the foundation, and the *raison*

¹²⁶ By the 1960s the practice of keeping Indians isolated on reserves was reversed and agents began to actively encourage them to move off reserves as a way to relieve the housing crisis and, due to the lack of employment on reserves, as a way to promote economic independence.

d'être for the collective political voice and provided impetus for the Indian rights movement. Without these acts there would have been no wider voice, no protest.

Raymond Williams argues that domination in closed cultural groups operates in part culturally through ideology as much as material factors and produces what he calls “structures of feeling” that may prevent organized resistance and allow people to accept their own domination.¹²⁷ Reserves can also be seen from this perspective; racism in Canadian society gave reserve residents little choice. Even if they wanted to move away, the unfriendly mainstream society drove them back to the reserve. Reserves became the primary frame of reference with little outside exposure for comparison. While reserve residents may not have accepted their domination, they had few opportunities to change the system. This, in William’s words, may allow them to “buy into their own domination” thus undermining the possibility of collective resistance¹²⁸ and motivating them to opt for strategies of accommodation.

Scott argues that this idea could mask non-obvious acts and moments of resistance by interpreting the acts as acceptance. He maintains that while “everyday forms of resistance makes no headlines” and rarely forthrightly confront new laws they, more likely, erode policies enough, in some cases, to “make an utter shambles of the policies.”¹²⁹ His arguments fit well in the reserve setting and help explain the outcomes of the state’s housing programs. Individual acts of resistance or non-cooperation such as refusal to make loan and rent payments or failure to complete or maintain the houses

¹²⁷ Ortner, “Resistance and the Problem of Ethnographic Refusal,” 182.

¹²⁸ Ibid.

¹²⁹ Scott, *Weapons of the Weak*, xvii.

were not necessarily overtly political or intended to bring about a political outcome. While I argue later that the programs were never designed to produce adequate housing equal to housing in mainstream, the acts of non-cooperation played a role in altering what were already failed programs into unspeakable disasters. The struggle to acquire housing and the struggle housing created made a shambles out of almost all the relationships relating to reserves.

Ortner argues that Scott's theory was thin in the sense that it did not provide space for the richness of culture or internal politics or individual subjectivities and that his argument lacked context and scope and made resistance too common and therefore lacking in value.¹³⁰ If we are to interpret actions as resistance, she asserted, they need to be defined by the context and there is no single way to look at resistance against the supposedly unitary power source. Subordinate groups, Ortner argues have many grounds for ambivalence about resisting that must be understood through the lens of their differing subject positions.¹³¹ These challenges and others charged that Scott's theory was a mechanical reaction against institutional authority without any revolutionary concern. Using Scott's theory of resistance, acting could too easily be interpreted as reacting.

Scott and others soon realized that the conversation demanded that the concept of resistance, whether by means of small everyday acts of defiance or by organized revolt, must imply the actors have, in some way, the intention, capacity and ability to oppose

¹³⁰ Ortner, "Resistance and the Problem of Ethnographic Refusal," 175.

¹³¹ Ibid.

coercive institutions or actions.¹³² Drawing on this idea, Susan Seymour's definition of resistance made for a good start at creating a working concept. She suggests, "... in a context of differential power relationships, resistance refers to intentional, and hence conscious, acts of defiance or opposition by a subordinate individual or group of individuals against a superior individual or set of individuals."¹³³

By overlaying these scholarly ideas of resistance with my reading of the written records I cannot prove that there were conscious acts of defiance by individual disgruntled residents. But the absence of the indication of intention is likely more a function of the passive way the records were written, devoid of the opinions and desires of the occupants, than a true absence of intention. While from a distance the everyday acts of resistance to the housing system on reserves may lack the prerequisite political basis sought after in the resistance literature I am willing to make the connection between the small, everyday acts and the presence of resistance from my own experiential evidence. For instance a large community in northern Saskatchewan has boards on the windows of almost every house because, as the administrator said, "The people take out their frustration with the housing conditions on their poor little houses." Another example played out over and over again during the eight years I was the construction manager building 40 new dwellings in Tsartlip. When I attempted to hold the labourers to a high standard of workmanship I was often met with a response such as, "Why should we try? We just get crap houses from the government anyways." But the reason that all on-

¹³² Ho, "James Scott's Resistance/Hegemony Paradigm," 54.

¹³³ Seymour, "Resistance," 5.

reserve housing managers across the country know that everyday someone is resisting the government housing system is the most common response they receive to the request of housing payments: “Why should I pay for this house? The government owes me a lot more than what it is worth?” While these acts of non-cooperation with government housing programs are not demonstrations of political resistance necessarily there can be no doubt that they provided impetus for the National Indian Brotherhood and other leadership groups that emerged with new vigour in the early 1970s and presented a strong and determined voice in Ottawa concerning housing conditions.

Heidegger’s argument that we need to learn to build appropriate buildings and need to learn to live in them illuminates another aspect of the resistance to the housing provisions. The failure of government to provide opportunities for people to acquire adequate homes and the loss of knowledge of how to construct decent houses and live peacefully in them are key points to understanding on-reserve housing. The acts of non cooperation complicated the poor housing conditions as Scott explained and played an important role in making the housing go from bad to worse further disrupting the relationship between the buildings and dwelling and between dwelling and those who dwell. It is not only a case of needing to learn anew how to build adequate, quality shelters, but of learning how to be at home and at peace within them.

Not in an attempt to distract from lived reality of day-to-day acts of resistance or to confuse the argument of the damage it causes to individual and community well-being, but in an expression of respect and somewhat out of curiosity I need to take a moment to acknowledge those who resisted the impetus to hate the government-issue houses no

matter how insufficient the buildings were. Over the years I have visited countless homes that were no more than thin paneled wood frames, yet the people inside knew exactly how to be at home and live peaceably within the tiny shelters. The inside walls were covered in photos of children and the furniture tossed with brightly coloured knitted blankets and pillows. These were beloved family homes infused with the aroma of baking and stews, where the evidence of the chaos that comes from overcrowding was tempered with the love and affection derived from deeply felt connection to family and community. So while this project focuses on the dysfunctional housing system and the subsequent negative aspects of housing on reserves I am also aware that people responded to the system in their own way.

Keeping this in mind I return to my initial question about resistance: Why hasn't there been a mass protest about the poor quality of housing? The answers can be summed up by a reply I received from a woman at a workshop I facilitated in Saskatchewan. She said, "Getting a house is so hard in First Nations. You spend half your life waiting for your chance. Then when you finally get one it is so disappointing. But then you think, any house is better than no house at all."

Housing and Identity

Housing researchers agree that the character of the home and the objects within form the focus and material on which self and identity are formed and shaped, and that

home is a primary site for identity formation.¹³⁴ While much of the housing scholarship looks at the symbolic relationships of the home and the externalization of the self, Keith Jacobs and Jeff Malpas look at the hard materiality of objects and propose that, “as well as eliciting complex and contradictory meanings, [objects] also give shape to the social world, as they are in turn shaped by it and they do so in ways that are directly tied to their materiality rather than overt meanings.”¹³⁵ They suggest that objects can have effects that are independent and sometimes contrary to the explicit attitudes we have towards them and that the working out of the self is inextricably bound to forms of materiality and yet the relationship between the self and the material world is never determinate and is constantly shifting, shaping meaning as it shapes experience and identity.¹³⁶ The writers use Heidegger’s famous 1951 comment on housing to describe the interconnection of self and home:

On all sides we hear talk about the housing shortage, and with good reason. Nor is there just talk; there is action too. We try to fill the need by providing houses, by promoting the building of houses, planning the whole architectural enterprise. However hard and bitter, however hampering and threatening the lack of houses remains, the real plight of dwelling does not lie merely in a lack of houses. The real plight of dwelling is indeed older than the world wars with their destruction, older also than the increase of the earth’s population and the condition of the industrial workers. The real dwelling plight lies in this, that mortals ever search anew for the nature of dwelling, that they must ever learn to dwell.¹³⁷

¹³⁴ Keith Jacobs and Jeff Malpas, “Material Objects, Identity and the Home: Towards a Relational Housing Research Agenda,” *Housing, Theory and Society*, 30.3 (2013): 283.

¹³⁵ *Ibid.*, 284.

¹³⁶ *Ibid.*, 288.

¹³⁷ *Ibid.*, 290.

What is really at stake here is not Heidegger's idea of a return to urban conventions but, according to Jacobs, housing implicates "the very shaping of human being as that occurs in and through building" the materials we use and our relationship to them affect our ability to dwell within.¹³⁸ In their paper on the symbolism of building materials Edward Sadalla and Virgil Sheets' explore the relationship between the characteristics of building and their inhabitants and suggest that, "the personality characteristics perceived as present in building materials may become attached to its residents. This line of reasoning assumes that the mechanism responsible for linkages between materials and identity simply requires proximity or contact."¹³⁹ On reserves these relationships take on critical importance when we consider how generations of Indigenous people lived in shameful housing conditions that affected not only their public reputation but their sense of self and destroyed their ability to live peaceably and respectably.

The relationship between the materiality of a house and the identity of its inhabitants was illustrated to me years ago when I helped a family member move from a reserve to a new subsidized urban native housing development in Victoria. Everything in the house was white and clean, the counters and fixtures sparkled, it smelled of newness. It was a stark contrast to the tiny, mould-infested shack where my relative had previously lived with her five children. As we moved the furniture into the rooms the children jumped excitedly on their beds. Unable to control them she finally shouted, "What do you

¹³⁸ Ibid.

¹³⁹ Edward K. Sadalla and Virgil L. Sheets, "Symbolism in Building Materials: Self-Presentational and Cognitive Components," *Environment and Behavior*, 25.2 (1993): 174.

think you are doing? Do you think this is a reserve house? You can't act like Indians here."

Drawing on Jacob, Malpas and Sadalla's ideas about the significance of material objects, this story illustrates my relative's expression of what had likely been a lifetime of conscious and unconscious negative feelings about houses on reserves and the sort of people who live in them, including herself, her children, her parents, and all of her family. For the sake of her children's health, she had made a decision to move them out of their old house. She had no hope of finding another home on the reserve, so she left her community and moved to town.¹⁴⁰ In her exchange in the bedroom she passed on to her children her tightly linked and complex association between reserve housing and being Indian. Their new material world was not the sort of place to act like Indians or, in other words, to act like themselves or in other words entirely—to act badly.¹⁴¹

As we discussed earlier when people use housing as a quick way to assess someone's social standing, we make an assumption that there is a significant element of choice in the sort of housing someone lives in. In some way, they have both what they want and what they deserve. Residents also internalize similar beliefs: the man with the large impressive house feels he has earned and deserves his home and he makes an effort to live up to the status of his house. The child who internalizes negative connotations of the shabby, moldy house on the reserve assumes he deserves the cough he gets from the

¹⁴⁰ This took place in the early 1980s, before the use of the name Indian would have been consciously seen as a negative self-moniker.

¹⁴¹ For more on identity and housing see, Sadalla, "Identity Symbolism in Housing," 569-588; Vershure, Magel and Sadalla, "House Form and Social Identity."

mold spores. The child in a crowded house that provides no space to study assumes she deserves the low grades she receives in school. Teachers and others make the same assumption and so the house becomes a fundamental element in the cycle of negative identity.

We make these associations so easily because, as we saw earlier, at the heart of our thinking about housing is the assumption of the element of choice.¹⁴² The public and government make first-impression assessments of reserve houses assuming the same factors that drive housing provision and acquisition off-reserve apply on the reserve and believing that the residents had a hand in creating their own housing destiny. The trouble with these assumptions is that our beliefs and values are lost in translation—if we assume on-reserve houses operate under the same system as those on mainstreet, we will also believe that the difference in appearance must be the fault of the occupant, not of the system that provided the house.

A New Framework for Understanding

Government housing programs were a significant contributing factor in what Indigenous scholar and critic Taiaiake Alfred calls “a crisis of dependency.” He argues that the “colonially-generated cultural disruptions that compound the effects of dispossession” of the 19th and 20th centuries resulted in “near total psychological, physical and financial dependency” of Indigenous people, and suggests that “reconnection to the homeland and reclamation of traditional Indigenous land based

¹⁴² Sadalla and Sheets, “Symbolism in Building Materials,” 175. See chapter one of this document pages 38-40.

cultural practices” will bring about the changes needed to rebuild Indigenous communities.¹⁴³

Such an approach places dependency at the centre of cultural struggle as if inevitably the loss of one’s own culture results in a pathological dependence on another’s culture and that the return to the lost culture is the only solution. I suggest that there is nothing inevitable about dependency. Conversely, my research proposes that while government-controlled housing was a significant “colonially-generated cultural disruption,” and dependency was one of the most debilitating outcomes of the government’s approach, the solution to the problem of dependency is not necessarily the return to previous cultural practices. In the field of on-reserve housing Alfred’s approach can risk setting the scope too wide and muting a clear understanding of the particular characteristics of the problems. Jeff Corntassel describes decolonization as “operating at multiple levels and necessitates moving from an awareness of being in struggle, to actively engaging in everyday practices of resurgence.”¹⁴⁴ Seen in this light housing presents everyday instances of opportunity and choice in opposition to dependency. These two factors, opportunity and choice, missing in on-reserve housing for most of the 20th century, are central to a new philosophy of on-reserve housing.

Reserve residents had no opportunity to develop the sort of housing they chose either by evolving their traditional architecture or adopting mainstream housing styles and building techniques. Rather than reserve houses reflecting the people’s hopes and

¹⁴³ Taiaiake Alfred, “Colonialism and State Dependency,” *Journal of Aboriginal Health*, 5.2 (2009): 42.

¹⁴⁴ Jeff Corntassel, “Re-envisioning Resurgence: Indigenous Pathways to Decolonization and Sustainable Self-Determination,” *Decolonization: Indigeneity, Education and Society*, 1.1 (2012): 89.

dreams, cultures and traditions, they reflected the government's opinions of them. After a while, the houses began to make the inhabitants and the buildings reflect both the self-hatred of the residents and the government's racist beliefs.

The issue at stake here is not whether Indigenous people use traditional or modern housing styles, but whether or not they have the opportunity to choose for themselves as individuals and for their people in communities. In the late 19th century, before government-housing programs were put in place, when Indigenous people made their own housing decisions for their own reasons they appeared to have little resistance to western style wood frame or log dwellings.¹⁴⁵ Furthermore, on reserves across the country there is plenty of evidence that when reserve members had access to enough money to build their own houses, more often than not, they chose to build in a style very much like houses in mainstream society, using the same materials and, generally, the same building techniques.¹⁴⁶

It goes without saying that reserve residents are dependent on the financial system set up by the government to enable them to acquire housing. Up until the early part of the 21st century, reserve residents had no other choices but to accept the housing assistance

¹⁴⁵ While early on-reserve housing was not my topic I found evidence of substantial modern housing in photos from the late 19th century and early 20th century situated across the country. For instance a photo of Captain Jack's elaborate triple-gabled house at Yuquot, a Nuu chah nulth community on the west coast of Vancouver Island c. 1920 can be seen in Yvonne Marshall's article, ""Transformations of Nuu-chah-nulth Houses," 95. In general most current on-reserve housing has been built since the 1970s, but I have seen increasingly rare examples of houses from the pre 1930s era while working on reserves across the country.

¹⁴⁶ A 2005 CMHC study examined design needs of twelve First Nations communities across the country and found that in spite of the regional disparities their housing design needs reflected similar concerns such as reducing crowding, flexible designs to adapt for aging and privacy for school children. A common theme was the need for interior spaces big enough for large gatherings but not a return to traditional housing designs. Canadian Mortgage and Housing Corporation (hereafter CMHC), "Aboriginal Housing: Local Materials and Design Preferences," Socio-Economic Series 05-001, Research Highlight, May 2005, http://www.cmhcschl.gc.ca/odpub/pdf/63834.pdf?fi=1440296955_475 (accessed 25 November 2015).

system provided by government, which comprised of grants and welfare contributions. In this sense the issue is not whether on-reserve residents are more dependent than the mainstream population. The issue is, as King said earlier, the purpose, the political intentions and the nature of the system they became dependent upon and the outcomes of that system.¹⁴⁷

Alfred argues that the market economy and cultural assimilation at the centre of government policy are based on a capitalist-colonial agenda and that real change will not take place without the regeneration of Indigenous cultures.¹⁴⁸ Notwithstanding his call for the decolonization of both the colonizers and Indigenous people, the erasure of housing dependency must start with the opportunity for reserve residents to make their own decisions about the places they live whether their choices are based on Indigenous philosophical and cultural solutions or western notions of housing.¹⁴⁹

That houses are social documents that make a public statement about those who live in them has been well argued. Yet generally speaking when people have driven through a reserve and wonder why many houses are dilapidated and abandoned they use assumptions that do not apply—they misread the visual information. The Kickapoo notion that by our houses you will know us has turned out to be a brittle reality to reserve

¹⁴⁷ See page 40.

¹⁴⁸ Alfred, “Colonialism and State Dependency,” 44.

¹⁴⁹ By the adaptive period I mean the early 20th century when many reserve residents were cobbling together log cabins and mud huts while others still lived in traditional housing. By the 1940s contemporary housing under the auspices of the Department of Indian Affairs and delivered by Indian agents was being delivered throughout the country as a federal program with very little regional adaptation. The monolithic program, managed from Ottawa, spanned the country. It was the very nature of its unity that makes the study of the philosophy of the program possible and, in a country with such diverse regional politics, geography, climate and Indigenous groups, makes the study unique.

residents. On-reserve housing does indeed tell us a lot about the people who live in it. Like residential schools, housing is a social indicator that must be characterized by its failure to measure up to any standards and can be called the status symbol of government oppression. It did not result in adequate accommodation at the most basic level of size and quality and can barely be said to have put a roof over the residents' heads let alone provide a regionally appropriate shelter. Using a colonial measuring rod, the reserve housing system failed to achieve even most basic goals of housing in the minds of the architects of the system, a tidy, clean, sanitary house with enough space so that multiple families did not have to sleep together.

I propose that the Indian Department programs failed because they were never meant to succeed—second-class, temporary houses were all that was intended on reserves. And, in spite of the fact that no one could have imagined the poverty and devastation that would result from this approach, government stayed its course by implementing one program after the other throughout the 20th century.

Houses on reserves became symbols of oppression and an experience of discomfort. They were foreign-imposed objects that did not take care of the occupants and, in a reciprocal implicit agreement, the occupants refused to take care of the houses. The state implemented life-skills programs to address the dissonance by trying to train people to live in houses they fundamentally rejected, places not of their making or of their desire but representing the limitations of dwelling imposed upon them by restrictions based on their race and government status. But peaceful dwelling does not come from government training programs delivered at the hands of the same people who

created the failed houses themselves. As Heidegger suggests relearning how to dwell will come by the bringing together of the air, sky, land and, I add, the people of the place.

In his article “Indigenous Storytelling,” Jeff Corntassel, puts forward that the “monumental task to restory the settler version of history” requires the use traditional methods of investigation and taking an oppositional approach to society’s old methods and messages, and, at its core, it intends to lead us toward action.¹⁵⁰ If we are to decolonize the colonials, the public and Indigenous people, Corntassel suggests that our research processes must ask, “Where are the Indigenous peoples in this picture?”¹⁵¹

In the field of on-reserve housing we need to find Indigenous stories and story tellers and we need to examine our motives for telling the stories to ensure they are not designed for First Nations people for political purposes, nor for government to validate existing political structures, nor to be used by the public to reinforce stereotypes of lazy Indians—all the current narratives reinforce colonization and keep all the players in place. Central to the act of restorying is upending colonial structures and dissolving colonial ideas; actions that, as Corntassel suggests, require the use of Indigenous voices and methodologies. While recognizing the core role of Indigenous voices I believe decolonization must also be performed by non-Indigenous scholars, like myself, using western methodologies and sources. Studies such as this can present new information and build new meanings. One thing is certain; until we all restory on-reserve housing, we will only reconfigure, not truly release, the colonial grasp. But restorying on-reserve housing

¹⁵⁰ Corntassel, “Indigenous Storytelling,” 138.

¹⁵¹ Ibid., 142.

will not come about through new narratives alone, restorying will only truly take place when individual Indigenous people and First Nations make their own choices in their own lives for their own reasons and build houses of their own design and dwell in them in peace.

Chapter Two - Same Problems, Different Solutions: Canada's Separate Housing Systems, 1930-1947

In the early part of the century the federal government had no coherent housing policy for Indians or for other Canadians and by the Great Depression Canadians, in general, were experiencing a housing crisis. The poor economy resulted in overcrowding and deterioration in the existing housing stock everywhere. The federal government responded in 1935 by passing the Dominion Housing Act (DHA), its first national housing policy. Seeing housing as largely an economic issue the DHA was an effort to make mortgages more accessible for common Canadians and, in turn, stimulate the housing market and the economy through job creation. The federal government passed its second National Housing Act (NHA) in 1938 with provisions to make housing more affordable, to provide access for renovation loans and to improve building standards.¹⁵²

These policies, designed to stimulate and support home building and ownership, did not apply to Indians. The Indian Department had no housing plan. Reserve housing programs were not implemented by way of a national act or deliberate strategy. When faced with a housing crisis in the 1930s the federal government responded by continuing to approach housing as it had done since the 19th century, using funds from the bands' capital accounts and government welfare funds and doling out small packages of building materials to recipients the Indian agents deemed deserving.

¹⁵² John Bacher, *Keeping to the Marketplace: The Evolution of Canadian Housing Policy* (Montreal and Kingston: McGill-Queen's University Press, 1993), 66-119; Marc Denhez, *The Canadian Home: From Cave to Electronic Cocoon* (Toronto: Dundurn Press, 1994), 66-91.

Consequently two distinct housing systems evolved, one eventually driven by accessible financial mechanisms and a private construction industry, and the second, funded through government welfare programs. When we compare the outcomes—dilapidated shacks next to tidy middle class bungalows—and then compare the opportunities and method of government involvement, it becomes obvious that housing equality was never the intended outcome of the on-reserve system. Not only would reserves fail to achieve housing equity, but while mainstream housing became an important engine for prosperity the housing practices on reserves helped drive the Indian community's economies in the other direction.

Making Separate Systems

In the 1930s, few middle- and working-class people in Canada expected more than basic necessities, and rural Canadians in particular suffered from housing shortages and substandard shelter. Housing fell under provincial and/or municipal jurisdiction; consequently the federal governments did not see it as their responsibility to house people and generally maintained a hands-off approach. Housing policy across the country was piecemeal and lacked the ability to deal with emerging problems on a larger scale.¹⁵³

By the Great Depression the federal government realized that its laissez faire approach to mainstream housing was not providing the necessary tools for individuals to access adequate housing. The House of Commons established a Parliamentary

¹⁵³ Bacher, *Keeping to the Marketplace: The Evolution of Canadian Housing Policy*. See chapter two “Prelude to Policy: Government Inaction before the Great Depression.”

Committee to create a national housing strategy, “In order to provide houses as may be necessary, having regard to the cost of such policy and the burden to be imposed upon the Treasury of Canada.”¹⁵⁴ In 1935 government made a significant break with its hands-off approach and implemented the Dominion Housing Act (DHA)¹⁵⁵ followed, in 1938 with an amended version called the National Housing Act (NHA), which expanded federal oversight to include building standards and financial mechanisms to address the critical need for upgrading existing houses.

The federal government identified the housing problem in mainstream Canada as being economic: there were too many barriers to borrowing for middle and working class Canadians to have easy access to loans. Mortgages were too expensive, which led to substandard houses and housing shortages, a situation that was exacerbated by high unemployment caused by the Depression. The objectives of the new *Acts* were threefold; to modernize and improve the standards of existing housing, to improve access to borrowing for new housing and to provide sanitary housing for the poor. Of equal importance, the *Acts* were also meant to provide jobs for the unemployed and stimulate the economy through promoting the construction and building material industries. This legislation also took the first steps towards what became the *National Building Code of Canada*, which would standardize construction methods and further improve building

¹⁵⁴ Kamel Sayegh, *Housing: A Canadian Perspective* (Ottawa: Academy Books, 1987), 78. As quoted in Denhez, *The Canadian Home*, 75.

¹⁵⁵ The Dominion Housing Act was a first and relatively unsuccessful step at opening doors for middle class people to acquire mortgages. For more: John Belec, “The Dominion Housing Act,” *Urban History Review*, 25.2 (1997): 53-62.

practices.¹⁵⁶ Additionally the NHA provided the legal framework for the creation of a federal housing agency responsible for administering the Building Code. In spite of the housing acts, the housing stock continued to deteriorate during the Depression and WWII. In response to the intractable housing crisis, the Crown created Central Mortgage and Housing Corporation¹⁵⁷ (CMHC) in 1945 to address issues of post-war reconstruction, increase employment in construction trades and expand construction of new housing, in particular, for returning soldiers.¹⁵⁸ For the next several decades Canada's housing policy remained economically centered, primarily focused on bolstering the residential construction industry by making credit available and stimulating demand for credit, and building wealth through homeownership and private sector involvement.

On reserves the housing crisis was comparable to the mainstream, however while the size of non-Indian families had started to shrink in the 1930s, for the first time after a century of population decline, Indian families started to grow in size and reserve populations increased. By the Great Depression, both work and government resources became scarce and self-building using local materials was becoming more challenging. The tiny shacks that had been held together through the 1920s with the help of small welfare contributions were deteriorating faster than they could be replaced and as

¹⁵⁶ F.W. Nicolls, "Housing in Canada, 1938," Director of Housing, Division of Finance, Ottawa, Ontario, 3-7. Made available by the Centre for Urban and Community Studies, Urban Policy History Archive, University of Toronto, <http://www.urbancentre.utoronto.ca/pdfs/policyarchives/1938FWNicolls.pdf> (accessed 28 November 2015). The first National Building Code was published in 1941.

¹⁵⁷ In 1979 CMHC changed its name from Central Mortgage and Housing Corporation to Canada Mortgage and Housing Corporation.

¹⁵⁸ For more on the creation of CMHC see Jean Dupuis, "Federal Housing Policy: An Historical Perspective," Parliamentary Research Branch, Library of Parliament, 2003.

populations grew were often used to house several families. Like in the mainstream population, reserve residents needed an influx of personal capital to increase home building and repair the current housing stock.

But Indian reserves were poor, their economies were depressed and, other than a brief reprieve during WWII, unemployment rates were staggering. John Lutz charts the decline in aboriginal employment in BC from a total of 7,077 employed in all occupations in 1931 to 5,701 in 1961¹⁵⁹ while during relatively the same time period (1944-1973) the population of Status Indians increased from 25,515 to 50,262 or a total increase of 97%.¹⁶⁰ Accordingly Lutz states, “From the end of the First World War to the present, the aboriginal population has been increasing against a backdrop of declining employment opportunities.”¹⁶¹

It would be incorrect to say that housing standards were as high on- as off-reserve during this period but the gap between on-reserve housing and accommodations for other rural Canadians was not as wide in the 1930s as it would become by the end of the war. The on-reserve housing system emerged through the 1940s in an ad hoc manner as one government bureaucratic practice built on another framed upon colonial ideas, intentions and policies and promoted by the federal government.

As the housing crisis deepened and Indians did not have access to the supports being offered non-Indian Canadians the Indian Department increased its involvement.

¹⁵⁹ John Lutz. *Makuk: A New History of Aboriginal-White Relations* (Vancouver: UBC Press, 2008), 230-231.

¹⁶⁰ W.T. Stanbury, “Reserve and Urban Indian in British Columbia: A Social and Economic Profile,” *BC Studies*, 26 (1975): 43.

¹⁶¹ Lutz, *Makuk*, 230-231.

The restrictions, which prevented reserve residents from getting mortgages left them with no other option but to depend on the meager government-administered assistance: only enough to build a rough unfinished shack. Yet government officials continued to use housing as a benchmark for success and to expect that Indians, without comparable opportunities, should achieve comparable outcomes as their neighbours. While there were similar crises and the communities had similar needs government responded with dramatically different solutions that set the course for the further separation between on- and off-reserve housing systems.

Multiple reasons fueled the difference between the on- and off-reserves systems. Most obviously are the restrictions of the *Indian Act*¹⁶², and the racist ideas that Indians did not have the capacity to manage their own affairs and needed special government treatment. Noel Dyck calls the Canadian approach ‘coercive tutelage’. Indians were not only a problem for nation building, he maintains, they had problems and needed to be transformed—something only government could achieve. At this time, according to Dyck, “it became almost unimaginable even to contemplate a radical restructuring of Indian administration, let alone think of dispensing with the practice of coercive tutelage.”¹⁶³ In his book *Makuk*, John Lutz suggests that government decisions would have also been influenced by the common belief that Indigenous people were expected to use local natural resources for their survival requirements, while non-Indigenous people

¹⁶² I say ‘appeared’ because even in the early years, before 1956 when the Indian Act was amended to provide the legal conditions for borrowing on reserves, the Department had the authority and opportunity to develop a viable loans program. Furthermore, even after the Act amendment the Department failed to implement a workable loans system on reserves until recently when without any further amendments to the Act loans for individuals are available on many First Nations across the country.

¹⁶³ Dyck, *What is the Indian “Problem”?*, 76.

were not. This thinking may have led to the belief that Indians, therefore, had an advantage over poor urban folks with no resources whatsoever.¹⁶⁴ This attitude is evident in the Department's correspondence in 1938 when the General Superintendent of Agencies, M. Christianson, defended the Department's practice of withholding both food and housing assistance to the Rice Lake Reserve, near Peterborough, ON, residents by arguing that Indians had access to adequate resources. "They live right on the shore of the lake so there is no necessity for them to be short of food during the year." He describes the people as being of "a very good type" and that their living conditions were "as good as could be expected".¹⁶⁵ Consequently only the aged and infirm were to receive government relief for housing repairs others were to take out loans from band accounts for building purposes.

Neither welfare funds nor band capital accounts were intended or had a mandate to be used as a permanent vehicle to finance housing; both sources were limited and unstable due to the vagaries of external politics and economic conditions.¹⁶⁶ Such was the case during the Depression and war years when the Department restricted its earlier relief scale and reiterated to agents that their goals were to, "keep down relief costs and thus conserve public funds."¹⁶⁷ Rather than loosening access to funds to alleviate the housing crisis as the government did in the mainstream the Department tightened the

¹⁶⁴ Lutz. *Makuk*, 262-263.

¹⁶⁵ LAC, Department of Indian Affairs, RG 10, Correspondence from M. Christianson, General Superintendent of Agencies to Dr. McGill, 24 May 1938, volume 10289, file 481/29-2-22.

¹⁶⁶ The Department's annual reports did not differentiate between band funds and parliamentary expenditures thus making it difficult to establish in what proportion band and government funds were used for housing. Agency records show that agents used welfare funds for extreme housing need only. Hugh Shewell, *Enough to Keep Them Alive": Indian Welfare in Canada, 1873-1965* (Toronto: University of Toronto Press, 2004), 232.

¹⁶⁷ *Ibid.*, 127.

flow of housing funds, thus deepening the housing crisis. At the same time, bands were receiving poor compensation for their land and resource sales reducing revenues and putting stress on the bands' accounts. According the Hugh Shewell, "Indians were left with less and less viable land and with fewer economic tools for their collective welfare..."¹⁶⁸

The irony is that while government professed opposition to encouraging Indian dependency on government funding, the bulk of the assistance came from funds held in trust in band capital and revenue accounts acquired from the sale of band lands and resources. In practice government welfare was used as a last resort as J.E. Morris of the Welfare Division of the Indian Department explained to Indian agent, H.J. Featherston, Rama Agency, Ontario. "As you know it is not the practice to provide money out of Welfare Vote to be used to assist Indians whose band funds are sufficient to look after their needs."¹⁶⁹ Section 59 of the *Indian Act* set in place a process whereby Indian land and resources could be surrendered and sold. Money procured in this manner could then be used by the government to fund its own management activities within the reserve communities:

The Governor in Council may, subject to the provisions of the Act, direct how, and in what manner, and by whom the moneys arising from sales of Indian lands, and from the property held or to be held in trust for the Indians, or from any timber on Indian lands or reserves, or from any other source for the benefit of Indians...shall be invested from time to time, and how the payments or assistance to which the Indians may be entitled shall

¹⁶⁸ Ibid., 167.

¹⁶⁹ LAC, Department of Indian Affairs, RG 10, Letter from J. E. Morris, Regional Supervisor of Indian Agencies, Indian Affairs Branch, Ottawa to Agent H. J. Featherston, Rama Agency, Ontario, 21 October 1954, volume 6841, file 475/29-2, part 1.

be made or given, and may provide for the general management of such moneys, and direct what percentage or proportion thereof shall be set apart from time to time, to cover the cost of and attendant upon the management of reserves, lands, property and moneys under the provisions of this Act...¹⁷⁰

In the implementation of this part of the *Act*, reserve land became a target for outside business interests and easy deals for Indian Agents. Even though, under most circumstances, band members were required to approve the land sales or resource transactions, the deals were often arranged by agents at below market prices to the benefit of the Indian Department officials or their friends. Bands were often desperate for revenue and did not have access to all the information about values and purchasers. The resulting revenues were under the control of the Agent and not always expended on benefits to the Indians. For example in the Nanoose Band, a small reserve with only 206 acres on Vancouver Island, British Columbia, government agents used the promise of new housing as an incentive to persuade the band to sign a sales agreement. Faced with a desperate need for housing and with no other access to cash the band agreed to sell a portion of its land to Nanaimo Wood Products Company for \$1,000. In 1933 Secretary A. F. MacKenzie's letter to C.C. Perry, the Assistant Indian Commissioner in Victoria records the transaction:

The surrender does not definitely state that money is to be advanced for repairs of houses but correspondence at the Department shows that there was an understanding with the Indians when the surrender was taken that

¹⁷⁰ “An Act to amend and consolidate the laws respecting Indians (Indian Act),” section 59.

\$1,000 of the purchase prices as soon as paid to the Department would be made available for the erection of houses for the members.¹⁷¹

Indian agent, H. Graham then used the money to purchase building materials and distributed them in small portions to band members, sufficient only for each person to build a typical tiny rudimentary shack. The Nanoose transaction provides an example of deals struck across the country whereby the Department actively encouraged agents to sell valuable land and resources in order to maintain band account balances that would save the need for government welfare funds. According to Shewell, “Even though First Nations paid for their relief from the interest on their own trust accounts, Ottawa managed the monies as if they were directly derived from parliamentary appropriation.”¹⁷²

Band capital funds were only intended to be used for projects that were for the good of the whole band not for individual houses. However, there was no firm policy on how agents could draw expenditures from these accounts causing confusion between the band councils, the agents and Ottawa.¹⁷³ In the case of Michael Peters of the Sliammon

¹⁷¹ LAC, Department of Indian Affairs, RG 10, Letter from A. F. MacKenzie, Secretary, Department of Indian Affairs Ottawa to W. E. Ditchburn, Indian Commissioner for B.C., Ottawa, 20 July 1933, volume 1011050, 33/3, part 6.

¹⁷² Shewell, “*Enough to Keep Them Alive*”, 64.

¹⁷³ The records show some agents making a distinction between the rules for expenditures from the capital and revenue accounts, some used capital accounts only for loans and required reimbursements yet it appears the loans were rarely repaid and in general there is no real consistency of how the rules are applied. Testimony at the 1947 Joint Senate Committee hearing explained that the Department had been advised by the Department of Justice “that there is no certainty that any distinction as between capital and revenue was intended by the Indian Act,” which might explain the range of rules agents applied at the front line. Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, part 2, 455-465. The welfare “vote” or “appropriation” refers to federal funds accessed by the Department for emergency need. For more on the use of band funds for “welfare” see D.J. Hall, “Clifford Sifton and Canadian Indian Administration 1896-1905,” *Prairie Forum*, 2.2 (1977): 127-151.

reserve in BC, in 1940, Agent F.C. Ball requested approval from Ottawa to draw \$47.80 for house repairs from welfare funds. Superintendent MacKay refused his request in a letter saying, “the Department has gone on record as being opposed to paying for housing from the Welfare Vote for members of a Band who has fairly large Band Funds.”¹⁷⁴ Ball complained that the Department’s contradictions left him nowhere to turn.

The Department itself in former times stated their principle in this matter, viz that Band funds are for the benefit of the tribe as a whole...Where an Indian is able to repair his own house, he does so without reference to the Band, but those who are unable to do so cannot expect the general funds of the band to be used for individual cases.¹⁷⁵

Ball sent the minutes from a band meeting voicing their objections to being deprived of assistance because they had band funds. MacKay replies:

It is not clear if the Sliammon Band has actually refused to approve in this case of assistance from their Band Funds or not. Should the Band refuse to do so and the case is urgent the matter should be referred to the Department for consideration. In some cases where the Band either refuses or neglects to look after its members in need, action is taken under Sec. 95. S.Sec (d) of the Indian Act, which of course the Department is at liberty to take.¹⁷⁶

In the end MacKay refused the approval of welfare funds and Sliammon went on record opposing the ruling and petitioned Ottawa against what they called discrimination.

¹⁷⁴ LAC, Department of Indian Affairs, RG 10, Letter from Superintendent D.M. MacKay to F.J.C. Ball Esq, 5 February 1940, box 10902, file 197/14/4046.

¹⁷⁵ LAC, Department of Indian Affairs, RG 10, Letter from F.J.C. Ball Esq, to D.M. MacKay, 19 Feb 1940, box 10902, file 197/14/4046.

¹⁷⁶ LAC, Department of Indian Affairs, RG 10, Letter from Superintendent D.M. MacKay to F.J.C. Ball Esq, 21 Feb 1940, file 197/14/4046. It is difficult to understand what action MacKay is threatening. It appears to be court action, Section 95 of the 1876 *Indian Act* reads: “All affidavits required under this Act, or intended to be used in reference to any claim, business or transaction in the Indian Branch of the Department of the Interior, may be taken before the judge or clerk of any county or circuit court, or any justice of the peace...”

This issue was not clarified satisfactorily and was raised in many agencies across the country. In 1953 the problem was still not resolved and A.G. Leslie from the Trusts and Annuities Division at Indian Affairs wrote to E. Law, Superintendent in The Pas, Manitoba making a definitive policy statement (though gaping room remained for interpretation.)

We are in accord with the fairly extensive use of Band funds to improve housing, if one or all of the following conditions obtain:

1. If every member of the Band shares equally in the financial benefit derived from the expenditures for housing.
2. If the Band membership is almost totally without income to individuals, sufficient in the amount to provide acceptable dwellings.
3. If the Trust Fund is so large that housing expenditures, with repayment, would cause a relatively small depletion.¹⁷⁷

Most agencies approved welfare funds for indigents in the case of emergencies only when there was no other funding available in the system. But, with no stable funding source available, agents and Ottawa officials juggled rapidly depleting band capital accounts with restricted welfare funds forcing band leadership to negotiate with the agents and headquarters for permission to use the band's funds. The bitter truth was, as Sewell explains, "In effect, the policy had transformed all Indians into beggars of their own monies."¹⁷⁸

The use of capital accounts for housing assistance posed other problems for bands. In Nanoose for example, Agent Graham, not the Indians, made the deal to exchange

¹⁷⁷ LAC, Department of Indian Affairs, RG 10, Letter to Indian Superintendent E. Law, THE PAS, Manitoba, from A. G. Leslie Trusts and Annuities Division, Ottawa, 10 July 1953, volume 8192, file 578/29-2-25, part 1.

¹⁷⁸ Shewell, "Enough to Keep Them Alive," 64.

prime waterfront land for materials to build houses casting doubt on whether or not it was the best deal that could have been brokered. From the correspondence I speculate that it was highly unlikely that it was a deal the agent would have made with his own money. The permanent loss of valuable land for temporary substandard shelters would have been a bad deal from anyone's perspective. The Nanoose, were compromised in their consent by their lack of choices to provide housing for their people. Had they the opportunity to develop property management skills and business acumen, or had access to investment advice, they would have likely refused such a deal. But this chipping away at whatever assets bands had for temporary, disposable housing was more than a bad business deal. It was a gradual process that demonstrated the deep betrayal of the Indians by the very government ostensibly meant to look out for their best interests.¹⁷⁹

Department officials framed the discussion differently. The colonial housing discourse was so deeply permeated in the language of dependency that agents were concerned that they were 'giving' Indians 'help' to acquire shelter even though the money was, in fact, their own. In spite of the Department's hypothetical policy that band capital funds were to be spent only on projects for the whole community there were many other examples such as Nanoose. In 1950, in North Bay Ontario, Regional Supervisor, F. Matters withheld welfare funds pending the band's willingness to split the cost of housing the elderly between the band account and the welfare vote. Band leadership refused believing that housing the elderly fell under the welfare program. In the end Matters tried to force the band's hand.

¹⁷⁹ There is little evidence that these transactions were in any way for the 'good' of the Indians or in any way in their interest, which leads me to question the use of paternalism as I will argue further on.

Not wishing to deplete Band Funds too much, I was prepared and recommended half the cost be borne by Welfare Division. However, in view of the changed attitude of the Band, I now recommend that no approval for expenditures from Welfare Appropriation until such time as the Band pass a Resolution expressing their willingness to absorb part of the cost.¹⁸⁰

Bands in Matters' agency were resolute. In 1951 he appealed again to Ottawa to settle the matter of funding:

Regarding the Welfare housing on the West Bay Reserve, Manitoulin Agency. The majority of the Band members object to the use of Trust monies for housing on the grounds that only a few would benefit at their expense. They, who have worked to get a decent home, feel that the Band Funds should be used to general advantage.... On the basis that Band Funds should only be used where it would benefit all, or at least the majority, I recommend that housing should be paid from Welfare Appropriation. In time we should be able to get them to use some for this purpose.¹⁸¹

The fear that Indians would become reliant on state 'charity' was fueled by the Department's focus on frugality in matters of relief and, using Shewell's words, "the consistent blaming of Indians as idle beggars who needed constant exhortation to be self-supporting."¹⁸² Putting aside the fact that the funds in dispute rightfully belonged to the band, if the reserve housing system is viewed as one of two separate housing systems that were both designed and maintained by government the idea of dependency takes on a different meaning. The issue is not so much dependency because by the 1940s mainstream Canadians were becoming dependent on a government supported housing system as well. In fact without financial assistance it was nearly impossible, other than

¹⁸⁰ LAC, Department of Indian Affairs, RG 10, Letter from F. Matters, Regional Supervisor of Indian Agencies, North Bay Ontario, to Indian Affairs Branch Ottawa, 3 October 1950, volume 6848, file 494/2942, part 9.

¹⁸¹ LAC, Department of Indian Affairs, RG 10, Letter from F. Matters, Regional Supervisor of Indian Agencies, North Bay Ontario, to Indian Affairs Branch Ottawa, 28 June 1951, volume 6848, file 494/2942 part 9.

¹⁸² Shewell, "*Enough to Keep Them Alive*", 104.

for the very rich, for anyone on or off the reserve, to acquire a house. The issue is the difference between the two systems that government had provided on which the groups depended.

In the one case, mainstream dependency on government-supported programs for homeowners and renters designed to boost the economy resulted in the creation of wealth.¹⁸³ In the other, Indian dependency on funds, whether generated from the sale of their resources or government “welfare,” resulted in the creation of poverty. Looked at in this way, the issue was not choice, nor was it dependency. Excepting the very wealthy, both Indians and non-Indians had no realistic choice but to depend on the government programs. The different outcomes were the result of two systems, both created and sustained by government.

Indian Agents

As demand increased for housing and the restrictions of the *Indian Act* became more onerous so the role of the Indian agent became more critical. Indian agents were the frontline representatives of the Indian Department consequently on-reserve housing delivery fell, almost exclusively, in their hands.¹⁸⁴ Their primary tasks were to manage the bands’ resources, to ensure that band leadership complied with the Department’s

¹⁸³ Frank A. Clayton, "Government Subsidies to Homeowners versus Renters in Ontario and Canada," Federation of Rental-Housing Providers of Ontario and Canadian Federation of Apartment Associations, 2010. Clayton states that the total federal spending in 2008/09 for homeowners and private renters was \$17.1 billion—92.6% of total spending assisted homeowners and just 7.4% went to private renters in spite of the fact that the average household income of homeowners was \$91,122 while renter households earned an average income of \$43,794—less than half.

¹⁸⁴ Robin Brownlie, "Man on the Spot: John Daly: Indian Agent in Parry Sound, 1922-1939," *Journal of the Canadian Historical Association*, 5.1 (1994): 64-65.

objectives, and to distribute relief. From the public's perspective, the Indian agent's job was to generally "look after" the Indians, a responsibility expressed by John M. Daly, Ontario Indian agent in the Parry Sound Agency from 1922 to 1939, "you know how it is with the general public, when they see a case like this [an impoverished Native elder], they think the Indian Agent should be able to look after him...."¹⁸⁵

In the early years when expectations were low agents may have been able to achieve some level of satisfaction with their job but by the 1940s Indian agents were in an insoluble position of having too few resources to meet the housing needs on reserves. With few written policies and other Department officials miles away in Ottawa, agents, the only men on the ground, were placed in the critical role at the band level of creating the day-to-day housing practices as they saw fit. But agents did not only manage the housing program they also were an important part of creating the overall housing programs. In 1942, as Department officials in Ottawa began formalizing its housing practices, they conducted a comprehensive survey of agency personnel asking for regional input and giving agents a key role in housing policy development.¹⁸⁶ Interestingly the agents' concerns focused more on the struggles of their jobs than with the overall improvement of housing conditions.

¹⁸⁵ Ibid., 68.

¹⁸⁶ Feedback shows agents raised a wide range of concerns such as requesting more power to "apply a penalty in such cases [when an Indian obstructs an agent] the Indian being a ward of the government." LAC, Department of Indian Affairs, RG 10, Letter from T.W. Victor Webb, Peigan Indian Agency, Brocket, Alberta, to Indian Agent to Indian Affairs Branch, 6 June 1942, volume 6810, file 470-2-3, part 10. The practice of using agents as policy advisors can be seen throughout the records. Another example of an extensive survey took place in 1958 and 1959 when the Department requested feedback on its plan to implement the Welfare Housing Program. AANDC Library, Indian Affairs Branch Circular No. 19, 30 January 1959.

In spite of their seemingly important advisory role front-line agents factored low on the Department hierarchy and were required to report even the smallest transaction to Ottawa making them appear at times caught in a system with little power to make changes. While the question of the role of agents—were they creators or creations of the system—has been discussed from both sides in recent scholarship, in the field of housing the agents were not simply doing a job, they were fundamentally engaged with making the programs they delivered.

In her study of Indian agents *A Fatherly Eye*, historian Robin Brownlie highlights the individual aspects and actions of Indian agents. According to Brownlie agents were constrained by the conditions under which they worked, and driven by their own character and thus differed from community to community in their relationships with and impact on-reserve populations.¹⁸⁷ Victor Satzewich studied the agents' responses to the Department's 1942 review of what the agents saw as the "Indian problem." He argues that while some Indian Agents presented racist views that others had a nuanced approach to solving the "Indian problem" and favours Brownlie's characterization of agents as individual with varying approaches to their jobs.¹⁸⁸

In his book *What is the Indian "Problem"?* Noel Dyck maintains that if we are to understand the agents' role it is necessary to look at them in a broader context. He argues that ascribing the impact of Indian policy to the individual actions and personalities of

¹⁸⁷ Robin Jarvis Brownlie, *A Fatherly Eye: Indian Agents, Government Power, and Aboriginal Resistance in Ontario, 1918-1939* (Don Mills: Oxford University Press, 2003), xiii.

¹⁸⁸ Victor Satzewich, "Indian Agents and the "Indian Problem" in Canada in 1946: Reconsidering the Theory of Coercive Tutelage," *The Canadian Journal of Native Studies*, 12.2 (1997): 228-229.

Indian agents is to miss the larger point; “[the Department practices] cannot be accounted for simply in terms of the personal qualities and inclination of the individuals who have served as its agents.”¹⁸⁹ He describes Indian agents and administrators as: “not only mean and avaricious in purpose and pompously moralistic in tone, but [which was] also frequently racked with internal inconsistencies and paradoxes.”¹⁹⁰

Sarah Carter takes a similar view and suggests that by the 20th century the agents delivered a homogeneous message. She states, “a formula response to all Indian grievances was well entrenched. Indians were dismissed as chronic complainers and lazy idlers willing to go to any lengths to avoid work. At the same time nefarious outside agitators--usually unnamed--were blamed for any discontent.”¹⁹¹ She describes agents as go-between trying to ward off and suppress as much “Indian interference” as possible so the Department could quietly meet its objectives.

I find merit in Dyck’s harsh criticism of the agents. The Department housing records make for difficult reading and it is not necessarily because of overt instances of meanness, but ultimately, they are hard to read because of the lack of interaction with and empathy or advocacy on behalf of the people the agents were, in theory, supposed to be serving. When agents assigned buildings with no insulation to families in northern Manitoba and “houses” no bigger than a garden shed to families with 8 or 10 children without so much as a worried comment that the “housing” may not be adequate. In

¹⁸⁹ Dyck, *What is the Indian “Problem”?*, 74.

¹⁹⁰ *Ibid.*, 75.

¹⁹¹ Sarah Carter, “Two Acres and a Cow: ‘Peasant’ Farming for the Indians of the Northwest, 1889-1897,” in *Sweet Promises: A Reader in Indian-White Relations in Canada*, ed. J.R. Miller (Toronto: University of Toronto Press, 1991), 370.

general, Indian agents went about the business of delivering housing assistance cognizant of the dismal and often deleterious outcomes, and, as Satzewich points out, while they did not necessarily communicate blatant racism in every circumstance, in general they failed to make or advocate for changes to the system that produced the poor conditions. With the benefit of hindsight, it appears, unfortunately, that Dyck was closer to being right, there is something mean and avaricious about their approach.

Many Canadians might recoil at Dyck's criticism and be inclined, like philosopher Charles Taylor, to let the agents off the hook slightly by recognizing the pressure they might have experienced, "A bureaucrat, in spite of his personal insight, may be forced by the rules under which he operates to make a decision he knows to be against humanity and good sense."¹⁹² But this approach does not go far enough. It must be remembered that agents held the distinctive position of being the only people in the government's bureaucracy who had face-to-face contact with the communities. Agents were the only people in the organization who knew enough to know the extent of the problem and to advocate for better conditions not just for their jobs and the larger colonial objective but for the occupants of the houses they were delivering.

Paternalism is commonly used to describe the behaviors of the Indian Department and its agents as Brownlie does in her description of Indian Agent John Daly,

A confirmed paternalist, he offered some protection to vulnerable individuals while opposing those who strove to assert self-determination. He was always very concerned to maintain the Department's authority, on

¹⁹² Charles Taylor, *The Malaise of Modernity* (Toronto: House of Anansi Press Ltd., 1991), 7.

which his own was dependent--in particular, this involved keeping indigenous people in their place.¹⁹³

While in some ways the term “paternalism” might be appropriate in that agents saw Indians like children, in the case of on-reserve housing I question whether the term is accurate. Scholars universally agree that paternalism is not only the action of providing for another’s need without giving them rights and responsibilities. Nor is paternalism only the unwelcomed interference by another, or protection by a more powerful force without consent although all these ideas are part of the definition. K. Grill, in the *Encyclopedia of Applied Ethics*, makes the point that paternalism is not simply acting but acting with good intention; “Paternalism is always benevolent in some sense.”¹⁹⁴ Definitions of paternalism all include ideas of acting for good, caring for, in the best interest of, or for the sake of the others’ own good.

While it might be said that a little housing assistance was better than none at all, there is scant evidence that Indian agents or the Indian Department in Ottawa believed that they were acting benevolently or in the best interest of reserve residents. Rather, as Brownlie suggests, it is more commonly found that they were acting solely on behalf of the colonial objectives and it is misguided to assume that the Department even tried to match its objectives with the needs and desires of reserve residents. Evidence shows that the Indian agents were as close to the Indians as the Department would get. Indians were

¹⁹³ Brownlie, “Daly, Man on the Spot,” 63.

¹⁹⁴ K. Grill, “Paternalism,” in *Encyclopedia of Applied Ethics*, eds. Dan Callahan and Peter Singer (Stockholm: Academic Press, 2012), 363.

not consulted in regards to either their needs or the Department's housing assistance they might receive.

Like paternalism, race and racism are not easy words to define and oversimplified explanations do not do them justice. Nevertheless racism has the stark quality that fits the Department's housing approach as the word is commonly defined as "social actions, practices or beliefs, or political systems that consider different races to be ranked as inherently superior or inferior to each other based on presumed shared inheritable traits, abilities, or qualities."¹⁹⁵ Racism is generally promoted by groups that believe that their own race is superior and has the right to dominate others or that a particular racial group is inferior to others. Racism is also commonly defined as, "a policy, system of government, etc, based upon or fostering such a doctrine; discrimination."¹⁹⁶

If we are to fully appreciate on-reserve housing conditions in the mid century, it is important not to soft peddle the relationships between the Department, its agents and reserve residents with terms like paternalism that have at their core the assumption of charity. Though we may find small acts of benevolence by individual Indian agents it is a stretch to portray the Department's actions, at this time, as coming close to acting in the best interest of the Indians. The lack of effective action on behalf of residents' housing needs can only be understood as the persistent implementation of the racist colonial ideology that permeated not only Department officials in Ottawa but the agents in the

¹⁹⁵ Wikipedia, "Racism," <http://en.wikipedia.org/wiki/Racism> (accessed 28 November 2015).

¹⁹⁶ Random House Dictionary, "Racism," <http://dictionary.reference.com/browse/racism> (accessed 28 November 2015).

field and allowed them to believe that Indians as a race were deserving of substandard houses, thus easing the agents' consciences as they observed the reserve residents suffer.

To present Indian agents as “just doing their job,” within the highly racist context in which they operated ignores the obvious problem of competence raised in chapter one.¹⁹⁷ If government deemed Indians incompetent to manage their own affairs it behooved government to act competently on their behalf and the housing system as it was developing was, at best, a questionable show of competence.

This is not to say that agents did not act as individuals. They were surely constrained by the unique conditions under which they worked, and driven by their own character and thus differed from community to community. Given the vastness of Canada and diversity of the Indian reserves it is impossible to make a sweeping description of the personal characters of Indian agents and how their individual approach affected housing delivery across the country. On the prairies, where reserves were large, agents often lived on or near the community. In British Columbia, Ontario and the Maritimes agents had many reserves on their files and lived in central location and traveled to the reserves as time permitted. What the agents appeared to have in common was a lack of intimate association with reserve residents and their housing needs and desires. While there is no doubt that such records exist I did not find one single report of an agent going out and visiting the people in their houses or, in fact, ever entering one of the homes they helped produce.

¹⁹⁷ King and Oxley, *Housing: Who Decides?*, 48.

In the book *Stoney Creek Woman*, Mary John draws a picture of the Indian agent in charge of her community in BC's central north in the mid-century period:

The Indian Agent was a remote figure in our lives. He had his office in Vanderhoof, and seldom drove to the reserve. When he did come to Stoney Creek, he talked to the chief and one or two of the elders. Before we knew that he was in the village, we would see the dust from his car as he hurried back to his office in town. Most of us wouldn't have recognized him if we had met him on the street.¹⁹⁸

According to John before housing subsidies and government welfare in the 1960s people in her community took care of their own day-to-day needs. She describes men building their own houses without any expectation of government assistance. For the people in Stoney Creek, the Indian Agent was the last person they would turn to for anything other than the occasional ration for the elderly.

B.C. Commissioner D.M. MacKay described the agents' relationship to the reserves to the Special Joint Committee of the Senate & the Housing of Commons in 1946. He explained that control was centralized in Ottawa and even in minor matters he was required to secure authority from Ottawa before he could incur even small expenditures.¹⁹⁹ When asked if he thought it was necessary or desirable that Indian agents visit Indians in outlying districts he answered,

Yes. I think that in order successfully to administer Indian Affairs one should become familiar with the Indians in their homes, and with conditions

¹⁹⁸ Bridget Moran, *Stoney Creek Woman: The Story of Mary John* (Vancouver: Arsenal Pulp Press, 1988), 99.

¹⁹⁹ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, part 1, 140. In the two decades following the war the federal government conducted several policy reviews aimed at rethinking its approach to dealing with Indians. The first of these reviews was the Special Joint Committee of the Senate and the House of Commons, which took place over three years and produced a series of recommendations that influenced the Indian Act reforms of 1951.

on the various reserves. That, I think, is the best foundation on which to start. I am ashamed to admit to this committee that there are villages in British Columbia that I have not been able to visit in ten years that I have been commissioner, due to lack of staff and ever increasing demand on my time in the office at Vancouver. It is more helpful to one to know from personal knowledge conditions which exist on the reserves and especially in the individual homes. Such information can never be obtained, of course, through straight office administration. If we had staff that could meet requirements it would be possible for the commissioner to visit the various reserves with reasonable regularity and to see conditions for himself and decide what should be done to improve them. As things stand at the moment, that is simple impossible.²⁰⁰

McKay's testimony sheds light on the transition that was taking place at this time because of increased demand. The Department's administrative structure may have worked in earlier days when there were a manageable number of requests, but by the 1940s the era of relative housing autonomy was over in many communities.²⁰¹ The agents' lack of capacity and the absence of a reliable funding source resulted in an almost impossible task of delivering housing assistance to the growing number reserve residents in need. The inbuilt contradiction in government Indian policy further complicated the agents' role—on one hand it emphasized the Indians' deficiencies and their need to be managed by government; To paraphrase John Milloy, Indigenous people were portrayed in Department and church texts as ignorant and superstitious and in need of 'enlightened' Canadians to help "elevate the Indian from his condition of savagery."²⁰² On the other hand Indian policy had at its core the imperative that Indians prove their characters by

²⁰⁰ Ibid., 141.

²⁰¹ Mary John marks the 1960s and the time when her community moved from housing independence to government dependence. The timing of the transition is different across the country.

²⁰² John S. Milloy, *A National Crime: The Canadian Government and the Residential School System, 1879-1986* (Winnipeg: The University of Manitoba Press, 1999), 25.

self-reliance. In the field of housing this meant agents parsed out meager pallets of building materials while expecting the recipients to build their own homes. There is no evidence that the agents were required to evaluate the buildings or to formally report on the outcomes of the expenditures.

Distributing housing assistance during the 1930s and 1940s followed much the same approach as other welfare goods such as flour and sugar. Recipients were required to apply to an Indian agent and after being scrutinized for their moral character and level of need, the Department approved expenditures from the bands' accounts or from the federal welfare appropriations set aside for cases of extreme need.²⁰³ These disbursements were carefully itemized, monitored and controlled. Successful applicants received a small provision of rudimentary building supplies, which normally consisted of framing lumber, nails, roofing materials and tar paper chosen and ordered by the agent and approved, down to the last board and nail, by the Department. Materials often arrived in a bulk order for several projects at a time and each recipient was expected to retrieve the supplies he needed and be ready and able to build his own house.

Agencies did not receive housing allotments so they were forced to review applications for assistance on a case-by-case basis. A series of typical requests from Agent F.J.C. Ball of the Vancouver agency illustrates the cumbersome work of managing the details of housing assistance: A request from Johnny G, an elderly Indian of the Musqueam Band, aged 71, for assistance in obtaining shingles for his house. Ball calls the man a deserving case and recommends approval. "The shingles, No. 2 grade, would

²⁰³ The Indian Department communications with the agencies across the country shows many examples of the standardized application forms.

coast about \$45, including cartage to the Reserve. Johnny [G] can build his own house but he needs shiplap and 2X4s to finish.” “August [L] from the Homalco band requests 2500 ft of lumber to repair his house.” “Jimmy [H] needs 2000 ft. of shiplap and now some 2X6s.” Agent Ball also requested paint to finish the houses from the past few years, which had not been painted.²⁰⁴ Once the agency approved an application the agent attached a quote from local suppliers for the materials and sent the package on to the Department in Ottawa.

Teeing up the delivery of material with labour, weather, and cultural rhythms and employment schedules, especially in isolated communities where capable builders was scarce, often proved to be a particular challenge. In 1940 Agent F.J.C. Ball wrote a frustrated letter to Ottawa describing the difficulty he had managing housing repairs that needed to be approved in every detail in Ottawa,

...while you say ‘no difficulty has been experienced by various Agents in furnishing lists of material to carry out repairs this is not in accordance with what Agents have told me. If any proof is needed of this, or any other statement made by me, I may say that when lumber was sent to Church House [Homalco band, B.C.] I received a letter from the Indians by the next mail saying that they are grateful for the help, but found posts, joists, etc. rotten when they started putting on the new lumber. I defy any person to estimate exactly what is needed to repair a house until they have removed the outside lumber, shingles, or flooring.’²⁰⁵

With insufficient and often incorrect materials many of the repairs and new construction projects were left unfinished and the materials were wasted.

²⁰⁴ LAC, Department of Indian Affairs, RG 10, Correspondence between Agent F.J.C. Ball, Vancouver Indian Agency and Indian Affairs, Ottawa, between May and September 1945, volume 10902.

²⁰⁵ LAC, Department of Indian Affairs, RG 10, Letter from Indian Agent F.J.C. Ball to Superintendent D.M. MacKay, Indian Affairs Ottawa, 28 November 1940, file 197/14/8973.

Similar construction management problems that occurred almost a decade later illustrate the difficulty, for example agent Eric Law's report from the Les Escoumains Reserve, located on the north shore of the Gulf of Saint Lawrence in the Cote Nord region in eastern Quebec stated; "Due to the late date of materials delivery, only one basement was made of the three houses to be constructed. The completed houses should be finished in the early part of the summer..."²⁰⁶ A year later only one house had been completed, the rest of the material was left to decay. While Indian Affairs head office in Ottawa meticulously scrutinized the agents' applications, construction details and expenditures and demanded triplicate copies of all the paperwork, at the band job sites where the materials were being used, there was no project oversight or construction management.

When Eric Law was Superintendent of the Kenora Agency he complained about the same problem in Whitefish Bay Band. "I also pointed out to him that the Band Member receiving a new home was to take care of the material on delivery at the site. This was not done in many cases and the material was exposed to the weather for some time."²⁰⁷ The secretary of the band wrote to Ottawa and explained that the materials arrived too late in the season and they could not get the building projects started in time. She writes, "Why is this? You will ask, because no one from the Agency came to supervise the building and carpenters did what they liked."²⁰⁸ With no one on site to

²⁰⁶ LAC, Department of Indian Affairs, RG 10, Letter from Superintendent Eric Law to Indian Affairs Branch—Ottawa, 4 April 1962, volume 8463, file 379/23-20.

²⁰⁷ LAC, Department of Indian Affairs, RG 10, Letter from Eric Law, Superintendent, Kenora Agency, to Director, Indian Affairs, 2 March 1960, volume 6848, file 464/29-2, part 8.

²⁰⁸ Ibid.

ensure the materials arrived in full, in good condition or on time more often than not the building projects were poorly constructed or left unfinished, which reflected poorly on the band.

It seems obvious in retrospect that Indian agents who themselves were managed from Ottawa, could not act as bankers, project managers and construction superintendents when most of the time they were not even on the building sites. Nevertheless, within the system as it was developing, without building standards and trained carpenters, the agents were the only ones in the position to ensure the houses were constructed adequately consequently the building were left with no oversight whatsoever.

Two Income Groups

In spite of always dealing with an extreme lack of funds the Department intended that housing assistance would be distributed between two income groups. The first group was made up of the most desperate band members; those with few, if any, personal resources. These applicants received a full package of building supplies—enough to build the outer shell of a tiny dwelling. The second group, comprised people who had some disposable income, received government-issued materials to supplement what they could provide for themselves. The practice is described in testimony to the Special Joint Committee:

Finishing of houses already commenced is assisted by supplying roofing, windows, doors, flooring and trim—in short, aid for the finishing of a house already partially built by an Indian through his own efforts. An Indian may use logs to build the walls of his house, but he may be unable to get funds to

permit him to finish the house, so we may receive a request to provide funds in order for him to procure the necessary material.²⁰⁹

Whether the person was poor and got a full welfare package or largely self supporting and got some windows or doors, the resulting dwelling was ultimately supported to the same low standard.²¹⁰ While the Department saw the two-tiered system as a way to promote initiative, it offered no incentive to working people to save or invest their own capital. When, by the 1940s population started to grow more rapidly, the two-tiered system could not keep up. By the 1940s when agencies scrutinized their applicants' level of need many of them found they could only provide assistance to the very poor. This practice would become widespread and have desperate consequences on band populations. Like elsewhere it was impossible for most people to build a house on reserve without financial assistance, yet because of limited funds and the desperate need it was the employed Indians who were denied assistance. Housing policy meant that, going forward, reserves would become communities assigned for the poor.

As reserves became known for their poor housing the imagination and expectations of reserve residents became restricted by the limitation on housing possibilities. Reserve residents had no housing experiences to draw on other than the tiny shacks they saw around them. The overarching government control over housing decisions and financial

²⁰⁹ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, part 2, 465. The expectation that the Indian would live in a log house is clear in this comment.

²¹⁰ The records show that in the early 1940s agencies capped supplementary funds limiting the final product. LAC, Department of Indian Affairs, RG 10, Correspondence between Agent F.J.C. Ball, Vancouver Indian Agency and Indian Affairs, Ottawa, between May and September 1945, volume 10902.

transactions also created communities with few opportunities to develop their own housing skills.

Not only did government inhibit the development of basic housing skills, it also left open the question of who owned the houses and who had the right to control their use. For example, in 1941 when the Songhees Council recommended that a non-Indigenous man take up tenancy in a band house Indian Agent R.H. Moore wrote to Indian Commissioner for BC, D.M. MacKay, “I informed them [Songhees Council] that it was doubtful if the request would be granted owing to the fact that you were not in favour of the residence of white persons on I.R.’s, however, they asked me to submit it anyway.”²¹¹ In the end the request was denied. When William Recalma wanted to rent his house on the Qualicum Reserve, located on central Vancouver Island, B.C., he appealed to Moore for approval who again deferred to Ottawa. His request was eventually approved by an arbitrary decision:

In reply, I would advise that I have hesitated to issue definite instructions to Indian Agents to the effect that no such applications would be entertained in future, it being considered that it would be a sufficient indication of policy to state, as I did in my letter of the 22nd...that such leasing should be discouraged.²¹²

In the absence of policy the Department made arbitrary housing decisions and defined ownership in a way that best suited its need. Though the Department often spoke in terms of Indian ownership of the houses in reality the day-to-day involvement by the

²¹¹ LAC, Department of Indian Affairs, RG 10, Correspondence from R.H. Moore, Indian Agent for Cowichan Agency to D.M. MacKay, Indian Commissioner for BC, 29 April 1941, volume 11050, file 33/3, part 6.

²¹² LAC, Department of Indian Affairs, RG 10, Correspondence from R. H. Moore to D. M. MacKay, 4 June 1941, volume 11050, file 33/3, part 6.

agents and the Department left the Indian “owners” with very few homeownership responsibilities and little or no authority over their houses. Mackay clarifies the Department’s approach:

Regarding the leasing of Indian houses to non-Indians, it would be apparent that there are obvious and serious objections to such a policy, particularly where more than one Indian family are residing in other dwellings on the reserve.²¹³

In this case the “occupancy” relationship meant that while a band member may have been called the owner of a certain house, Ottawa controlled who lived in it. Consequently if an “owner” moved away, even for a short time, the house came under the control of the Department and was likely reassigned to another occupant vastly impinging on mobility.

In some cases the Department claimed ownership in the case of the physical building itself. For example in 1940 a “white” man bought a house from an Indian from Richibucto, southwest of Rexton, New Brunswick and moved it off the reserve. A letter from the Indian Agent stated, “It is really serious to make bargains with Indians with regard to real estate as no Indian can sell any property belonging to the Department, without the consent and approval of the Department. I would advise you to replace the house where you got it immediately and you will be out of danger.”²¹⁴

Ottawa also controlled transactions between band members. As in case in 1940, in Beaumont New Brunswick when two band members made a real estate deal between

²¹³ Ibid.

²¹⁴ LAC, Department of Indian Affairs, RG 10, Letter to M. Valada LeBlance from Indian Agent (name illegible), 9 May 1940, volume 8884, file 55/29-2-8.

them. When the matter was concluded the agent informed the seller of the same message, “...no Indian can sell property belonging to the Department, without approval of the Department.”²¹⁵ Later he wrote that the deal was illegal and the documents were “not worth the paper used” fortifying the fact that reserve residents should not see home ownership as more than an occupational relationship.

This idea can be seen, for example, in a letter from a young woman to E.J. Blakey, Superintendent, New Brunswick Northeastern Indian Agency,

Since this is an Indian Reserve and that we are living on it I would like to know if the Government can build us a house here on the reserve. Since my parents are old and not drawing a big income barely enough to live on in fact I see no reason why the Government cannot build one. I am not old enough to work out yet and I am quite incapable of building one myself. The one we are living in now is not quite fit to live in nor is it sanitary, also cold in the winter.²¹⁶

These conditions resulted in a growing sense not only of a lack of personal responsibility but a hands-off relationship to the houses because they were the property of the federal government. The seeds were being planted for the expectation that it was the Department’s responsibility to supply housing when it was needed.

Health and Housing

By the 1930s it was becoming widely known that poor housing conditions were responsible for many debilitating health and social conditions. Reserve residents were

²¹⁵ LAC, Department of Indian Affairs, RG 10, Correspondence from Indian Agent (name illegible), Miramichi Indian Agency to Richibuto band member, 7 May 1940, volume 8884, file 55/29-2-8.

²¹⁶ LAC, Department of Indian Affairs, RG 10, Letter from Mose J. Knockwood, to E.J. Blakey, Superintendent NB Northeastern Indian Agency, 28 December 1949, volume 8884, file 55/29-2-7.

caught in a vicious cycle; if they wanted to work in the labour economy and send their children to school it was not realistic to think of meeting common expectations of privacy, hygiene, adequate food preparation, sufficient sleep and general sanity while living with 12 – 15 people in 400 square foot unweatherized cabins. Yet without the opportunity to earn a decent income they could not save enough to build a decent home. Adding to the problem was the issue of mobility as we saw earlier—if someone took a job that required a move, he would lose the house he was living in. The records show the struggle to maintain health and family in the form of letters such as this one from a father pleading for shelter:

I am asking for a help if I can have a house, this year, while still there is time to build a house also I can keep the children in school. Please kindly let me know if I can't have a house build this year. I'll have to move in a small camp in a woods witch I know it wont be to good for us an children, long ways to school.²¹⁷

The association between poor housing conditions and TB was an obvious and constant problem for agents who faced housing applications such as the one from Bella Coola in 1954, for a family of seven, “Willie Hall is in Nanaimo Indian Hospital, with Pulmonary T.B. Has been confined to hospital for past Three years. House in which family now lives is in a falling down condition, and it is imperative that new housing be supplied for this family.”²¹⁸ Agent F.J.C. Ball describes another typical housing applicant in a letter to the Department, “The family has tuberculosis, several of the children have

²¹⁷ LAC, Department of Indian Affairs, RG 10, Letter from Mr. and Mrs. Michael Brisk, Red Bank Indian Reserve, N.B. to Indian Affair Branch, 22 August 1950, volume 8884, file 55/29-2-18.

²¹⁸ LAC, Department of Indian Affairs, RG 10, Application for approval of expenditure for Welfare Appropriation, Indian Affairs Branch, 26 March 1954, volume 8193, file 972/29-2-1, part 1.

already died, the father is also sick and they currently live with another family.” His fatalistic response to the desperate conditions is equally as typical, “The housing in Homalco is deplorable, the worst in the agency, but the band has no funds with which to start a building program.”²¹⁹

The Department had been aware of the association between poor housing conditions and high instances of tuberculosis (TB) since the 19th century. In the 1890s Dr. Edward Farrell, a Maritime physician reported in a circular that was repeatedly distributed to all agents advising them to vaccinate infants and revaccinate adults for TB every seven year. He also recommended that agents encourage people to build their houses on high ground and of an adequate size for the number of occupants. In 1909 he reported that the health problems in the residential schools were part of a larger “drawn-out problem of negligence on the part of the government vis-à-vis its wards.” His study found that every child awaiting admission in the schools showed signs of tuberculosis and that the “primary infection of the children occurred in the home and the adults in the home were the source of the tuberculosis infection.”²²⁰

Similar information was revealed in a National Research Council study conducted in 1926-28 by Dr. R G Ferguson, director of medical services for Saskatchewan anti-TB League. His study revealed that 60 percent of 7 year-old children and 96 per cent of 11 year-olds were sensitive to tuberculin bacillus whether they had been in a residential

²¹⁹ LAC, Department of Indian Affairs, RG 10, Letter from Indian Agent F.J.C. Ball to Superintendent D.M. MacKay, 19 May 1944, Correspondence from the Vancouver Agency to Ottawa, A39.10902 file 1/43-2, part 6.

²²⁰ Colin Howell and Michael Smith "Orthodox Medicine and the Health Reform Movement in the Maritimes, 1850-1885," *Acadiensis*, 13.2 (Spring, 1989): 64.

school or not.²²¹ In the early 20th century Chief Medical Officer for the Department of Indian Affairs Peter Bryce investigated residential schools and found that as many as one quarter of the students in some schools died while on the schools' rolls or shortly thereafter, predominately from tuberculosis. Bryce found a connection between the unventilated and overcrowded living conditions in the schools and disease and death.²²² But while Bryce focused on health issues in residential schools, like Farrell and Ferguson he found, "that tuberculosis was equally present in children at every age, and thus it was strongly recommended that the health measure be extended not only to the 10,000 children of school age, but the thousand new ones coming up each year and entering the schools annually."²²³

In the 1940s the Chief Medical Officer P.E. Moore warned the Department of the association between poor housing and TB—that fixed residences on unsanitary reserves facilitated the spread of tuberculosis.²²⁴ In 1945 Superintendent MacKay advised F.J.C. Ball, "the primary factor in any housing rehabilitation scheme for Indians is the question of health, particularly the eradication of tuberculosis and the prevention of disease."²²⁵

²²¹ Michelle M. Robinson, "Dying to Learn: Infectious Disease and Death among the Children in Southern Alberta's Indian Residential Schools" (Master's Thesis, Laurentian University, 2008), 3. For more on tuberculosis see C. Stuart Houston, *R.G. Ferguson: Crusader Against Tuberculosis*, ed. T.P. Morley (Toronto: Dundurn Press, 1991), 90-103.

²²² Mary-Ellen Kelm, *Colonizing Bodies: Aboriginal Health and Healing in British Columbia, 1900-1950* (Vancouver: UBC Press, 1998), 64.

²²³ Adam J. Green, "Telling 1922s Story of a National Crime: Canada's First Chief Medical Officer and the Aborted Fight for Aboriginal Health Care," *The Canadian Journal of Native Studies*, 16.2 (2006): 223.

²²⁴ Kelm, *Colonizing Bodies*, 41.

²²⁵ LAC, Department of Indian Affairs, RG 10, Letter from MacKay to F.J.C. Ball, 30 October 1945, volume 10902, file 1/43-2, part 6.

Yet even by the 1960s Department approved house plans did not provide as much sleeping space as was required in the residential schools.²²⁶

In spite of the unquestionable link between poor housing and the incidence of tuberculosis, the Department continued to overlook issues of overcrowding and put the responsibility on the occupants and targeted poor housekeeping as the culprit for the substandard housing conditions and the flawed medical system for the poor health conditions.²²⁷ As a result, agents addressed the problem of TB by distributing lime, brushes, coarse salt and tallow to residents so they could whitewash their interior walls and floors in the hope that it would sanitize the houses and reduce the spread of the disease.²²⁸

While much has been made of the role residential schools played in spreading TB, little has been written about the relationship between substandard housing, the schools, poor health conditions and the agents. Clearly government officials knew that the houses played a devastating role yet they continued to remove children from infected and unhealthy homes and sent them to the schools where the problem was not created but compounded.

²²⁶ LAC, Department of Indian Affairs, RG 10, Report on the proposed Housing Grant and Loan Program from D.M. Hett, Superintendent, Okanagan Agency to Regional Office, Vancouver, 2 June 1961, volume 6856, file 901/29-2, part 4. The report was based on feedback from 4 Superintendents and 2 assistants working in the Okanagan region.

²²⁷ Deaths associated with TB rose with the rates of malnutrition hunger and inadequate housing. For more see Maureen K. Lux, *Medicine that Walks: Disease, Medicine, and Canadian Plains Native People, 1880-1940* (Toronto: University of Toronto Press, 2001), 65-67.

²²⁸ A typical request came from J.G. Burk in Port Arthur, Ontario when he wrote to the Secretary of Indian Affairs asking for materials to whitewash the houses on each reserve because of the "large number of Tubercular cases." LAC, Department of Indian Affairs, RG 10, Letter to the Superintendent of Reserves and Trusts from Indian Agent J.G. Burk, 1 September 1939, volume 8192, file 492/29-2-03, part. 1.

According to Maureen Lux the lack of response to the TB epidemic can be explained by the same racist ideas that allowed the substandard housing in the first place. In her book *Medicine That Walks*, she argues that in spite of scientific findings in the late 19th century that proved tuberculosis to be a contagion rather than a hereditary disease, native tuberculosis was approached as a racial disease until 1945 when the disease could finally be treated with medicine.²²⁹ Lux states, “The category of race profoundly influenced how disease and its treatment were understood and explained.” The idea that Native people were less evolved and that death and disease were a phase that Natives would pass through²³⁰ influenced Indian agents’ thinking in a similar way as their belief that associated cleanliness and moral progress.

The preoccupation with cleanliness allowed agents to disregard the connections between illness, overcrowding and substandard living conditions, and the housing restrictions established by the *Indian Act* and Indian Department. Agents’ reports conveyed housing conditions as symbols of progress and maintained their focus on measurement tools that defined good housing such as cleanliness, furniture and roofing material. Reports often described the quality of bedspreads and curtains while having nothing to say about the buildings’ suitability to the region or climate, the number of occupants, inadequate plumbing or how the standard of accommodation might affect the well-being of residents. For example, the 1936 report from the Battleford Agency in Saskatchewan describes the houses on the Poundmaker Reserve, located northwest of North Battleford, in glowing terms; “with few exceptions [homes] are provided with a

²²⁹ Lux, *Medicine that Walks*, 190.

²³⁰ *Ibid.*, 226.

table, chairs, and iron beds [and the agent] noted quite a few with white bed spreads and pillow cases.”²³¹ The report for the Cold Lake Reserve in east central Alberta stated positive progress in the community based on the incidence of shingled rather than mud roofs. The houses, he reported, were “fair, being of log construction with shingled roofs and I believe there are a greater number of houses with shingled roofs here than on any other reserve in the Agency. They are also, as a whole, fairly well kept.”²³² The Bighead Reserve had a less favourable report. Houses in the Bighead community were of such low standard that, not surprisingly, many community members choose to continue to live in tents. “The usual are one-roomed huts with sod roofs and I think only one house on the Reservation has a shingled roof. I passed all of the homes here but they were vacant as the Indians were all living in tents in two or three groups.”²³³

Two years later, in 1938, the agent again inspected the houses in Bighead and reported improvements; 50 percent of the homes were clean and well-kept and practically everyone had a home of their own. Presumably they had built new homes and reduced crowding but there appears to be little progress in the buildings themselves, which reportedly were still predominately of log construction with mud roofs. They reported that next door, on the Onion Lake Reserve, the houses were in the poorest condition of all. They were no more than log shacks with sod roofs and besides, they were untidy,

²³¹ LAC, Department of Indian Affairs, RG 10, Inspector of Indian Agencies reports, Saskatchewan, 1938, volume 8467, file 671/23-17, part 2.

²³² Ibid.

²³³ Ibid.

conditions the agent blamed on the habits of the occupants and, he suggested, that could be remedied through “a great deal of supervision to bring about a better condition.”²³⁴

The Saskatchewan Anti-Tuberculosis League knew that tidying up would not solve the health problems caused by poor housing conditions. In conjunction with Dr. Ferguson they proposed a comprehensive approach to stamping out tuberculosis on the File’s Hills Reserve in southern Alberta. The solution included building a health centre and removing active cases of tuberculosis from the school population and replacing the one-room log huts with sod or thatched roofs with frame houses.²³⁵ The results were encouraging, between 1930 and 1932, before widespread vaccinations were introduced the tuberculosis death rate had dropped from 5.6 per thousand to 2.7 per thousand through two simple measures.²³⁶ Improving living conditions and providing sanitariums was too expensive and instead government pursued a highly controversial medical solution, which was far less expensive.²³⁷ As the Saskatchewan report illustrates, ideas that Indians were themselves the problem because of their incompetence and laziness were so deeply ingrained that Department officials ignored suggestions otherwise and remained focused on increased supervision and improved housekeeping as the solutions for the living conditions. In other words, it was acceptable for Indians to live in substandard houses as long as they were clean.

²³⁴ Ibid.

²³⁵ Maureen Lux, “Perfect Subjects: Race, Tuberculosis, and the Qu’Appelle BCG Vaccine Trial,” *CBMH/BCHM*, 15 (1998): 287. The record does not state how the housing improvements were funded only that upgraded houses were part of the larger medical experiment.

²³⁶ Lux, *Medicine that Walks*, 209.

²³⁷ Ibid., 210-212.

This attitude drew on the social movement in England from the latter part of the nineteenth century that saw increasing concern by government and social reformers over the unsanitary housing conditions of the poor. The fear of contagious diseases such as influenza, typhus and cholera drove housing reform in Britain and America. Targeting dirt as the harbinger of disorder social reformers set out to teach working class women the art of cleanliness. But while cleanliness was often held up as the benchmark for homemakers the reformers had made housing as much a moral imperative as a physical goal.

Fears of incest among families forced to live in single rooms, rather than a concern with their housing problems, was a major impetus for housing reform and indeed for the establishment of child protection charities like the NSPCC (the National Society for the Prevention of Cruelty to Children) established in 1884.²³⁸

The message of British social reformers that cleanliness was next to godliness, had spread onto Indian reserves through the work of wives of government agents, who trained women in the arts of cleanliness and homemaking eventually establishing Homemakers' Clubs on reserves.²³⁹ The first club started in Saskatchewan in 1937, and, its prime objective, according to the agent's report, "[was] to promote better conditions in the homes on the reserve."²⁴⁰ Led by farm instructors' or Indian agents' wives and managed by the Indian women, these groups rapidly became successful at spreading the idea of

²³⁸ Peter Beresford, *All Our Welfare: Towards Participatory Social Policy*, Bristol: Policy Press, 2016, 39.

²³⁹ The first off-reserve Homemakers' Club of Saskatchewan began in 1911 through the Extension Department of the University of Saskatchewan with the objective "to promote the interests of the home and community." For more see, Scott McLean and Heather Rollwagen, "Progress, Public Health and Power: Foucault and the Homemakers' Clubs of Saskatchewan," *Canadian Review of Sociology*, 45.3 (2008): 227.

²⁴⁰ LAC, Department of Indian Affairs, RG 10, Battleford agency report for Keeheewins Reserve (Long Lake), 1937, volume 8462, file 671/23-17, part 2.

better living conditions through improved housekeeping.²⁴¹ With a \$50 government grant to buy a sewing machine and hand-working supplies, clubs sprang up across the country. There was a great sense of optimism amongst government agents that the clubs had become “centres where the gospel of self-help is not only preached but practiced.”²⁴² The organization held national conferences and sponsored house-cleaning competitions using mottos such as “helpful cooperation” and “doing for others” in their effort to promote “good homes, good communities and good Reserves.”²⁴³ At the 1954 Homemakers’ Convention in Tyendinaga J.P.B. Ostrander, Superintendent of the Welfare Division, Ottawa addressed the women and said,

Every homemaker is interested in better housing, which means keeping the grounds clean and tidy; planting shrubs, trees and blooming plants; seeing that the exterior of the building is painted and presents a homelike appearance. Water and sanitation are very important. If the wells on the reserve are not what they should be, then you, the Homemakers, should bring this to the attention of the Indian Council and Superintendent. The same applies to poor sanitation. As mothers and wives you should see that your home is adequately and properly furnished.²⁴⁴

Instructors knew they could make limited progress in light of the desperate housing conditions. Mr. Hockley, farm instructor for the Qu-Appelle agency reserves, spoke on behalf of his wife. “[Mrs. Hockley’s] influence would be greater had the Indians means to build better houses, for it is hard for them to be neat and tidy housewives in a 7 by 9 foot

²⁴¹ Mariana Valverde, *The Age of Light, Soap and Water: Moral Reform in English Canada, 1885-1925* (Toronto: McClelland and Stewart, 1991).

²⁴² Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, part 1, 17.

²⁴³ LAC, Department of Indian Affairs, RG 10, Homemakers Convention 1954, Tyendinaga report, volume 8483, file 631, 24-5-1, part 1.

²⁴⁴ *Ibid.*

log hut without a floor, and where the whole family live, cook, eat, sleep and use it as a nursery.”²⁴⁵ While the federal government promoted similar messages in mainstream society such as Canada’s Home Improvement Plan (HIP), a targeted home improvement designed to combat unemployment during the Depression and define what constituted a proper home and the woman’s role in it, what was missing from the approach on the reserves was any attempt to provide low interest loans for home improvements. Instead it solely targeted improved cleanliness.²⁴⁶

Training was a strategy to turn the attention from the house to the occupants and instill in the trainees the government’s notion that they were the ones who were deficient and with the government’s help they could be fixed. According to Noel Dyck the administration defined their task, “as that of ‘altering’ Indians rather than that of changing Indians’ conditions and compensating them for their loss of land and resources...”²⁴⁷ Nevertheless, Hockley, like Drs Bryce and Ferguson, knew that the problems with Indian housing did not lie entirely with the occupants and that tutoring native women in the ways of keeping a clean house, could not solve the housing problem or cure the tuberculosis epidemic.

Comparison

²⁴⁵ Cited in Lux, “Perfect Subjects: Race, Tuberculosis, and the Qu-Appelle BCG Vaccine Trial,” 280.

²⁴⁶ Margaret Hobbs and Ruth Roach Pierson, “‘A kitchen that wastes no steps...’ Gender, Class and the Home Improvement Plan, 1936-40,” *Histoire Sociale*, 21 (1988): 9-10

²⁴⁷ Dyck, *What is the Indian “Problem”?*, 32.

In spite of the widening gap between housing conditions on and off the reserves the federal government maintained the narrative that its goal was that Indians should achieve comparable housing on reserves that followed the styles and standards found in mainstream society. Evidence can be found in the record as early as 1860 when Anglican minister William Duncan advised Governor James Douglas that his government ought to “require [the Indians] to put up decent houses for their dwellings.”²⁴⁸ A submission to the 1947 Special Joint Committee by the Okanagan Society for the Revival of Indian Arts and Crafts quotes a federal government report that shows the limits government placed on the comparison: “Special attention continues to be given to the improvement of Indian homes. All new houses are built upon modern lines of the small compact type *used by white labouring classes*.”²⁴⁹ Yet the presentation shows that the comparison continues and that few houses from government programs meet even that level and that the best houses “...have been built by individual initiative.” Otherwise the testimony of the Committee hearings described houses on reserves as “unsanitary shanties” and the living conditions “deplorable.”²⁵⁰

The act of comparing houses on and off reserves raises questions about the purpose of the comparison itself. According to R. Radhakrishnan, comparisons are never neutral nor are they self-evident, “...they are inevitably tendentious, didactic, competitive and prescriptive. Behind the seeming generosity of comparison, there always lurks the

²⁴⁸ Perry, “From ‘the hot-bed of vice’ to the ‘good and well-ordered Christian home,’” 588.

²⁴⁹ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, part 2, 624-625.

²⁵⁰ *Ibid.*, 525.

aggression of a thesis.”²⁵¹ On the surface government discourse of comparison is generally read as supporting its effort to raise the standards on the reserve to match houses in the mainstream. Yet even using the mediocre standard of the labourers’ cabins, on-reserve housing failed to meet the lowest expectations. For example, in 1956, Clayton W Hodgson, MP for the Victoria-Haliburton riding in Ontario found that the houses on the Rama Reserve, located on Lake Simcoe, were more comparable to animal shelters than human dwellings. “I personally know that several of their houses there are not fit to keep a dog in, let alone human beings.”²⁵² The rhetoric of substandard housing implicitly contained notions of the home occupants’ failure to meet a normative condition, albeit set lower than off-reserve, but nevertheless still never widely achieved. Reports of substandard houses allowed government officials to focus its attention on the lack of responsibility of Indigenous occupants, which fortified the Department’s claims of native inferiority and incapacity, and ultimately bolstered the demand for more government control.

Comparing outcomes, rather than opportunities was like expecting a Better Homes and Gardens outcomes from a garden shed. Housing equity could not be achieved when the best reserve residents could hope for under the current system was a log cabin or two room wood frame shack. The package of materials provided by the Department came with no detailed building plans, no tools, followed no building standards nor did they conform to any inspections or development requirements.

²⁵¹ R. Radhakrishnan, “Why Compare?,” *New Literary History*, 40.3 (Summer 2009): 454.

²⁵² LAC, Department of Indian Affairs, RG 10, Letter to Mr. H.M. Jones, Director Indian Affairs Branch Ottawa from Clayton W. Hodgson, MP, 28 May 1956, volume 6841, file 475/29-2, part 1.

Notwithstanding the general poverty in Canadian society at that time, Indigenous people faced a widening disparity between conditions off and on reserve exacerbated by overuse by the rising population. Despite the Department's habit of using comparisons of living conditions to judge the Indians, reserve residents, even during the Depression, who were in the position to compare on and off reserve saw better opportunities in the urban centres. In 1942 Agent F.J.C. Ball wrote to the Superintendent in Ottawa, "It would appear that during the Depression there was a tendency for the Indians to go to larger centres and if at all possible to apply for relief from civic authorities. In these centres Indians obtain information in connection with relief that is hard to counteract on a reserve."²⁵³ Ball recommended that the Indian Act be amended to include a clause, similar to the pass system evoked on the Prairies in the 19th century that would make it illegal for an Indian to leave the reserve without a pass from the agent.²⁵⁴ He suggested, "If Indians were to be controlled, the act needed teeth so that the agent could threaten an Indian to get back to the reserve when ordered to do so."²⁵⁵ Agents needed strategies to prevent Indians from comparing opportunities, because relief programs on the reserve, including housing, could not compete with the programs in cities across the country during the war. If Indians' expectations were to be controlled agents like F.J.C. Ball

²⁵³ Indian Agents' feedback to the Secretary, Indian Affairs Branch, in regards to amendments to the Indian Act. LAC, Department of Indian Affairs, RG 10, Submission from Agent F. J. C. Ball, 27 March 1942, volume 6810, file 470-2-3 part 10.

²⁵⁴ Canada had a pass system in the areas covered by Treaties 4, 6, and 7, from 1886 until 1935 as documented by Donald Purich, *Our Land: Native Rights in Canada* (Toronto: James Lorimer, 1986). The pass system followed the rebellion in Batoche and served, among other purposes, to prevent Indians from participating in further uprisings. Although it was not strictly enforced it was not fully removed until 1935.

²⁵⁵ Indian Agents' feedback to the Secretary, Indian Affairs Branch, 1942 in regards to amendments to the Indian Act. LAC, Department of Indian Affairs, RG 10, Submissions from Agent F. J. C. Ball, 27 March 1942, volume 6810, file 470-2-3, part 10

needed to find ways to prevent reserve residents from realizing that better housing was available elsewhere. By the 1930s the government had done away with the old pass system and there is no evidence that Ball's suggestion was considered.²⁵⁶

Reserve residents did not have to go outside the reserves to see the disparity between mainstream housing and their own. Many northern communities housed a large population of white residents such as missionaries, Hudson's Bay Company managers, RCMP officers, teachers and nurses. Such was the case in Shamattawa, in northern Manitoba and even though non-native housing was built out of sight of the reserve housing, they were close by and there is no doubt that agents needed to manage housing expectations. In *The Dispossessed* Geoffrey York describes the proximity, "All of [the non natives] are housed in their own compounds, isolated from the grim daily reality of Indian life on reserve. The whites are the only residents who enjoy the comforts of running water, indoor plumbing, and modern heating. Without these benefits, few whites would agree to live on an Indian reserve."²⁵⁷

Some agents used the comparison of high quality houses as an opportunity to highlight the substandard conditions of reserve housing. One example of the 'keep up with the Jones' approach took place in 1946 in the Vancouver Agency when the agent decided that his own house should act as an example for the Pemberton Indians. The agent's report states;

²⁵⁶ For more on the pass system read: F. Laurie Barron, "The Indian Pass System in the Canadian West, 1882-1935" Department of Native Studies University of Saskatchewan, 1988. Available on line. http://portal.usask.ca/docs/Prairie%20Forum/The%20Indian%20Pass%20System%20%28v13no1_1988_pg25-42%29.pdf

²⁵⁷ Geoffrey York, *The Dispossessed: Life and Death in Native Canada* (London: Vintage, U.K., 1990), 6.

Whilst the Department got good value for the purchase price of this building and property; considerable sums of money will have to be spent on the set-up to make it a visible example of good housing to the Indians of the Pemberton area. The roof still ha[s] to be renewed next year: fencing completed and grounds cleared [for] a garage for the Departmental truck erected immediately and the house made warm and comfortable.²⁵⁸

While there is no doubt that this scheme gained the Indian agent an improved home, the idea that the presence of such a house would serve as an example for the Pemberton Indians to follow was surely a plan doomed to fail. The ‘considerable sums of money’ spent creating the agent’s show house was not available to reserve residents, which makes one wonder how the agent could ignore the paradox. Examples like this would have only been useful had the show house been attainable. Not unlike the Indigenous people who went to town and saw opportunities for white folk that were not available for them, so the Mt. Curry band members (near Pemberton) were bound to be frustrated by rather than envious of the agent’s home. Clearly, the agent’s house was not superior because he tidied it up, worked harder, or splashed on a coat of whitewash, but because he had access to the materials and labour that result from the ability to pay - a point that was missed by everyone involved. These strategies demonstrate the agents’ struggle to create and support the housing system on reserves, yet the expectation that Indians would aspire to housing standards that Department policies prevented them from achieving supports Dyck’s notion that there was something deliberate and perhaps mean-spirited about the Department’s approach.

²⁵⁸ LAC, INAC, Quarterly Report of Vancouver Agency for period ending 30 September 1954, box 2 R 216 48-61.

While the agents' houses were far from extravagant, alongside typical reserve houses of the day they would have been considered palaces. A sample of agent houses shows they were generally about 1000 square feet and had porches, pantries, basements, electricity, oil-fired furnaces, hot water tanks, driveways, and auxiliary buildings.²⁵⁹ What the Department considered necessities for the agents' houses were considered excessive for the government to provide for reserve residents.

But agents did not compare the Indians' needs with their own, they generally accepted the poor housing conditions for Indians:

Michael Henry is a young married Indian with five small children and has obtained a building 17' X 19' to commence establishing a home for his family and the Band grant [of \$25] will go a long way in helping him procure flooring to make the building habitable and is recommended for your approval.²⁶⁰

The implications of the agent's attitude was that while the Department's rhetoric was about improving on-reserve housing in comparison to off-reserve housing, its practice was to promote extreme destitution. The agent recommended a \$25 renovation fix to a 323 sq. ft. building that could not provide adequate shelter for a family of seven with or without the new flooring. The family had no facilities for cooking, bathing, and sleeping, the children could not be fit for the demands of school nor the adults fit for the requirements of a job. In the rush to solve the day-to-day housing issues, agents ignored the real life repercussions of their decisions.

²⁵⁹ LAC, Department of Indian Affairs, RG 10, a collection of Accommodation Records of agency houses containing detailed condition reports and photographs, 1942-1955.

²⁶⁰ LAC, Department of Indian Affairs, RG 10, Letter from A.D. Moore, Indian Agent at Deseronto, Ontario to Indian Affairs, Ottawa, 5 March 1943, volume 10290, file 481/32-1.

Government-Issue Housing

Despite the fact First Nations communities were vastly different from each other in geography, climate and culture, by the 1940s, housing on reserves was becoming standardized as government involvement in housing assistance became more widespread and as reserve residents began to rely increasingly on the same meager pallet of framing lumber, tar-paper and roofing material that produced a one-size-fits-all dwelling.

The homogenization of on-reserve housing was not deliberately planned but was the result of the restrictions of the *Indian Act* combined with inadequate access to funds causing reserve residents to abandon the last vestiges of housing autonomy and variety. People once housed in dwellings designed to fit the function of the residents — whether they were fishermen, hunters, trappers, traders, woolworkers, wood carvers — and the climate in which they lived (from deserts to rain coasts, prairies, boreal forests, and the frigid north) were now living in tiny rudimentary government-issue shacks.

The state's persistence in maintaining the position that housing assistance was best provided as a welfare good in the form of building materials denied Indians the opportunity to acquire valuable housing experience. Indian agents and the Department arranged the purchase, delivery and payment of building materials and under no circumstances did reserve residents or band leadership handle financial transactions, make any of the financial decisions or decide on even the most basic of housing choices like paint or linoleum colours. Consequently, housing knowledge that the mainstream took for granted was not available on reserves. Reserve builders had no opportunity to learn modern building practices or practical skills such as installing domestic equipment

like heating and plumbing. As a result, reserves had few skilled carpenters, masons, plumbers or electricians, which would normally be called upon to build a non-native house. Though they built their own homes each man may have been responsible for the construction of only two or three houses in his lifetime, that only required the rudimentary skills needed to build a garden shed.

The small plans, rudimentary design, and self-build approach were all part of the Department's plan to bring about housing independence and equality, yet with limited tools, no training and even fewer expectations of success it is hard to imagine how anyone could have imagined reaching such a goal. Indians on reserves were not only deprived of the opportunity to acquire decent housing, but they were robbed of the chance to develop common housing skills that were available to mainstream citizens. By the end of the war when Canadians looked forward to increased prosperity and improved housing conditions, reserve residents were living in tiny one storey shacks that all looked the same from coast to coast.

Conclusion

The Department created a separate housing system under the guise of providing 'help' to Indians on reserves cope with their increasing housing demands and to build houses to match off reserve, albeit the lowest standard of mainstream housing. Ad hoc delivery methods and severe economic and legal restrictions characterized the financial structure of the reserve system, which was in stark contrast to the government's efforts o

loosen restrictions on borrowing and improve access to housing funds in mainstream society, at the same time.

When assessing the Indians' progress the government focused on the outcomes, the substandard houses, rather than the systematic restrictions in housing assistance delivery thus keeping the blame on the Indians for the failure of their housing and reinforcing what it had always contended: that Indians could not manage their own housing and required more government intervention. A by-product of the contradiction between the government's professed goal of Indian self-determination and its increased control over housing was the loss of housing skills and knowledge, which further bolstered the case that Indians lacked the capacity to house themselves.

While housing is often seen as a result of poverty the housing practices established in this era would turn housing into an significant force in creating on-reserve poverty. Without technical housing skills or business experience reserve residents did not keep up with housing developments off reserves and given they had access to only meager financial contributions they could only build the most rudimentary structures. The social and health effects of inadequate housing complicated the already difficult time Indians had entering mainstream society. Without facilities to cook, clean, sleep and study, the young Indian population could not compete in schools or in the job market. Housing policy in the mid twentieth century also created poverty at the macro level in the reserves themselves. Contrary to government rhetoric that the Indians were dependent on government financial contributions the funds for housing were, for the most part, coming from their own capital accounts. In return for depleting the accounts bands received

temporary houses that needed replacing every ten to fifteen years. Secondly under the constant threat of limited funds, priority was given to the poorest applicants and drove the most economically successful reserve residents off reserve to find decent housing. The cocktail of conditions set in place during the Depression and WWII would only worsen in the next few decades making good on the idea that “by our houses you will know us.” Yet the Canadian public expected Indians to produce the same housing results as in the mainstream but without the same opportunities.²⁶¹ The failure of the government housing system became the failure of the people making invisible the hand of housing policy.

²⁶¹ From records and communications such as the report from the Superintendent of the West Coast Agency in British Columbia I estimate that about 20% of the houses on reserves were built by residents without government assistance around the mid century. This number is a rough guess and would be different from one reserve to the next. LAC, Department of Indian Affairs, RG 10, Correspondence to Regional Office, Vancouver, 14 December 1959, volume 6857, file 988/29-2, part 2. Make a note here that some northern reserves had little agent influence until the 60s. However, at different times and depending on local economies some people on reserves built houses that rivaled even the best houses off the reserve. Reserves in places such as Wendake and Kahnawake in Quebec had a long history of building substantial brick and stone houses and in Kitimat and Campbell River in British Columbia, where the Indians were part of a lucrative fishing industry and had access to large cash incomes there were grand Victorian houses built on the reserves. These examples make it appear that when reserve residents could build their own houses that they choose the same style of dwelling that was popular in mainstream and it goes without saying that when a reserve resident had enough money that they housed themselves as well as anyone off reserve who had enough personal resources to build a house entirely without borrowed money. But, like off the reserve, these people were not the norm, it was only the most privileged who could afford to pay for the full cost of a substantial their dwelling.

Chapter Three - Built to Fail: The Department's Drive to Increase Production, 1947-1959

A convergence of several significant social changes took place in Canadian society in the 1940s that put added pressure on the ad-hoc on-reserve housing system driving the Department to increase its involvement in housing delivery and step up housing production. First, after a period of slow growth in the 1930s by WWII, the Indigenous population began to surge at an unprecedented rate, which put pressure on already overcrowded houses. Second, while Indians had benefited from the jobs provided by the wartime economy, once the soldiers returned, in many cases they lost those jobs and reserves slid into an economic downturn that rivaled anything they had experienced in the Depression. Finally, Canadian citizens, weary of war, and freshly awakened to the pernicious effects of racism had developed a new sensitivity and began to question how Canada could condone such bleak living conditions in their own country. The high rate of military volunteers from the Indian population and the return of many Indigenous “veterans” to reserves made the disparities more obvious.

Reserve housing could now be measured against the rapidly changing housing conditions off reserves. The post war era in Canada saw rapid urbanization, a burgeoning population and vast economic growth in mainstream society. Canadian housing, during this period, changed both in form, size and quantity. While the population doubled the number of houses tripled between 1941 and 1981. The small, detached house of the postwar gave way to larger bungalows and two-story houses in the 1950s with house size continuing to grow over the remaining half of the century. Apartments both in urban and

suburban areas became popular in the 1960s and made up one-third of the housing stock by 1981. Apartment construction led to extensive high-rise and condominium construction. In spite of what might have been expected the shift to urban housing forms and previously mostly rental housing forms, the incidence of urban homeownership increased from 40 per cent of households in 1941 to 56 per cent in 1981. In addition, in the 1960s, as I will discuss later, there was increased government assistance for homeowners and rental units and for a short period governments at all levels focused on building social housing.²⁶² What would become clear during this period was the government's two housing approach would result in vastly different results and the gap between on- and off-reserve housing would widen in great measure adding pressure on the Department to address the inadequacy of the reserve system.

One of the recommendations from the 1947 Joint Senate and House of Commons Committee was that the federal government should assess the general conditions on reserves and specifically come to terms with what was now a full-blown housing emergency. The Department identified the problem as one of scarcity and therefore conceived that the solution was to proceed, with singular focus, to increase the number of houses on reserves. Disregarding the obvious failure of its earlier ad hoc method of providing housing assistance, between 1947 and 1958 the federal government used the same approach as it had previously and continued to rely on welfare and the use of band funds as permanent funding solutions. Unsurprisingly the Department's efforts brought little improvement: housing production could not keep up with the spiraling population

²⁶² John R. Miron, *Housing in Postwar Canada: Demographic Change, Household Formation, and Housing Demand* (Kingston & Montreal: McGill-Queen's University Press, 1988), 4-5.

and deteriorating housing stock. In response, in 1958 the Department introduced the Welfare Housing Program, its first attempt to establish formal on-reserve housing policy.²⁶³ The program included a marginal funding increase, otherwise it was essentially a series of formal written declarations of the existing housing delivery system and needed to be amended almost upon implementation. The post-war decade saw the Department scramble to find strategies to cope with the rising demand within a closed financial system that could never successfully produce adequate housing.

Population

In spite of an alarmingly high rate of mortality, government predictions of a downward trend in the Indian population proved false. From reaching its lowest point in the late 19th century the Indian population remained steady from the turn of the century to the 1930s when it began to grow steadily until the late 1940s when the population figures soared. The 1929 census recorded 108,000 Status Indians living on reserves across Canada,²⁶⁴ by 1944 the census recorded 125,666 Indians living on 2200 reserve communities, distributed amongst over 600 bands, an 18 percent increase.²⁶⁵ Ten years later the population had jumped another 20 percent to 151,558 reflecting almost 40 percent increase over twenty-five years topping the mainstream population growth by 6

²⁶³ AANDC Library, Department of Indian Affairs Branch, Circular, 16 March 1959.

²⁶⁴ *Census of Indians, Canada, 1929.*

²⁶⁵ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, 654. Although demographics differed across the country most reports show status Indian populations reaching their historic low in the 1920s and beginning to increase significantly by the mid 1930s. For instance, in British Columbia the population figures show the low point of 22,605 in 1929 increasing more than two-thirds to 40,800 by 1963. Wilson Duff, *The Indian History of British Columbia, Volume 1: The Impact of the White Man* (Vancouver: Province of British Columbia, 1965), 45.

percent in spite of post war immigration and baby boom.²⁶⁶ At the individual band level these population increases had a significant impact on housing conditions. For example in 1957 E.A. Adams, Superintendent of the Rice and Mud Lake agency reported, “The housing situation on this Reserve is reaching the stage where new homes are an absolute necessity...I strongly recommend that for the good and future progress of this Band, the houses are essential, as figures of population increase for this Band show an increase of approximately ten a year. Since 1951 there has been an increase of nearly one hundred.”²⁶⁷ For a band with likely less than 1000 members, an increase of more than ten percent in six years would have put unimaginable stress on the already inadequate housing stock. An equally startling population increase occurred in the bands of the Babine Agency in B.C. In 1959 Superintendent Bailey reported a 25 percent growth rate, “we have approximately 30 deaths per year we also have approximately 120 births annually.”²⁶⁸

It is often assumed in housing studies that there is a synchronistic relationship between the availability of housing and population growth. Clara Mulder describes the association as two-sided. “On the one hand, the size of a population, and particularly the number of households, determines the demand for housing...It also influences young

²⁶⁶ Using figures from Statistics Canada This difference is played out in my own family. My Caucasian mother, Phyllis Snobelen, and Coast Salish mother-in-law, Laura Olsen, both died in the early 90s. Phyllis had 36 direct descendants while Laura had 278.

²⁶⁷ LAC, Department of Indian Affairs, RG 10, Letter to Indian Affairs Branch, Ottawa, from E.A. Adams, Superintendent Rice and Mud Lakes Agency, 15 February 1957, volume 10289, file 481/29-2-22. Mud Lake reserve, now Curve Lake, currently has a population of 2000, only 900 living on the reserve. In the late 19th century they had approximately 200 members. Numbers were taken from the First Nation’s website: <http://www.curvelakefirstnation.ca/about-us/history.php> From these figures I estimate that by the 1950s the band would have had less than 1000 members.

²⁶⁸ LAC, Department of Indian Affairs, RG 10, Letter from B. Bailey, Superintendent, Babine Agency to Indian Commissioner for B.C., 14 August 1959, volume 6856, file 901/29-2, part 3.

people's opportunities to leave the parental home, marry or cohabit, and have children."²⁶⁹ Mulder explains that, on the other hand, the absence of housing opportunities can also be a negative determining factor on population growth. While her arguments might explain the ebbs and flow of the relationship between housing and population growth in the mainstream, the absence of adequate housing on reserves had no such curbing effect on Indian population rates. Families with 10 and 12 children with no homes of their own doubled and tripled up with parents and siblings, a habit, which resulted in extreme overcrowding, and, as a result of this intensive use, accelerated deterioration of the buildings.²⁷⁰

The relationship between population growth and housing production is also often summed up in the truism "more people need more houses," but again the common assumption could not be applied to the reserve situation. For reasons explained in Chapter 2, the law of supply and demand was not in force on reserves. There could be no free market or "invisible hand" on reserves that kicked into play when demand rose. Therefore, the population boom had to be accommodated within the existing housing stock plus the houses that could be built within the parameters set by the *Indian Act* and the Indian Department. In looking at the relationship between poverty and population growth Thomas Merrick explains that some scholars argue that poverty can be seen as a possible cause of high fertility. "Poor people often want more children because children represent wealth, provide household labor and are the only form of social security

²⁶⁹ Clara Mulder, "Population and Housing: A Two-Sided Relationship," *Demographic Research*, 15 (2006): 401.

²⁷⁰ The housing applications from this period show the average family size ranged from 5 to 10 children.

available to parent in their old age.”²⁷¹ This approach explains to some degree why the population increased in spite of the restrictive conditions arising from poverty.

From the 1890s to WWII the federal government had been systematically selling off large parcels from Indian reserves across the country, in part to fund the bands’ capital accounts. But by the end of the war when the federal government realized the Indian population was exploding it reduced the practice of selling reserve land.²⁷² The burgeoning Indigenous population also challenged colonial ideas that the meager plots of land that had been reserved for Indians would constitute only temporary homes until the residents either died off or were integrated into Canadian society. In reality the opposite was occurring. Reserves had become permanent and expanding communities, something the state had not planned for. According to author and historian, Brian Titley, the Indian Act was “designed to protect Indians until they acquired the trappings of white civilization” and that the Act assumed that Indians would “abandon their reserves and their special status and disappear into the general population.”²⁷³ The Assembly of the Colony of Vancouver’s Island, including Colonial Surveyor, J.D. Pemberton, expressed these views in 1859 in an address to Governor Douglas on the Songhees, “That when the

²⁷¹ Thomas W. Merrick, “Population and Poverty: New Views on an Old Controversy,” *International Family Planning Perspectives*, 28, (2002) 41-46, 43.

²⁷² While the sale of reserve land was replaced to some degree with the practice of leasing land during the early part of the 20th century, it came under fire by the Committee members during the Joint Committee of the Senate and the House of Commons. Both the process and the efficacy were debated. After this time government vastly curtailed the practice of selling reserve land. Following the publication of the report from the Joint Senate Commission was the immediate establishment of a Claims Commission to inquire into the terms of the treaties and to appraise and settle treaty claims and grievances. Emma Butt and Mary C. Hurley, “Specific Claims in Canada,” Library of Parliament, 1 April 2006, <http://www.parl.gc.ca/Content/LOP/ResearchPublications/prb0618-e.htm> (accessed 1 December 2015).

²⁷³ Brian Titley, *A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (Vancouver: University of British Columbia Press, 1986), 13.

Indians who by right now occupy this Reserve become extinct, which will probably be the case in a very few years....”²⁷⁴ Although the Prairie Treaties make absolute statements of dispossession by the Indians as can be seen in the wording of Treaty 8: “the said Indians DO HEREBY CEDE, RELEASE, SURRENDER AND YIELD UP to the Government of the Dominion of Canada, Her Majesty the Queen and Her successors for ever, all their rights, titles, and privileges whatsoever to the lands...for the use and benefit of the said Indians entitled thereto...”²⁷⁵ they provide for the government to sell or otherwise dispose of treaty lands, something, as we have seen, that became common in the 20th century. Government provisions and policies for the prairie communities showed few signs that the state was prepared for them to become legitimate, stable societies. One example of the absence of planning for long-term successes and the deliberate imposition of restrictive policies can be seen in the case of farming in the prairies, a necessary adaptation if prairie Indians were to succeed in building viable communities. Historian Sarah Carter writes; “The reasons for the decline [in Indigenous farming] were not that the Indians’ culture limited their capacity for farming, but that along with environmental setback, Indian farmers were subject to regulations that denied them the technological and financial opportunities to form a strong agricultural base.” In his study of the late 19th century Reserve Agricultural ci in the prairies Noel Dyck concluded that “because of a

²⁷⁴ “Minutes of the House of Assembly, March 3, 1859,” in *Journals of the Colonial Legislatures*, ed. James Hendrickson (Victoria: Provincial Archives of British, 1980).

²⁷⁵ Thomas Flanagan, “Aboriginal Land Claims in the Prairie Provinces,” in *Aboriginal Land Claims in Canada: A Regional Perspective*, ed. Ken Coates (Toronto: Copp Clark Pitman Ltd, 1992), 62.

lack of commitment on the part of government officials, the opportunity to create self-supporting communities through the reserve agricultural program was lost.”²⁷⁶

These examples along with the short-term thinking shown in the housing records, when overlaid with the deeply set belief that Indians were a vanishing race, shows that the federal government operated under the assumption that the reserves were temporary communities and therefore they did not need to consider long-term effects of their housing decisions.

Indians had also never intended to be permanently confined to the small strips of land designated by the state. They viewed their colonial treaties as “mutual arrangements of a much more limited nature,” than did the colonial agents.²⁷⁷ Indigenous people had hopes and dreams that they would return to the vast tracts of land once controlled by their ancestors.²⁷⁸ But by the end of the war, Indians had become confined to ever shrinking reserves and housing had become both a building and a land problem.²⁷⁹ Non-Indians never faced the same impediments to mobility because a housing shortage would prompt rising house prices and stimulate construction of new homes. When prices got too high, or supply too short, mainstream Canadians could move to another town.

²⁷⁶ Cited in Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montreal & Kingston: McGill-Queen’s University Press, 1990), 12.

²⁷⁷ Frank Cassidy, “Aboriginal Land Claims in British Columbia,” in *Aboriginal Land Claims in Canada: A Regional Perspective*, ed. Kenneth Coats (Toronto: Copp Clark Pitman Ltd, 1992), 13.

²⁷⁸ For a discussion on the different approaches to land—government/FNs see: Union of British Columbia Indian Chiefs, “The Lands We Lost: A History of Cut-off Lands and Land Losses from Indian Reserves in British Columbia,” Lands Claims Research Centre, 1974, 53-65. http://www.ubcic.bc.ca/files/PDF/McKenna_McBride/lands.pdf

²⁷⁹ I suspect that after the establishment of the reserves that many residents lost their belief that they would return to traditional territories someday. Yet from on my experience living in a First Nations community since the early 1970s I am convinced that the vision was never extinguished.

Moving off the reserve was an option open to very few status Indians. Many reserves were isolated and there were only off-reserve options to the successfully employed. Those who were left without work after the war boom had ended were unable to pay market rents or get a mortgage off the reserve. Many continued to rely on or supplemented store bought foods with country foods, which were inaccessible from urban areas. Finally, racism in cities prevented Indians from finding jobs or adequate accommodations and the few that moved did not necessarily improve their living conditions.²⁸⁰ Yet, while the number of Indians who lived off the reserves cannot be accurately charted before the 1960s when censuses began to report urban Indian populations, I believe that, in spite of the obstacles, a substantial number of Status Indians had been living off the reserves for decades by the mid-century, some, as previously mentioned who could afford to acquire housing, others lived off the reserve for a variety of reasons.

Work in resource industries meant that many Indigenous people moved between seasonal occupations and lived, at least part time, in logging camps and canneries, and in shelters for field hands as they moved from crop to crop. Some worked the trap lines for part of the year living out in the bush, continuing their traditional lifestyles. The tuberculosis epidemic resulted in thousands of reserve residents living for years at a time in sanatoriums, where their stays were often extended because the recovered patients had

²⁸⁰ Evelyn Peters and Yale Belanger “Housing and Aboriginal People in Urban Centres: A Quantitative Evaluation,” *Aboriginal Policy Studies*, 2.1 (2012): 5-6. Urban aboriginal housing issues did not reach state attention until the 1969 when the minister responsible for housing, Paul Hellyer, released the *Report of the Federal Task Force on Housing and Urban Development*, which led to the urban Aboriginal housing movement from Yale Belanger

no adequate home into which to return.²⁸¹ Similarly, during the post-war period residential schools served to provide alternative housing for as many as one-third of school-age children who were²⁸² taken from their families to the institutions, a decision often justified because their houses were crowded and unsuitable. For example, in 1939, 8840 children or 8 percent of the total on-reserve population lived in residential schools for most of the year a number that would increase to 9,368 in 1948, when the residential school population reached its peak.²⁸³ Prisons also housed a disproportionate number of Indians.²⁸⁴

Economist W.T. Stanbury's research in British Columbia in the 1970s found that:

...34.8% of our off-reserve sample were renting a house, 17.3% were renting an apartment, and 14.1 % were renting a room or rooms in a house. Five percent were living in a hotel or motel. A good proportion of these were effectively permanent residents using the hotel or motel as an apartment. Just over 2% lived in a boat, school, or trailer, and 2 % lived in a cannery house or in a camp. Some 7.6% lived in other types of rented accommodation.²⁸⁵

²⁸¹ The records show letters from Doctors requesting Indian agents find a patient a new home before he will release the patient from the sanatorium. While there are no firm figures indicating how many Indians lived in sanatoriums Maureen Lux's study indicates a high number. For more see Lux, *Medicine That Walks*, 189-224.

²⁸² From what I can gather from web sources it is safe to say that in 1948 72 residential school had almost 10,000 children in residence. See J.R. Miller, *Shingwauk's Vision: A History of Native Residential Schools* (Toronto: University of Toronto Press, 1996), 141-142.

²⁸³ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, part 2, 625; Milloy, *A National Crime*, 190.

²⁸⁴ It does not appear that statistics for Aboriginal inmates were available before 1978. I make the assumption that there was an overrepresentation of Aboriginal inmates from the observation that between 1978 and 2001 Aboriginal people in custody remained relatively steady at approximately 17 percent while making up only 3-4 percent of the population. Julian V. Roberts, and Ronald Melchers, "The Incarceration of Aboriginal Offenders: Trends from 1978 to 2001," *Canadian Journal of Criminology and Criminal Justice*, 45.2 (2003): 222.

²⁸⁵ Stanbury, "Reserve and Urban Indian in British Columbia," 48.

Undesirable as much of the off-reserve housing was, had so many Indigenous people not been accommodated off-reserve the on-reserve housing crisis would have been significantly worse.

Economy

The Great Depression hit reserves hard; in addition to the lack of employment, increasingly laws restricted their access to subsistence resources they once relied on leaving them with no other option but government relief.²⁸⁶ While the war provided employment for a brief period Indians were the first to lose their jobs once the soldiers returned. Often lacking education and technical skills Indians could not compete in the post-war economy. Geographic isolation and racist exclusion by the mainstream population kept reserve populations on the margins and reserve economies did not recover. In 1945, four percent of the overall Indigenous income in British Columbia came from the government,²⁸⁷ by 1954, the figure was 17 percent, in 1966, 25.4 percent of the on-reserve Indian population in BC received welfare assistance and a mere six years later the number had risen to 47 percent.²⁸⁸

Public Pressure

²⁸⁶ Lutz, *Makuk*, 261.

²⁸⁷ These figures are not differentiated between residents on and off reserve.

²⁸⁸ *Ibid.*, 270.

The inhumanity of the war experience created a growing recognition in the Canadian public of human rights and justice, and when they found blatant violations occurring in their own country, they expected the government to take an active role in ensuring minimum standards of life for all citizens. The result, according to Jean Barman, was an “equality revolution”²⁸⁹ that set the foundation for what would become the Canadian welfare state, grounded in the idea that social provisions should be based on justice rather than benevolence. This post war movement shone a light of public attention on the conditions on Indian reserves and pressured government officials to review their agenda for Indian policy.²⁹⁰

In his work on First Nations and WWII, Scott Sheffield posits that the war brought a new cachet to Indigenous people and forced Canadians to alter their perceptions of Indians.²⁹¹ The number of Indians that fought in the war was proportionately higher than that of any other segment of the general population. They had been accorded rights and respect while in the military,²⁹² yet when the Indian veterans returned to their reserves to resume civilian life, they were not eligible for the same veterans’ benefits as non-Indians. Their home communities were significantly poorer than the conditions for any other Canadians, and the public could not quietly tolerate this

²⁸⁹ Jean Barman, *The West beyond the West: A History of British Columbia* (Toronto: University of Toronto Press, 1991), 298; Ian A.L. Getty and Antoine S. Lussier, “The Politics of Indian Affairs,” in *As Long as the Sun Shines and Water Flows: A Reader in Canadian Native Studies*, eds. Ian A.L. Getty and Antoine S. Lussier (Vancouver: University of British Columbia Press, 1985), 164.

²⁹⁰ Helen Raptis and Samantha Bowker, "Maintaining the Illusion of Democracy: Policy-Making and Aboriginal Education in Canada, 1946-1948." *Canadian Journal of Educational Administration and Policy*, 120 (2010): 1-21.

²⁹¹ R. Scott Sheffield, *The Red Man's on the Warpath: The Image of the "Indian" and the Second World War* (Vancouver: UBC Press, 2004), 82.

²⁹² *Ibid.*, 96-97.

sort of inequity. Academic and public petitions compelled the government of Prime Minister Mackenzie King to take action based on the philosophy that what was good for the Indians was good for Canada.²⁹³

The minutes of the Joint Senate and House of Commons Committee hearings read like a failing government report card: under the national mandate and government administration, the living conditions on reserves were in a deplorable state. Indian people were the poorest, most uneducated and unhealthiest inhabitants of the country. Their death rate from malnutrition, tuberculosis and infant mortality was multiple times higher than in the dominant society. According to Committee testimony, “In 1944 the tuberculosis death rate among Indians was 579.2 per 100,000 population. Among all other groups it was 42.2 per 100,000 population...If half-breeds were included with Indians, the rate for 1944 was 665.6 per 100,000 population.”²⁹⁴ The Committee also heard of the deplorable state of housing:

Housing of the Indians, in terms of the extent of dilapidation, sanitary arrangements, household equipment, living accessories, and over-crowding, not only appears to be less adequate, but in many instances very appreciably worse than that of adjacent white communities. Our Indian people, insofar as they live in settled communities, are a race of slum dwellers.²⁹⁵

The hearings also exposed the Indian Department’s neglect and indifference,

²⁹³ Karl Carisse, “Becoming Canadian: Federal-Provincial Indian Policy and the Integration of Natives, 1945-1969: The Case of Ontario,” (Master’s Thesis, University of Ottawa, 2000), 50.

²⁹⁴ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, “Joint Submission of Canadian Welfare Council and the Canadian Association of Social Workers,” 1947, 4 as cited in Toren, “Indian Housing and Welfare,” 15.

²⁹⁵ *Ibid.*

[Indians] appear to be administered by a department whose policy often reflects neglect and parsimony due to totally inadequate financing from the government.... The Indian Affairs Branch has failed to introduce a modern policy for administration since 1868 and the Canadian public has little interest and no knowledge and doesn't pressure the government to improve its performance.²⁹⁶

Given the dominant role housing played in the appalling living conditions I was struck by the scant attention the Committee paid to housing problems in particular. The lack of interest in housing, however, is consistent with the preconceptions that prevailed in the Department. Government officials expected Indians to be poor and substandard housing was a symptom of the Indian's own inadequacy and lack of initiative that was responsible for their poverty. Poverty became a central theme of the proceedings:

The poor standards of housing upon the average reserve, merely reflects the general poverty of the Indian population. Since the Indian has been restricted to living permanently upon reserves he has found it necessary to build permanent homes, insufficient attention has been given this vital problem by the authorities.²⁹⁷

This was a slight re-articulation of the "Indian problem," which had formerly directly blamed the Indians. Poverty was perhaps a more palatable narrative theme for government given the changing tides of public sentiment towards justice for Canadians, but it was not a significant departure from earlier narratives when you consider the commonly held belief that the poor were responsible for their own poverty. On the other hand, as we saw in chapter two, the separate housing system on reserves had become as much a cause of poverty as a symptom. Naming poverty as the problem was a

²⁹⁶ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, part 1, 618 and 655.

²⁹⁷ *Ibid.*, 655.

government strategy to dismiss its own role in creating, implementing and reinforcing the existing failed housing system and to ignore the role poor housing conditions played in creating the poverty seen on reserves.

The Committee established the fact that reserves had become permanent communities, that there was a long-term housing problem and that the Department was not doing its job. Faced with the problem and confronted with criticism government officials had the opportunity to reevaluate its earlier decisions to create a separate housing system on reserves. However, instead of recommending that the Department revamp its approach, the Committee focused on building more houses,

...one of the outstanding needs at the moment appears to be a housing program such as the program outlined in the government's post-war rehabilitation program. If our health program is to be carried forward with any hope of success, the unsanitary shacks in which many of our Indians now live should be replaced by sanitary dwellings.²⁹⁸

Upon first reading these suggestions appear not only to be a legitimate response to the problem, but essential. Like the returning veterans, reserve residents needed an immediate solution that could only be achieved with government help. However, the Veterans' Housing Program was successful because it was not intended to be a permanent solution. It lasted for six years between 1941 and 1947 and was aimed at providing a short-term solution, a boost to the economy and shelter for Canadian families until they got re-established after the war. The difference was reserves were permanent, legitimate communities, and they required a long-term, sustainable housing solution that

²⁹⁸ Ibid., 27-28.

was adapted to their special legal and economic conditions. The significance of the Committee's discourse is that it indicates that the problem was clearly laid out to the Department, even if it was misunderstood. Unfortunately it was a missed opportunity. The Department's solutions reflect the timeworn views and strategies that disregarded the needs of Indian people and would again fortify the short-term, individual case-by-case, crisis-response approach to housing for another generation.

Indians who testified to the Commission saw a fundamental problem that could not be resolved through government programs; they wanted a complete overhaul of the pervasive colonial relationship that informed all aspects of Indigenous/government relations.²⁹⁹ They called for a solution that would unhook Indians from government dependency, one that would include the elimination of the dictatorial powers of Indian agents and pave the way for the implementation of self-government for Indians. The main change, they suggested, was to create an Indian civil service that worked for government, the establishment of the right for Indians to form their own businesses, for bands to run their own affairs like a municipality and for bands to decide how to spend tribal funds.³⁰⁰ Andrew Paull from Squamish, BC argued that, "the only way you can change the *Indian Act* legislation is to let Indians administer Indians—why not an Indian agent or Indian supervisor?" Jules Sioui, from Quebec, had even more power in mind for Indians when

²⁹⁹ I am drawing primarily from testimony from Indian activists and politicians, Andrew Paull and Jules Sioui.

³⁰⁰ *Ibid.*, 680.

he asked that all decisions made for Indians have Indian input—he wanted a full seat at the table when Indian decisions were made in Ottawa.³⁰¹

Not only were Paull and Sioui's suggestions largely ignored, but the course was set in the opposite direction. Anticipating further failures the minutes of the Committee reflect one of the Department's strategies, "We are trying to educate Indians in regard to better housing."³⁰² Indians were to take part in the new housing program as recipients that needed to be taught by the government how to live in their houses, not as active agents creating in their own living conditions. Other than housing for the very rich who could afford to build their own homes without financial assistance, housing on reserve would become directly dependent on government programs.

Solution—Increased Production

The Department did not follow the Joint Committee's report and recommendations and implement an official housing program similar to the Veterans' Wartime Housing program or the Veterans' Land Act (VLA), in spite of the fact that the two programs that were available for the Department to draw upon and were largely successful at addressing the post war crisis in mainstream society. Between 1941 and 1947 Wartime Housing Limited, a Crown corporation, built 26,000 dwelling, initially as rentals that soon were

³⁰¹ Ibid., 426-428. Sioui had made many previous appeals to government on behalf of full participation by Indians in Canadian government. In a submission to the province of Quebec, May 14, 1940 he wrote "It is my duty as spokesman of the members of my tribe.... To ask the under the Indians [sic] Act of Canada that right be grant us to have a representative of each Indian tribe at the House of Commons when the Indians bill will be presented and studied." LAC, Department of Indian Affairs, RG 10, volume, 6810, file 470-2-3, part 10.

³⁰² Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, part 2, 525.

sold to private owners. From 1943 to 1975 the VLA financed the construction of almost twice as many units (43,222) and as many households again were provided assistance in purchasing land with existing dwellings.³⁰³ Instead the Department continued to deliver housing assistance much as it had done in earlier decades. It continued to draw funds from band capital accounts and the federal Welfare Appropriation, and to rely on home-occupants to self-build. Furthermore the Department did not give away any of its control over housing decisions and continued to manage every housing transaction through cumbersome communications between regional agencies and the Branch in Ottawa. What changed after the war was that like the off-reserve trend, there was added pressure from Ottawa and the public to vastly increase housing production.

The agencies' response to the Department's pressure is evident in the records. For example E.J. Blakey, Superintendent of Miramichi Agency responded to a letter from G. Roy McWilliam MP for Newcastle New Brunswick who was advocating on behalf of a homeless man, by writing, "Housing is desperately needed on most of our reserves and we are building as fast as the funds allotted will permit. There are numerous families with several children who will have to be looked after before the single men."³⁰⁴ Agents worked within the parameters of the system, as Superintendent R.P.G. Laurence of Sault Ste. Marie agency wrote in a letter to Ottawa,

I feel that if the Department supplies the material that every effort should be made to have the Indians supply the labour themselves, otherwise my

³⁰³ Richard Harris and Tricia Shulist, "Canada's reluctant housing program: The Veterans' Land Act, 1942-75," *The Canadian Historical Review*, 82.2 (2001): 255.

³⁰⁴ LAC, Department of Indian Affairs, RG 10, Letter from E.J. Blakey, Superintendent Miramichi Indian Agency, to Mr. G. Roy McWilliam, MP, July 1951, volume 8884 file 55/29-2-10.

housing appropriations would not go very far. This arrangement has been satisfactory with other Reserves in this agency and I see no reason why it should not apply to the members of the Batchewana Band.³⁰⁵

But the fact was, agencies could not make the system work, building one house at a time would never result in the production needed to keep up with the population increase. The Mud Lake Agency expressed their approach to the problem in a letter to Ottawa stating,

The housing situation on this Reserve is reaching the stage where new homes are an absolute necessity. The Council and the Superintendent feel that to construct houses one at a time or one a year is quite expensive and if it were possible to build seven or eight that the cost of one could be saved.³⁰⁶

Seeking economies of scale seem like an obvious approach yet it would be another twenty years before the government program began to build housing projects comprising several houses at a time. The general failure to build enough houses forced agents to seek other strategies to reduce the overwhelming number of requests. Blakey employed the most common strategy by setting the criteria for housing assistance high and thus disqualifying many applicants. His response in regard to a young applicant illustrates his approach,

It is not our practice to supply relief to young childless couples but in their case emergency relief has been authorized several times since their marriage last year. There are many young married couple on our reserves for whom houses cannot be provided in the immediate future. Until larger families are

³⁰⁵ LAC, Department of Indian Affairs, RG 10, Letter from R.P.G. Laurence, Superintendent Sault Ste. Marie Indian Agency to Indian Affairs Branch, Ottawa, 9 November 1950, volume 6848, file 494/29-42, part 9.

³⁰⁶ LAC, Department of Indian Affairs, RG 10, Letter from E.A. Adams, Superintendent Rice and Mud Lake Agency, to Indian Affairs Branch, Ottawa, 15 February 1957, volume 10289, file 481/29-2-22.

provided with houses where needed, these young couples will have to move in with relatives.³⁰⁷

The Department used the same strategy to select the neediest bands:

While the housing situation on Rama Reserve is well known and we are in agreement that many new homes are required, it must be remembered that a similar situation exists on all Indian Reserves in the Southern Ontario Region. We do not, however, feel that the situation on Rama Reserve is in any way the equal to the predicament on the Georgina Island Reserve. For this reason we are concentrating on improving housing conditions on Georgina Island during this current fiscal year.³⁰⁸

The onslaught of demand meant the die was being cast in favour of both bands and individuals in the greatest need. In the 1930s and 1940s housing assistance was divided between support for working people—to supplement their contributions towards building their own homes, and the needy who had no resources to put towards a house. By the 1950s what had previously been a choice in many bands between the two groups now became an obligation to prioritize the poor—the limited funds could not even keep up with housing the most desperate families forcing agents to set in place stringent selection criteria that rejected applicants with means. Similar policies were put in place in public housing in mainstream society, which created low-income ghettos in urban centres. However, it is important to remember that housing was the only window of opportunity for people to live on reserves and the selection policy did not only affect housing it

³⁰⁷ LAC, Department of Indian Affairs, RG 10, Letter from E.J. Blakey, Superintendent Miramichi Indian Agency to Indian Affairs Branch, Ottawa, 6 February 1952.

³⁰⁸ LAC, Department of Indian Affairs, RG 10, Letter from J.E. Morris, Regional Supervisor of Indian Agencies, Toronto to M.P.B. Ostrander, Indian Affairs Branch, 11 June 1956.

selected the entire reserve populations. The communities themselves became identified through their housing selection policies.

DIA regional agencies files from 1945-1960 are teeming with letters from people desperate for housing; many of them are declined.³⁰⁹ Blakey's correspondence provides further examples of how he adjudicated the requests in order to minimize the Department's obligations. For example, in 1952 a twenty year-old man from Red Bank, New Brunswick made his first appeal for housing assistance:

I would like to ask you if you could help us. We would like to get a house for the winter. We asked Mr. Blakely last summer and asked him again about a month ago and he said he's not going to be able to help because we have been moving from one place to another. We are staying at my mother-in-law's now but we have no place to go for the winter. We will have to live outside with our baby.³¹⁰

Blakey responded:

This man has been advised that we are not able to build a house for him this year. It is felt that if this young man would make a greater effort to provide for his family he would be welcome with his in-laws.

This young man and his family were a common profile of the reserve homeless, moving from couch to couch, often living for a short time in each place until the pressure of overcrowding sent them on again. The unfortunate consequence of rejecting the applications of young people with small families such as this man was that most children

³⁰⁹ My observation comes from my examination of agency files across the country.

³¹⁰ LAC, Department of Indian Affairs, RG 10, Letter from Albert Ward, Red Bank, N.B. to Superintendent of Indian Affairs, 12 September 1952, volume 8884, file 55/29-2-21-10.

on reserves began their lives in crowded and unsettled circumstances, the most crucial time in their physical and cognitive development.³¹¹

In 1955, David, of Gull Bay in the Port Arthur agency, at the age of 35 made an appeal for assistance to replace his current dwelling, which likely had been passed on to him from a relative. David's family comprised of his wife Jane, age 32 and their ten children ages 15 to 1. On his application the agent noted that, "This man is an exceptionally deserving case. He has 12 in his family and his old house should be replaced by a new one. The applicant works at commercial fishing in the summer, and traps in the winter. At the present time he is in the Fort William Sanatorium."³¹² David's family fell within the criteria, his family was older and larger, he came with a good character reference, and he had medical reasons for needing a new home. As a result his application was approved and he was granted a materials package to build a five-room house of approximately 400 sq ft. The house would have been far too small for a family of twelve and it was unlikely to have been appropriately insulated or to have contained an adequate heating system for the winters in Northern Ontario. In the end David's family succeeded in gaining the housing grant but they were still far from being adequately

³¹¹ Looking at housing as a significant health indicator I make the connection between the persistent extreme infant mortality rates of Status Indians. For more information, see Janet Smylie, Deshayne Fell, Arne Ohlsson, The Joint Working Group on First Nations, Indian, Inuit, and Métis Infant Mortality of the Canadian Perinatal Surveillance System, "A Review of Aboriginal Infant Mortality Rates in Canada: Striking and Persistent Aboriginal/Non-Aboriginal Inequities," *Canadian Journal of Public Health*, 101.2 (2010):143-148. I also draw on my own research for my book, where I explore the problem as it still exists today of the effects of the lack of appropriate accommodation for young families. Sylvia Olsen, *Just Ask Us: A Conversation with Teenage Moms* (Winlaw: Sono Nis Press, 2005).

³¹² LAC, Department of Indian Affairs, RG 10, Indian Affairs Branch Applications for housing assistance, April 1955, volume 8192, file 492/29-2-2-03, part 1.

housed. Upon his return from the sanatorium he would face the bleak reality that in spite of his apparent good fortune his family was not safely housed.

Another strategy agents used to reduce the number of applications was to further stiffen eligibility criteria by adding a residency stipulation that required applicants to be living on the reserve for a period of time before they were eligible to receive housing assistance. This practice discouraged people from moving off the reserve to find adequate temporary housing while they waited for assistance and it also prevented members living off the reserve from returning home.³¹³ Furthermore, this strategy encouraged doubling and tripling up and forced families to live in single rooms in the homes of relatives or in abandoned houses while they waited their turn on the housing list. When the strategy proved unsuccessful at reducing the number of applicants and, like the young family from Red Bank, the homeless simply moved from one relative's house to another, agents pulled the reins in even tighter and refused housing to those who did not have a permanent address on their home reserve, which effectively excluded many young homeless families.

Correspondence from the Simcoe Agency in Ontario provides an illustration of the moral dilemma agents faced when selecting housing recipients. When Regional Supervisor J.E. Morris reviewed the housing applications from the Rama reserve he concentrated on twelve families that had already been filtered through the agency's selection process and been targeted as those in the most urgent need. Each of the

³¹³ This practice widened the divide between off and on reserve band members. When someone moved off everyone knew that housing selection made it highly unlikely that they would be returning. People refused to move off the reserve for fear they would never return.

applicants had large families, many of which were provided accommodations with their in-laws “in the back kitchen or in one or two rooms in their house.”³¹⁴ He selected three families who would receive housing assistance that year: 1. the Sawyer family of six that was living in an uninsulated shack about 10’ X12’ that “could not possibly house [the] family during the winter months,” 2. the Benson family, whose house had burned down were also living in a shack unsuitable for an Ontario winter. The third family had nine children and shared a house with relatives.³¹⁵ The Superintendent’s correspondence leaves little doubt that the other nine families were also in critical need of housing. Given the desperation in the community Morris could not morally have given the scarce housing assistance to families who could provide even a meager shelter for themselves.

Agents received outside pressure from doctors advocating for their patients, as was the case of the Bannon family. Superintendent J.G. Burke of the Port Arthur Indian Agency wrote Indian Affairs on behalf of Raymond Bannon, “Raymond Bannon’s family consists of six children, himself and his wife. His wife returned home from the Fort William Sanatorium last year and the doctor advised it would be necessary for the Bannons to build an extra room, as they have only two bedrooms in their home.”³¹⁶ In other cases doctors refused to release patients who did not have adequate housing causing untold pressure on beds in TB hospitals, which ended up acting as second homes.

³¹⁴ LAC, Department of Indian Affairs, RG 10, Letter from J.E. Morris, Regional Supervisor, Indian Agencies Toronto to J.P.S. Ostrander, Indian Affairs, Ottawa, 22 June 1956, volume 6841, file 475/29-2, part 1.

³¹⁵ LAC, Department of Indian Affairs, RG 10, Correspondence to Indian Affairs from the Simcoe Indian Agency, 12 August 1957, volume 6841, file 475/29-2, part 3.

³¹⁶ LAC, Department of Indian Affairs, RG 10, Letter from J.G. Burk, Superintendent, Port Arthur Indian Agency to Indian Affairs Branch, Ottawa, Indian Affairs, 10 May 1955, volume 8192, file 492/29-2-03, part 1.

In 1959 Reverend Larkin, a missionary stationed in Kyuquot in Nuuchahnulth territory on Vancouver Island's west coast, wrote to M.C. McQuillan, Member of Parliament in Courtenay to bring attention to the housing conditions in his community. They needed more houses, he said, but more than that they needed better houses. He wrote, "There are a few new houses, but sad to say one room houses with a large family. Anybody with common sense would seem to come to this conclusion that this is neither good for health, and much worse from a moral point of view."³¹⁷ Larkin wanted the value of the government grant to be increased so they could build houses with at least three rooms. Furthermore he pointed out the ludicrousness of building houses when there was no water or services for them. Kyuquot, like most Indian reserves in the country at this time had no reliable source of clean water.

After several letters were circulated, West Coast Agency Superintendent N.W. Garrard replied to both McQuillan and Larkin and put the problem squarely in the lap of the individual Indian. True enough, he said,

The houses supplied from public funds until recently have been shells only, with no partitions, as the demand for houses was greater than the funds obtainable and to cover the demand....[but] it was hoped and expected that the Indians themselves, if supplied with the outside and frame of a house would assist themselves and provide lining and partitions to complete the house—very few are doing that.³¹⁸

³¹⁷ LAC, Department of Indian Affairs, RG 10, Letter from Reverend Larkin to M.C. McQuillan, M.P., 17 October 1959, volume 6857, file 988/29-2, part 2.

³¹⁸ LAC, Department of Indian Affairs, RG 10, Letter from N.W. Garrard to M.C. McQuillan, M.P., 14 December 1959, volume 6857, file 988/29-2, part 2.

Garrard insisted that the government's role was only to assist not outright provide houses to Indians on reserves. The Indians were responsible for completing the houses. What he neglected to say was that there were no mechanisms in place to assist the Indians in acquiring the finishing materials or the means whereby they would finance the upgrades and additions necessary to make the houses adequate for the families living in them. The disconnect between the Department's expectations and the available opportunities for Indians to achieve them seemed simple to outsiders like Larkin, but government officials remained intransigent, either unable or unwilling to acknowledge the intractable obstacles their programs erected between reserve residents and their ability to achieve adequate housing.

These pressures had the pernicious effect of hardening the systematic exclusion of the more prosperous members of the community. In a strange twist, without the availability of either the opportunity to borrow to build a house or government assistance, working people had only two choices if they wanted housing. They could move off the reserve and find accommodation elsewhere, and in so doing essentially give up their claim to housing assistance in the future. Alternatively they were required to prove their poverty and vie for a place at the bottom of the reserve's economic ladder. With no other housing available, housing selection practices which favoured the bands' poorest members provided the only gateway into reserve residency. The small percentage of potentially prosperous band members would have been either been forced to build without any financial assistance or compelled to reside off reserve, and the effect was an increased alienation from their home communities and a drain on the reserve population

of the most successful members. This practice stood in stark contrast to the conditions off reserves where banks required applicants to prove their abilities and financial stability and prospective homeowners had to build a good credit rating and save their money in order to qualify for housing assistance. Off reserve, home ownership was the hallmark of success, while on reserve the opposite was true and “getting a house” became synonymous with demonstrating poverty.

Self-build

By the mid 1950s agents knew the drive to increase housing production could not be achieved if they continued to rely solely on the occupants to construct the houses; it resulted in poor quality construction, unfinished buildings and wasted material. The problem presented the agents with a dilemma that was not easily resolved because labour was the only contribution homeowners made to their houses and during this period the Department grew increasingly worried that Indians were becoming too dependent on the government for housing. Some agencies used part of the small welfare assignment to pay for qualified carpenters from neighbouring communities to work alongside future homeowners and supervise construction as a way to improve building standards. However, with the limited budgets this strategy forced the project to reduce the materials budget.³¹⁹

While there is no doubt that some individuals became skilled builders the government practice of keeping the plans simple and the funds as low as possible

³¹⁹ For more on this topic see chapter three.

prevented on-reserve carpenters from learning complex techniques and developing high level skills.³²⁰ However, the records show few examples of labourers taking their skills to the mainstream and generally the lack of carpentry and construction management skills became a major contributor to substandard and unfinished buildings. The Department's adherence to the self-build method of production became one of its defenses of maintaining small rudimentary houses

While it is realized that other construction methods such as dovetailed corners etc. made for a more finished appearance, every effort has been made to keep construction relatively simple to the point where inexperienced labour can do a fair job of construction.³²¹

The problem was not just the home-builders. Agents and officials in Ottawa were required to act as project managers and many of them lacked the skills and organization necessary to be successful. In 1953 J.G. Burk, superintendent of the Indian Agency in Port Arthur Ontario reported that he had been initially pleased with the housing progress on the Gull Bay reserve. They had framed-up ten houses, but after a year only one was completed. The other nine were only shells with no interior finishes, flooring or insulation. Burk sent a request for additional materials to Ottawa and hired two carpenters to complete the project. Three-and-a-half months later Ottawa had still not approved the materials and Burk sent carpenters home. Like in so many other cases, the families would have moved into the incomplete houses and spent the winter in the cold bare wooden

³²⁰ While there were no doubt instances where builders transferred their skills to mainstream construction, there is no evidence in the records I examined of on-reserve construction companies. From my experience working across the country I believe that while it was not the norm, a few were operating by the 1970s. It appears to have been more common for successful on-reserve builders to take jobs off the reserve.

³²¹ LAC, Department of Indian Affairs, RG 10, Memorandum from R.D. Ragan, Regional Supervisor, Manitoba to Indian Affairs Branch, Ottawa, 21 November 1958, volume 6848, file 42/49-2, part 2.

frames.³²² By the next building season another round of families would be vying for the housing assistance.

Similar disastrous outcomes occurred in Sioux Lookout when building material for ten houses was dropped at a central point and had to be moved, much of it by canoe, to the individual building sites. With no one overseeing the distribution of the materials, many recipients did not receive what was needed to complete their homes and in other cases there were materials that went unclaimed and were left exposed to the weather.³²³ No one was responsible for checking the quality or quantity of the materials upon delivery. The lumber turned out to be green, which resulted in warped floors and cracked walls within the first year. When the householders complained, Superintendent Eric Law responded by saying that band members were responsible for the materials on delivery and that he had the word of the supplier that the lumber was of the highest quality. Another similar event took place in 1964 on the Obedjiwan reserve in Quebec when a load of material arrived in very bad condition. Superintendent Lariviere received a report that:

Doors were more or less all knocked off or hinges damaged. Top of counters, made of arborite, ends nearly all damaged. 2) A fair number of window glasses [...] were broken and putty on window sashes was coming off or was already off. We felt this damage was probably caused by negligence of the Indians...I was given positive assurance that all

³²² LAC, Department of Indian Affairs, RG 10, Letter from J.G. Burk, Superintendent, Indian Agency, Port Arthur Ontario, to Mr. F. Matters, Regional Supervisor of Indian Agencies, Indian Affairs Branch, North Bay, Ontario, 31 December 1953, volume 8192, file 492/29-2-03, part 1.

³²³ LAC, Department of Indian Affairs, RG 10, Letter from Chief Wm Gauthier to Indian Affairs Ottawa from Chief Wm Gauthier, Whitefish Bay Reserve, February 1960, volume 6848, file 464/29-2, part 2.

came into Clova in good order...Our carrier, Mr. Bernard, who is a very responsible person...³²⁴

The records show that remote and isolated Indian bands were easy targets for building supply companies who shipped the materials and were paid for the goods without any conditions and with the knowledge that no one would check the quality and quantity upon arrival and if they did they would be easily convinced that the problem was the Indians.

The problems of production and the inability for self-build to solve the housing shortage was not unique to the reserves. The astonishing aspect of this problem is the contrast between how the government dealt with the issue of owner-build in mainstream society in contrast to the Department's treatment on reserves, where it dropped pre ordered building materials with the assumption that someone would be able to make something of it. In the early 1940s soldiers returning from the war were faced with a lack of adequate housing and pressured the VLA to allow them to build their own homes as a way to save money. In the same vein as programs operating in Germany, Greece, France and the Soviet Union, Canada developed the 'Build Your Own Home' program that operated from 1942-1975.³²⁵ In spite of pressure on the program from the building industry, which had concerns about construction quality, and, no doubt the threat self-build would have to their businesses, by 1946 the VLA were allowing veterans to act as their own general contractors.

³²⁴ LAC, Department of Indian Affairs, RG 10, Memorandum from Superintendent H. Lariviere, Abitibi Agency, to Quebec Regional Office, 19 August 1964, volume 6836, file371/29-2, part 17.

³²⁵ Tricia Shulist and Richard Harris, "'Build Your Own Home': state-assisted self-help housing in Canada, 1942-75," *Planning Perspectives*, 17 (2002): 349.

The program required the recipients to prove that he/she had the qualifications and time to self-build. The scheme offered free legal services, building inspections, house plans, construction courses, supervision and financing to amateur builders, many of whom had little or no knowledge of construction. In addition to instruction in rough carpentry and other technical skills, “veterans were informed about the steps involved in construction financing, and offered guidance in the proper siting of the dwelling, the management of subcontractors, the ordering of building materials, and the sequencing of tasks on the construction site.”³²⁶ Within certain parameters veteran contractors were free to invest as much or as little sweat equity as they chose.” In their article that examines the program Tricia Shulist and Richard Harris state call the program a success; “Amateurs built well because they received good guidance: well informed, firm on essentials, but otherwise flexible. The VLA’s building standards were high, and veterans were rarely allowed to deviate from them.”³²⁷ The participants of the program gave the scheme the same high praise, “‘I never had a single complaint’; they were always there for us’.”³²⁸ It is no wonder the program was successful; the same might have been said for self-build on reserves had the Department shown the same interest and provided the same level of support for the builders.

The Houses

³²⁶ Ibid., 353.

³²⁷ Ibid., 359.

³²⁸ Ibid.

In 1960 P.E. Moore, Director of Health Services sent a letter to Colonel H.M. Jones, Director of Indian Affairs in regards to a study of infant mortality in southern British Columbia conducted by the Department's doctor, Dr. Galbraith. He writes,

It was brought to the attention of the writer (and observed) that new houses on Indian reserves are limited in structure to only a few standard designs of a perhaps functional but unimaginative and unaesthetic design. Frequently, within a very short time, these new homes convey a uniformly drab and slum-like impression. The great majority of these new houses appear to be far too small for the size of the families they have to accommodate. Apart from electrical and plumbing facilities, which are non-existent on many reserves, these house lack amenities such as closet and cupboard space. Walls and floors are generally rough-finished. As a result there seems little incentive, or opportunity, to develop habits of neatness and cleanliness. With very few exceptions Indians take little pride in these homes.³²⁹

This was not new information. Granting that Ottawa officials may have never visited a reserve to see for themselves, the Department had been inundated with similar accounts of failed housing projects and every employee would have known about the poor housing conditions that plagued bands across the country.

Even the most optimistic agents could only claim to meet short-term objectives that could be called successes, and only if assessed through the common double standard. In 1952 E.H. Paterson of the Saugeen Indian Agency reported that the building program in that community was a "great accomplishment". The department built five band houses for the aged and destitute and provided the material for 17 other new houses and 5

³²⁹ LAC, Department of Indian Affairs, RG 10, Letter to Colonel H.M. Jones, Director, Indian Affairs Branch, Ottawa from P.E. Moore, M.D. Director, Indian and Northern Health Services, 27 September 1960, volume 6856, file 901/29-2, part 4.

repairs. A total of 115 band members had benefitted from the housing program.³³⁰ There is no doubt that the project was an improvement over previous housing conditions, however, by what standards did Paterson judge his accomplishment? The houses were 300-400 square foot wood frame shelters, with few interior finishes and likely without indoor plumbing and electricity. The families applying for the houses had a conservative average of 5 or 6 children.³³¹ While the agency may have increased the number of houses it did little to improve housing conditions.

Agents abandoned any pretense of quality and acquired housing wherever they could find it often confirming once again the double standard—what had been discarded by mainstream society was good enough to house Indians. To add insult to injury some of these agency strategies appear to have been imposed on the bands. For example the R.S. Davis, Regional Supervisor of Indian Agencies in Manitoba reported to Ottawa on an expenditure from the Berens River Band Trust Account:

It is my intention...to use this money to convert a large corrugated iron garage into a hall for the use of the Band. We took this building over from the Berens River Mines...We also took over a cook house that is well built and insulated. This building we intend to make into a unit of three home for the old people. I will be going north as soon as flying conditions permit. I will take this matter up with the members of the Band.³³²

³³⁰ LAC, Department of Indian Affairs, RG 10, Quarterly report from E.H. Paterson, Clerk, Saugeen Indian Agency, to Indian Affairs Branch Ottawa, 9 January 1952, volume 8192, file 478/29-2-06, part 2.

³³¹ From the dozens of applications I reviewed from this time period I think that 5 or 6 children is a conservative average family size.

³³² LAC, Department of Indian Affairs, RG 10, Letter from R.S. Davis, Regional Supervisor of Indian Agencies, Manitoba to Indian Affairs, Ottawa, 19 November 1949, volume 8192 file 571/29-2 part 1.

Eleven years later the Agency negotiated with the owners of the abandoned Berens Mines Townsite to move the old houses, now vacant for more than twelve years. Finding the houses too decayed and rotten the agency organized a work crew to dismantle the buildings and salvage windows, doors and any other usable material.³³³

In another example, in the early 1950s the Mission Band, a small community of the Squamish Nation located within the North Vancouver City boundaries, made a large expenditure from its capital fund to improve its housing conditions. In an ironic twist the project included the purchase and renovation of obsolete wartime houses condemned by the city of North Vancouver, to replace the houses condemned by the agency. In 1956, upon the project's conclusion, Cyril Toren, a social work student from the University of British Columbia conducted a study on the condition of the band's houses. He found that in spite of the large investment the housing situation in Mission remained desperate but the best houses by far were wartime houses that had been discarded by the District and City of North Vancouver because they did not meet municipal standards. All the houses were wood frame and with the exception of one, had no basements. None of the homes were insulated and only the transplanted wartime houses had foundations, brick chimneys, hot water systems, bathtubs and toilets. The other houses had no services and the place for chimneys was often a blocked hole while the single wall stovepipe protruded out a window or the side of the house. The houses were poorly furnished with people sleeping in every room, they had no storage space and if the houses had wooden floors they were so splintered they were hazardous to children. Furthermore, he adds;

³³³ LAC, Department of Indian Affairs, RG 10, Memorandum from Supervisor of Construction, North Bay (name illegible) to Regional Supervisor North Bay, 20 October 1960, volume 6848, file 494/29, part 4.

“The buildings were placed with no thought for community life or for a sense of village other than the twin spires of the Mission Church.”³³⁴

Toren describes the living conditions of a family of eight who were not selected for the new program and, against the wishes of the Department, moved into one of the old abandoned homes that had been deemed beyond repair and scheduled to be destroyed. The house had two stories, one room on each floor, but the upper floor was unsafe so the family lived in the downstairs room. The windows were broken, the water system had failed and the wallpaper was peeling off the walls. Toren writes that when he met Mr. and Mrs. M in their new accommodations that they “appeared to accept their housing situation calmly as if they had no right to expect more.”³³⁵ This example underlines not only the government’s acceptance of substandard housing for reserve residents that was not just unfit but unsafe, but the residents’ acceptance as well demonstrating the notion that any house was better than no house at all.

Funding

For agencies there was more to their funding problems than just insufficiency. Funding levels and schedules were not reliable and from year to year agencies had no ability to plan. The problem became so ingrained in the system that there became no point in planning at all. For example in 1957 fourteen agencies in southern Ontario submitted an application to Ottawa for \$130,000 for housing repairs. They received

³³⁴ Toren, “Indian Housing and Welfare,” 30-33.

³³⁵ *Ibid.*, 37

\$25,689 with no explanation from Ottawa for the shortfall. When the agents asked for an opportunity to discuss why such drastic reductions were made Ottawa replied with no explanations other than “insufficient funds.”³³⁶ The agency distributed the funds to the various agents who were forced to eliminate all renovations and reduce their building plans. Consequently bands had little certainty when trying to plan for upcoming housing construction, and even the smallest projects were dealt with on a wait-and-see basis. Agents were expected to have their construction projects ready and home-owners were expected to drop everything when money became available. In reality, most communities did not have the capacity to mobilize construction crews under such unpredictable circumstances resulting in hurried and ill-conceived building projects.

Reports from a few years later describe the outcomes of the Department’s management practices. In 1963 the Babine Indian Agency housing report states: “The houses constructed between 1949 and 1956 all need extensive improvements as they are mostly shells that only look fair from the outside.”³³⁷ Similarly A.C. Roach from the Kwawkwakuilth agency, called into question the housing policy of reducing costs to increase quantity,

While the desire is to reduce costs I believe we sometimes practice a false economy. If we are to build suitable houses let us use a good quality material and complete the dwelling. In this way we will not be building the

³³⁶ LAC, Department of Indian Affairs, RG 10, Memorandum from Indian Affairs Branch Ottawa to J.H. Gordon, Simcoe Indian Agency, 15 August 1957, volume 6841, file 475/29-2, part 3.

³³⁷ LAC, Department of Indian Affairs, RG 10, Memorandum from A.H. Markuson, Acting Superintendent, Babine Agency, B.C. to Indian Commissioner for B.C., 25 April 1963, volume 6858, file 961/29-2, part 3.

same person another house in five years when his family has grown or when his inferior dwelling has collapsed.³³⁸

If houses were to be suitable, Roach argued, they needed to be built out of good quality material and to be completed.

Realistically agents knew that Superintendent Gordon was right, within the system, as it was being delivered, there were no opportunities for improvements. Even with increased budgets without clear policies agents' roles were unclear and the very purpose of the program was misunderstood. Regional Supervisor J. E. Morris' communications to the Department in 1956 reveals the agent's confusion and frustration.

It was always the writer's understanding that a housing program was instituted on Indian Reserves to clear up existing slum conditions. [Yet] in the case of Rama Reserve it appears that houses are needed to take care of the young Indian families. If we are going to embark on a program to build new homes for every young Indian man that gets married and raises a family, we shall indeed have a tremendous project ahead of us and there are at least 200 homes that could be constructed at this date under such a category. Further, such a program would continue indefinitely.³³⁹

Morris needed clarification. Was the government in the business of supplying housing to everyone? If so, how could the Department undertake such a project? And, most importantly, if the Department started providing such a service, where would it end?

Agents were tasked with deciding for themselves how they would approach this intractable situation. Although, in the end funds did not permit R. D. Ragan, Regional

³³⁸ LAC, Department of Indian Affairs, RG 10, Report from A.C. Roach, Officer, Kwawkwewlth Agency, to Indian Commissioner for B.C., 29 October 1962, volume 6856, file 901/29-2, part 4.

³³⁹ LAC, Department of Indian Affairs, RG 10, Correspondence to Indian Affairs Branch Ottawa from J.E. Morris Regional Supervisor of Indian Agencies, Toronto, 1956, volume 6841, file 475/29-2, part 1.

Supervisor, Manitoba to achieve his goals, in 1958 he reported to the Department in Ottawa that he intended to set his sights high:

The attached reports show the housing requirements for the Manitoba Region based on current need. By current need, we envisage giving each family unit in this region a proper home having in mind the number in the family, privacy which should be a factor, and construction as close as possible to modern standards. In all cases, providing that funds could be made available, the program as envisaged on the attached summaries could be completed in not more than five years and in some agencies in much less time than this.³⁴⁰

Superintendent Romain Proulx, Oka agency in southern Quebec, focused his attention on ways to encourage Indians to help themselves while protecting welfare funds and reducing expenditures. To achieve his goals he created a methodical system that the applicants could understand and depend on.³⁴¹ He established a set of criteria that would reduce the number of applicants based on their ability to help themselves, income, current housing condition, relative need compared to the other applicants, and their attitude of cooperation. Under no circumstances could an applicant receive help to build a shed, garage or anything that might be deemed, in Proulx's opinion, an "extra". The people who passed his selection process expected to receive services—a sensible conclusion, except that Proulx could not depend on government funds. Regional Supervisor R.L. Boulanger warned Proulx that he erred on the side of being too helpful by raising expectations that could not be filled. Proulx's effort to create reasonable order did not fit

³⁴⁰ LAC, Department of Indian Affairs, RG 10, Memorandum to Indian Affairs Branch Ottawa from R.D. Ragan, Regional Supervisor, Manitoba, November 21, 1958, volume 6848, file 42/49-2, part 2.

³⁴¹ LAC, Department of Indian Affairs, RG 10, Housing Report from Romain Superintendent, Oka Quebec to the Quebec Regional Office, 2 October 1961, volume 6836, file 373/29-2, part 3.

the program; obviously his job was to leave everyone guessing. Boulanger expressed his concerns in a letter to the Department,

I feel that the sympathy Mr. Proulx shows towards these Indians might be misinterpreted for definite promises, which is altogether different. We must realize that very little funds are allotted to that agency, and there may be quite a few worthy causes but they cannot be looked after unless we spread a program over a period of many years.³⁴²

In spite of his good management practices Proulx faced an intractable problem that was built into the system itself. The Department released funding levels at the beginning of the fiscal year and agents disbursed the funds, often spending the annual allowance within the first few months dealing with the pent up issues from the previous year. Agents then deflected requests for the balance of the year by refusing as many applicants as possible and by making promises to others that they knew, more often than not, they could not keep.

New Welfare Housing Program, 1958-1959

By the early 1950s the Department estimated that the average life of a house on a reserve was only about 10 years and it became clear that reserves did not only need more houses, they needed better houses. The wear and tear of families of 10 to 12 people would have damaged high quality houses so it is not surprising that it had the effect of destroying the tiny tar paper shacks built through the on-reserve housing system. The Department was now challenged to increase production as well as improve construction

³⁴² LAC, Department of Indian Affairs, RG 10, Letter from R.L. Boulanger, Regional Supervisor of Indian Agencies, Quebec Regional Office to Indian Affairs, Ottawa, 25 March 1959, volume 6836, file 373.29-2, part 3.

standards. But improving both quality and quantity at the same time was not the only challenge facing the Department. Agents were unsure of their responsibilities, they needed leadership, policies, guidance, and most of all they needed some successes—constant failure was wearing on them.

During 1958 and 1959 the Department came out with several new directives from Ottawa for the construction and delivery of welfare houses. The assistance was welcomed by agents such as R.H.S Sampson, Superintendent, Skeena River Agency as can be seen in his review of a conference on the new program that he sent to the Indian Commissioner for B.C. “It was also of extreme importance, and gave us a feeling of confidence, to learn in this manner the most recent policies of the Branch. The direction given by the assistant Commissioner was vital in achieving a better understanding of the principles and practices....” His report stated that agents were instructed to achieve the fullest possible Council participation for two reasons, first to give councils the responsibility for housing selection, “so relieving the Superintendent of this unhappy task,” and second so that Councils would be more informed than the Superintendent as to individual need. Second, the new program recommended that the housing program be divorced from being strictly welfare grants to one of long-term loans. According to the Department directive, “This advancement would be designed to get Indian away from the evil of always thinking that they are entitled to “hand-outs”. Next, the program included additional money to cover increased materials and labour costs and to achieve minimum building standards:

It was recognized that there was great need for minimum building standards to be enforced, to prevent sub-standard homes being built. It was also

recognized that large families present an added problem in that standard house plans now in use do not provide adequate space.³⁴³

The new program provided additional funds that would allow bands to hire qualified carpenter foremen to work with individual builders. It also made an attempt to standardize housing designs in a draft brochure entitled “Sketch Designs for Indian Housing” and distributed it to the agencies calling for their feedback.³⁴⁴ The program stimulated a good deal of interest in the agencies but, in the main, they found that the increased funds resulted in little improvement to housing quality. The funding increase was not sufficient to increase quality and quantity and Ottawa remained steadfast in its pressure to increase quantity. In 1958 a letter to the Manitoba Regional Supervisors from J. H. Gordon, Superintendent of Welfare in Ottawa writes,

You are aware of the need to improve housing conditions on many reserves in your Region and the additional funds provided this year should enable you to take care of more of the urgent cases. It is therefore very important that you proceed with the housing program as quickly as possible by submitting requisitions for materials gearing the construction of houses so that you can make the best possible use of the money without permitting a lapsing balance in your Region....May I mention again that we must carry out the housing program for this year at a much faster rate than has been done in previous years...³⁴⁵

Regional Supervisor R.D. Ragan replied several days later assuring Gordon they were working as quickly as they could:

³⁴³ LAC, Department of Indian Affairs, RG 10, Report from R.H.S. Sampson, Indian Superintendent, Skeena River Agency to Indian Commissioner for B.C., 22 May 1959, volume 10289, file 481/29-2-22.

³⁴⁴ LAC, Department of Indian Affairs, RG 10, Indian Affairs Branch Circular No. 19, “Indian Housing Brochure,” 30 January 1959.

³⁴⁵ LAC, Department of Indian Affairs, RG 10, Letter to Regional Supervisors, Manitoba from J.H. Gordon, Superintendent of Welfare, Ottawa, 6 June 1958, volume 6948, file 42/49-2, part 2.

[We are] proceeding with our housing program as quickly as possible...In regard to carrying out our housing program for this year at a much faster rate than in previous years, [he feels] that is being accomplished....Up to this time with limited funds we have been concerned with getting the maximum number of Indians under suitable cover.³⁴⁶

Ragan conducted a housing survey in his region to investigate how he could handle the problem of increasing quantity while improving quality. He found that Superintendents had different opinions on quality and what sort of houses were appropriate for the reserves. For example some reported that old, one-room log houses were adequate accommodations for families. Ragan disagreed and stated new objectives for his region:

Up until this time with limited funds we have been concerned with getting the maximum number of Indian under suitable cover. The time has now come however to insist that such things as partitions and storage, fireproof chimneys, storm windows and screens, insulation, foundations, outside toilet facilities and even linoleum.³⁴⁷

His goal was to give every family unit in his region “a proper home having in mind the number in the family, privacy which should be a factor, and construction as close as possible to modern standards.”³⁴⁸

But generally there was little enthusiasm for trying to make the system work—legitimately adequate houses were out of the reach of the limited funds and Department

³⁴⁶ LAC, Department of Indian Affairs, RG 10, Letter from R.D. Ragan, Regional Supervisor of Indian Agencies, Winnipeg, to J.H. Gordon Superintendent of Welfare, Indian Affairs Branch, Ottawa, 11 June 1958, volume 6948, file 42/49-2, part 2.

³⁴⁷ LAC, Department of Indian Affairs, RG 10, Report from R.D. Ragan, Regional Supervisor of Indian Agencies, Winnipeg to Indian Affairs Branch, Ottawa, 21 November 1958, volume 6948, file 42/49-2, part 2.

³⁴⁸ Ibid.

delivery system. Even the house designs in the new program demonstrated a bias towards economy rather than quality as the explanation for the designs states:

Most of the designs are adaptable to log construction and this is important consideration since log houses are relatively simple to construct and can make maximum use of Indian labour and local materials. Because of low unit costs, houses of this type appear to offer one of the best prospects for meeting our shortage of housing accommodation in many areas, while at the same time keeping our overall housing expenditures within reasonable limits.³⁴⁹

At a superintendent's meeting in Prince Rupert in 1959, W. S. Arneil, Indian Commissioner for B.C., identified one of the central concerns for the housing program was the limitations it put on working people—there was never be enough left for those who could help themselves. He reported to Indian Affairs in Ottawa:

[T]he present allocation system for housing needs includes only cases of indigency and housing where the applicant participates in the financing. There is, of course, one other group of Indians who through their own volition would be in a position to cover costs of housing should some arrangements be made whereby long term loans for this purpose could be granted.

There are an increasing number of Indians in this category who through their own desires wish to improve their living standards and do not look to the Department for assistance in the form of an outright grant.³⁵⁰

He proposed that the industrious group should be covered by a separate allotment in the form of long-term loans similar to those that were available through the National Housing Act (NHA) and the Veterans' Land Act (VLA).³⁵¹

³⁴⁹ AANDC Library, Indian Affairs Branch Circular No. 19, 30. January 1959.

³⁵⁰ LAC, Department of Indian Affairs, RG 10, Report to Indian Affairs Branch Ottawa from W.S. Arneil, Indian Commissioner for B.C., 19 August 1959, volume 6856, file 901/29-2 part 3.

Loans

Loans were the obvious solution for people with the means to provide for themselves, but it was not until the 1956 revisions to the *Indian Act* that a provision allowed banks to circumvent the barriers that had been set up in in the earlier *Act* that prevented reserve residents from accessing NHA or VLA³⁵² loans. Even then as we will see most banks and bands took years to find a way to provide loans for housing. Therefore, of necessity agents and bands turned to the bands' capital accounts for housing loans. While on the surface this appears to be a reasonable arrangement there were several problems with this approach. The first problem was the absence of clear policy. It was uncertain whether housing was an appropriate use of the funds. Band leadership and government officials often disagreed on whether or not to permit the use of the funds to enhance an individual's housing conditions. In principle these funds belonged to the whole band and were not to be used for the benefit one person or one family. A 1953 Department circular stated that the funds should be used only under three circumstances; 1. that every member should share equally in the financial benefit derived from the expenditure, 2. if the band membership was destitute a provision could be made for

³⁵¹ Ibid.

³⁵² The Wartime Housing Limited, a Crown corporation began in 1941 to provide loans and grants to veterans to construct new houses. In 1942 the Veterans' Lands Act (VLA) offered loans and grants to veterans who wished to become farmers and commercial fishermen. The Act was also used to purchase household equipment such as kitchen stoves and washing machines.

acceptable dwellings and, 3. if the capital account was so large that the expenditure would cause a relatively small depletion.³⁵³

The second problem was that band leadership often disagreed with the idea of using the accounts for loans. They saw band funds as communal assets and therefore felt they had no right to insist that community members repay monies they had been granted for housing. A demonstration of this disagreement took place in 1953 in The Pas, Manitoba. The band population of 551 members (plus non band members living on reserve) was living in approximately 100 houses, most of which were in critically poor conditions. Faced with desperate band members, the band council approved the expenditure of \$3000 from their capital account to be granted to individuals for housing repairs and submitted the expenditure to Ottawa for approval. The Department subsequently declined the request stating that the band did not have sufficient capital resources for housing grants. It suggested that the funds should be distributed as loans rather than housing grants. In the end the Department released the money with the intention that it should be repaid while the band leadership made it clear that they had no intention of giving communal assets to their rightful owners and then asking for them back. The Superintendent R. Law in Winnipeg reported to Ottawa that the band was resolute; “It is again noted that at the outset of the housing improvement project, that Indians specifically stated in a resolution that repayment to band funds was not to be made.”³⁵⁴

³⁵³ LAC, Department of Indian Affairs, RG 10, Letter to R. Law, Esq. Indian Superintendent, The Pas, Manitoba, from RS Davis Esq, Regional Supervisor of Indian Agencies for Manitoba, 10 July 1953, volume 8192, file 578/29-2-25, part 1.

³⁵⁴ Ibid.

The third problem was a collection of problems that had to do with repayment and consequences for those who refused to pay. The Department demonstrated its lack of commitment to the success of this endeavor in that it never put in place formal borrowing policies or administrative procedures to collect payments similar to those found in the mainstream. Such was the case in many cases where the agents decided there was no point trying to collect because the loan recipients could not afford to make the payments.

Knowing that Indians had a fundamentally different understanding of the purpose of their collective funds, agencies granted loans with no reasonable selection criteria for people who should never have qualified in the first place and then multiplied the problem by putting no administrative structures in place to manage or enforce repayment.³⁵⁵ The agencies' scant records of the loans and low expectations in regard to repayment exacerbated the problem as is illustrated in Regional Supervisor, G.S. Lapp's memorandum to Indian Affairs Ottawa in regard to houses that had loans attached,

You will note that some of the houses have had several occupants and some of these moved into the houses without any knowledge of the Sioux Lookout Agency...It is very doubtful that repayment in full, in many of these cases, will be attained. However, we would reserve making any definite recommendation until such time as the financial standing of each loan is established.³⁵⁶

Without clearly established rules it appeared to community members that one person was held to account while another was left scot-free. When borrowers failed to meet the terms of the agreements and refused to vacate the house as requested there was

³⁵⁵ It's important to note here that at this time the loans were not usually cash—it appears that in most cases the loans were for the estimated cash value of building materials that agent ordered and had delivered.

³⁵⁶ LAC, Department of Indian Affairs, RG 10, Memorandum from Regional Supervisor, G.S. Lapp, North Bay, Ontario to Indian Affairs Branch, Ottawa, 27 October 1961.

little the agent could do. To leave meant that the borrower would have had nowhere else to live and the agent would likely be left with an empty house because other community members would be reluctant to move into a house tainted by such conflict. R.H.S. Sampson, Superintendent for Skeena River Agency, B.C. described the problems associated with eviction in a report to the Commissioner for B.C.

...we must acknowledge the problem we face when eviction is contemplated and the family has no house to move into and therefore, that therefore we should prepare to meet this predicament in advance. We also feel that in many Indian communities a house so vacated by eviction of former occupants may remain unoccupied a very long time because of the extreme reluctance of many Indians to move into what they recognize as another man's property. The prospective tenant is likely to be quite unwilling to risk laying himself open to accusations that he wanted the property and 'forced' the former occupant out, regardless of any protestations to the contrary by officials or even the band council.³⁵⁷

Agents made sporadic and mostly unsuccessful attempts to collect, but complained that many recipients felt no obligation to repay. Thus these ill-conceived early attempts to establish a loans regime on reserves failed and the consequences of that failure had long lasting negative consequences. Not only did the agencies lose money from the bands' accounts that had been loaned for housing, the arbitrary collection practices reinforced the perception that government-housing programs were ad hoc, unfair and set the precedent that loans did not have to be repaid.

Fourth, the loans program was aimed at the wrong segment of the reserve population. As in the case at The Pas, agencies were seeking to lend the money to people who could not afford to pay rather than to working people wishing to improve their

³⁵⁷ LAC, Department of Indian Affairs, RG 10, Memorandum from Superintendent R.H.S. Sampson, Skeena River Agency, B.C. to Indian Commissioner for B.C., 1 June 1961, volume 6856, file 901/29-2, part 4.

housing conditions. If housing assistance was reserved for the most needy then common sense contradicts the observation that working people were well housed. Government officials would have been well aware that on the reserve, like in mainstream society, working people required loans to acquire adequate housing. It is my sense that if, at this time, housing loans had been provided on reserves in the same manner as off reserves; through an external source, using a fair selection criteria and enforcing lending and repayment mechanisms loans would have met with the same success as they did off reserve. A legitimate loan program would have provided housing opportunities to working people who were being overlooked for housing assistance and prevented the reserve populations from being defined by the poorest of their people. Most importantly loans for the working people, no matter how few there were, would have provided an opportunity for another standard of housing on reserves, even if only a small percentage of the population could afford higher quality houses.

Finally, by the 1950s there were many bands with no capital funds to loan to members. Witnesses had sounded warnings to the Joint Committee in 1946-47 that some bands had already run out of capital funds, as was the case in Norway House that now had to, “absolutely to depend on the department to give them anything they get because they have no capital funds left and no additional resources or land to sell.”³⁵⁸ So while loans, if managed correctly could have brought at the least a measured increase in housing funds under the current arrangements they were available only in certain bands again leaving the program open to criticism of unfairness.

³⁵⁸ Special Joint Committee of the Senate and the House of Commons to examine the *Indian Act*, Minutes of Proceedings and Evidence, 1947, 525.

In 1956 revisions to the *Indian Act* were approved by Parliament that provided Bands with the power to obtain loans from Central Mortgage and Housing and other institutions for housing purposes on the reserves. As a result the Department coupled the introduction of loans with a requirement to contribute a down payment as a condition to getting housing assistance. Agents thought down payments would have a two-pronged benefit; first it would provide another funding source for the housing program and secondly, it would force occupants to become financially involved with their housing project thus increasing their commitment to the house and hopefully improve the upkeep. As with the loans program, this Department requirement to collect down-payments were left wholly to the discretion of the agent.

In my review it appears that most agencies across the country aimed to make the payment affordable for their most needy residents and set the rate at a mere \$25. The New Westminster Agency in British Columbia took a rare position and gave priority to those band members who were well off and insisted that each applicant contribute \$500 before his or her housing request would be considered.³⁵⁹ The agency continued the practice of excluding the needy families for several years until the Department advised the agency that they were unauthorized to force such payments without the Superintendent's approval, which was not granted. In 1958 Gordon also informed B.C.'s Indian Commissioner W.S. Arneil that,

³⁵⁹ LAC, Department of Indian Affairs, RG 10, Letter from J.H. Gordon, Indian Affairs, Ottawa to W.S. Arneil, Indian Commissioner for B.C., 28 May 1958, volume 6856, file 901/29-2, part 3. While I have no information whether New Westminster provided loans to supplement these housing applicants, this approach coupled with a well-managed loans program would have produced an entirely different housing culture.

Nothing in the nature of a rigid formula can be applied to the administration of Welfare housing assistance and, as was pointed out to the delegates at the 1955 meeting, Indians who apply for help from Welfare Appropriation for housing purposes are expected to make the maximum contribution in relation to their individual circumstances.³⁶⁰

This meant each applicant was assessed individually – a strategy that left the agencies wide open for additional criticism of unfairness and favouritism and, when challenged, the agents had no policies to back them up when they received queries such as the one in 1963 from Louis Hardy from MacDiarmid, Ontario,

I have a family of 3 children, all of whom are over 12 yrs old, and I'm living in a one room shack with my wife, so we have no privacy at all. I have been asking for a house for over 2 yrs. I see some that got houses, they didn't need, right away, because they [already] got nice houses.³⁶¹

R.D. Regan replied to Hardy and explained that because of increased housing costs it had become imperative that recipients contribute to their housing projects, “Contributions are scaled according to the individuals’ capacities.” He invited Hardy to review his position with the Superintendent and then added “bearing in mind that he must abide by the rules as set out in the Subsidy Housing Program.”³⁶²

Not only were the agents’ discretionary decisions often neither defensible or reproducible, the arbitrariness of the process set in place a system that forced housing applicants to plead with agents for services. Neither the collection of down-payments nor the granting of loans and labour funds were based on policies that the people could

³⁶⁰ LAC, Department of Indian Affairs, RG 10, Letter from J.H. Gordon, Indian Affairs, Ottawa to W.S. Arneil, Indian Commissioner for B.C., 28 May 1958, volume 6856, file 901/29-2, part 3.

³⁶¹ LAC, Department of Indian Affairs, RG 10, Letter to the Department of Indian Affairs in Ottawa from Louis Hardy, MacDiarmid, Ontario, 27 February 1963, volume 6846, file 492/29-2, part 6.

³⁶² LAC, Department of Indian Affairs, RG 10, Letter from R.D. Regan, Acting Chief, Welfare Division, Indian Affairs Branch, to Mr. Louis Hardy, MacDiarmid, Ontario, 6 March 1963, volume 6846, file 492/29-2, part 6.

depend on. The reasons agents gave for their decisions often had less to do with fairness and more to do with the applicant's personal attributes. The trouble was, when residents disputed a decision and agents referred them to the Subsidy Housing program the rules were little more than the three foundational principles meant to guide the agents' decisions: the housing program had limited funds, it was designed to help Indians build their own houses, and individuals needed to use their own resources to defray costs, which did little to make the program fair and accountable.

Adding to the ineffectiveness of the housing management was the fact that many agents managed from afar and had little power to enforce their decisions even if they had wanted to. D.M. Hatt, Superintendent of the Williams Lake Agency in B.C. described the problem,

We believe that the only way that we could realize greater Indian participation would be by spending more time in the field. In this way greater supervision and encouragement would assist us, however other Agency demands require our attention and so for the present this cannot be done.³⁶³

Yet there was more to the problem than policy. Central to every decision was the deficiency in the system itself; there was no reliable or replenishing source of funds and agents were constantly juggling their insufficient budgets with the task of constructing the houses—a concern of every agent expressed in 1950 by R.P.G. Laurence, Superintendent, Sault Ste. Marie Indian Agency, “I feel that if the Department supplies the material that every effort should be made to have the Indians supply the labour

³⁶³ LAC, Department of Indian Affairs, RG 10, Correspondence to the Indian Commissioner from D.M. Hatt Superintendent of the Williams Lake Indian Agency, 13 November 1962, volume 6856, file 901/29-2, part 4.

themselves, otherwise my housing appropriations would not go very far.”³⁶⁴ In 1959,

M.B. Bailey, Superintendent of the Babine Agency voiced the same concern:

[In the past few years] the common thinking was simply to supply the Indian with a portion or all their material required and let him finish the structure. This has not happened nor is likely to come to pass with the result that we have a fair number of half completed homes. And they will, in my opinion, be no nearer completion at the end of the next five year period than they are today.³⁶⁵

In spite of what was obvious to Gordon and others that there was a systemic problem, agents continued to look stubbornly at the old model of tutelage. They maintained that if Indians tried harder and agents worked harder that housing would improve. Perhaps naïve, perhaps unwilling to look at the scope of the problem and the program’s structural barriers to success, in 1960 Director Jones reported optimistically that, “with the Indians’ full interest and participation, and with proper guidance, I do believe that standards of Indian housing across Canada will, in the next few years, be on a par with the standards of the adjacent non-Indian community.”³⁶⁶ However, in what appears to be the numbing repetition of earlier analysis, the next few years, would not see on-reserve housing come close to the standards of neighbouring communities.

Agency reports in the early 1960s show that the housing programs of the post-war decade brought dismal results. In 1961 the Department estimated there was an immediate

³⁶⁴ LAC, Department of Indian Affairs, RG 10, Letter from R.P.G. Laurence, Superintendent, Sault Ste. Marie Indian Agency to Indian Affairs Branch, Ottawa, 9 November 1950, volume 6848, file 494/2942, part 9.

³⁶⁵ LAC, Department of Indian Affairs, RG 10, Letter from B. Bailey, Superintendent, Babine Agency to Indian Commissioner for BC, 14 August 1959, volume 6856, file 901/29-2, part 3.

³⁶⁶ LAC, Department of Indian Affairs, RG 10, Letter from H.M. Jones, Director, Indian Affairs Branch, to P.E. Moore Esq, Director Indian Affairs Health Services, Ottawa, 7 October 1960, volume 6856 file 901/29-2, part 4.

need for a total of 7,000 new houses on all reserves across Canada. At this time the department had been providing materials to build approximately 1,250 new basic housing shells a year, which was barely keeping up with the 1,200 new families formed each year, and making no impact on the backlog.³⁶⁷ At the same time as houses in the mainstream were expected last 50 or so years, the Department estimated the lifespan of a typical welfare house to be only about 10 years.³⁶⁸

A study conducted by Martin O'Connell in 1962 for the Indian-Eskimo Association of Canada stated that ninety percent of Indian housing was primitive and deplorable and that the housing programs had been a complete failure.³⁶⁹ The survey showed that twenty-five percent of Indian homes were of log construction with the bulk of log housing was found in Manitoba, Saskatchewan and northern Ontario. Fifty-seven percent of houses on reserves had three rooms or under compared to eleven percent of homes found in the general population. The survey could not determine the extent of overcrowding although one study, using the figures from the 1962 survey estimated that occupancy was in the range of seven to twelve persons per house. While the survey confirmed that 90 percent of Indian housing in Canada was substandard by "any reasonable criteria," the study points out that "virtually all Indian housing stands below

³⁶⁷ LAC, Department of Indian Affairs, RG 10, Memorandum from Acting Direction J.H. Gordon, Indian Affairs, Ottawa to Superintendent F. Brisehois, Caughnawaga Indian Agency, Quebec, 26 April 1963, volume 6837, file 377/29-2, part 10.

³⁶⁸ This estimate is taken from several comments made by Department officials during this period. By the 1980s they estimated the number at about 15 years. I am not sure how they made this estimation but it is one that has been used by government up until recently.

³⁶⁹ Martin P. O'Connell, "Canadian Standards of Housing in Indian Reserve Communities," May 1965. A memorandum prepared for the Indian-Eskimo Association of Canada, p 2. The study appears to be the first of its kind that looks from a quantitative perspective at on-reserve housing across the country although little is written about the extent of O'Connell's research and which Indian bands he used in his survey.

the standards of the National Housing Act.”³⁷⁰ Government funds accounted for 57 percent of the financial input into the housing program, capital accounts paid for some of the remaining costs, and individual contributions made up the remainder although the actual number is not available.

In 1962 at least 90 percent of individual incomes on reserve fell far below incomes necessary to borrow under the National Housing Act. The survey estimated that twenty-five percent of existing houses needed replacing and while the figures are subjective³⁷¹ O’Connell’s study concluded that the pace of new buildings not only fell behind new family formation by some 300 homes per year, (twenty-one percent of new family formations) and failed to overcome housing backlogs resulting in doubling up of families in existing homes, but it also failed to replace large volumes of existing substandard housing and was of a quality that perpetuated substandard housing on reservations.³⁷² In summing up his observations O’Connell writes;

Grossly inadequate also is the present housing program. It neither copes with housing backlogs, replacement of substandard stock, nor does it provide housing of a quality and standard of services approaching the general Canadian standard...It has been developed too much, though not exclusively, within a narrow welfare viewpoint and too little from the viewpoint of housing....too little also from the viewpoint of health, community development, economic development and the contribution of safe and sanitary housing as a strategic instrument for breaking the cycle of poverty of Canadians living in reserve communities. Finally, the present housing program failed to apply federal housing programs operating through the National Housing Act to the Indians of Canada.³⁷³

³⁷⁰ Ibid., 7.

³⁷¹ Twenty-five percent is likely extremely low given the double standard between on- and off-reserve housing assessments.

³⁷² O’Connell, “Canadian Standards,” 10.

³⁷³ Ibid. 12.

Public Response

By the end of the 1950s on-reserve housing again was subject to public criticism. In 1957 Clayton W. Hodgson MP for Haliburton in Ontario wrote to H.M. Jones, Director of Indian Affairs: “I attach a letter I received from the Indians on Rama Reserve in Longford Township. I personally know that several of their houses there are not fit to keep a dog in, let alone human beings, and something should be done immediately to aid them in their living conditions.”³⁷⁴ In July the same year the Toronto *Globe and Mail* published an article documenting the deplorable shacks on a reserve in the same region.³⁷⁵ In response to the media attention Regional Supervisor Morris of Toronto wrote to Ottawa to bring attention to the broader implications of the housing crisis:

This article brings out a very important and vital aspect of our civilization... Articles were written by authorities in municipalities where new housing has replaced slums point out that juvenile delinquency and school truancy has decreased considerably; fires and other similar incidents have also decreased. Needless to say poor housing causes poor health, thereby increasing our medical costs, not mentioning the effect it has on the productivity of the individuals concerned. Also, children from good housing are devoting more time to their home-work and not hanging around in gangs to get away from their poor housing.³⁷⁶

Agents tried to put up the best front possible for the public by placing the highest quality houses in the most highly visible locations. In Fort William, Ontario, Charles McLaren’s application was approved for several reasons; he had a good history of paying

³⁷⁴ LAC, Department of Indian Affairs, RG 10, Letter from Clayton W. Hodgson, M.P. to Mr. H.M. Jones, Director, Indian Affairs, Ottawa, 28 May 1956, volume 6841, file 475/29-2, part 1.

³⁷⁵ Ibid.

³⁷⁶ LAC, Department of Indian Affairs, RG 10, Letter from J.E. Morris, Regional Supervisor, Toronto, to Director, Indian Affairs J. H. Gordon, Indian Affairs, Ottawa, 12 August 1957, volume 6841, file 475/29-2, part 3.

off debts and Indian Health Services had made several inquiries into the condition of the house because Charles' ten children (ranging in age from 17 to 11 months) were continually receiving medical attention. But likely the most important reason he was approved was captured in the final line of his application, "Because his home is next to the school and on the main thoroughfare through the reserve...we would request your authority to proceed with this work."³⁷⁷ North Bay Agency used the same strategy and broke with the usual habit of assisting only the poorest applicants to put their best houses on display. Regional Supervisor F. Matters observed the house Chief William McGregor was building and reported it to be;

[A] very good house near the highway and close to the Roosevelt Memorial at Birch Island. He has used all his own money and also has had a loan which will keep him pretty busy for the next few years to pay off. The type of house that he is erecting is a credit to the Branch and inasmuch as it is in such a conspicuous location for tourists we should do everything possible to ensure that it is a good looking house. I would recommend that the order be placed as quickly as possible for the insulation requested.³⁷⁸

In The Pas, Manitoba the Indian agency recommended that the lion's share of the band's annual housing budget be spent on houses "along the Saskatchewan River bank facing the Town of The Pas, and also [on] houses along the No. 10 Highway which is being extended to Flin Flon...as these houses are so conspicuous."³⁷⁹ Hiding behind the

³⁷⁷ LAC, Department of Indian Affairs, RG 10, Correspondence from A.R. Aquin, Superintendent, Port Arthur Indian Agency to Indian Affairs Branch, Ottawa, 1 June 1959, volume 6846, file 492/29-2, part 6.

³⁷⁸ LAC, Department of Indian Affairs, RG 10, Letter from F. Matters, Regional Supervisor of Indian Agencies to Indian Affairs Branch, Ottawa, 15 January 1952, volume 6848, file 494, 29-2, part 8.

³⁷⁹ LAC, Department of Indian Affairs, RG 10, Letter from E. Law, Superintendent, Indian Agency, The Pas, Manitoba, to Indian Affairs Branch, Ottawa, 5 October 1949, volume 8192, file 578/29-2-25, part 1.

best houses was like erecting a Potemkin village,³⁸⁰ but it did not fool anyone nor did it solve on-reserve housing's public perception problem, which would persist for decades.

Residents' Response

This chapter abounds with references that reveal the complex role agents played in creating the housing system and delivering housing assistance in the 1940s and 1950s and the strategies they used to mediate public response to the poor living conditions on reserves. To my surprise when I went looking for the residents' responses I found them present in the records in a very tangible way.

The most commonly recorded sentiments of the residents towards their housing were ones of hopelessness and exasperation. These can be seen as “structures of feeling” as described by Raymond Williams that, as he suggests, were more likely to bring actions of acquiescence than confrontation. These negative attitudes towards their houses may have prevented organized resistance in that the people had nowhere to turn for help and few other choices to make other than to accept the conditions of their “own domination”.³⁸¹ For example young men pleaded with the agents for their children who “cannot live outside.” Or family men with 10 or 12 children living with relatives who “just can't do it anymore.” The best these men could do for their families was to consent to the government-imposed housing program and accept whatever shelter they could find.

³⁸⁰ Potemkin village is a term used to describe a fake village built to impress. It is derived from a Russian story about Grigory Potemkin who apparently erected fake settlements to fool Empress Catherine II.

³⁸¹ See page 72.

Despite the poor conditions, as Toren found in his study in North Vancouver³⁸², residents appeared to be resigned to their poor housing conditions, perhaps thinking, as I have heard many times, that any house was better than no house at all.

Yet there are plenty of examples of residents voicing their displeasure for what they saw as unfair treatment. Some families received assistance while others did not, and even for those that did the level of housing it produced was more of an insult than help. The working poor complained that the income criteria for qualifying for assistance was so low that they would never qualify as long as they earned a living, leaving them with few acceptable options.³⁸³ Rather than acceptance the residents' relationship with their poor living conditions can better be seen as resentful compliance that did not result in a stasis but in small actions of resistance. The houses themselves, in their unfinished, vandalized and neglected forms became material expressions of the hostility felt by occupants towards the government policies. Poor housekeeping, always a complaint in the past, manifested as broken windows and doors and other forms of vandalism. In turn acts of vandalism and neglect were understood as a lack of pride and gratitude, confirming the Department's preconceived ideas of Indian inadequacy. However, following Scott's description of everyday forms of resistance I see the evidence of poor housekeeping and vandalism as indications that the resistance to the housing system became internalized and took the form of acting out against the buildings.

³⁸² Toren, "Indian Housing and Welfare," 31-33.

³⁸³ LAC, Department of Indian Affairs, RG 10, Letter from W.S. Arneil, Indian Commissioner for B.C. to Indian Affairs Branch, Ottawa, 19 August 1959, volume 6856, file 901/29-2, part.3. The letter indicates growing pressure from band members who want to build their own houses without involvement from the Department.

It is hard to conceive how agents thought the shacks would be an object of pride when in reality they would have been a source of deeply felt shame reinforced by the obvious double standard between reserve and off-reserve housing. On-reserve houses became objects of public as well as private humiliation and came to define the Indians who lived in them. They were the target of media and public attention resulting in newspaper articles such as the one in the *Globe and Mail*³⁸⁴ and television coverage that focused on the desperate conditions intensifying the shameful feelings of the residents. Neglect and vandalism became a hallmark of reserve housing, and, as Scott suggests, not only caused harm to the residents but also had the effect of “narrow[ing] the policy options available to the state.”³⁸⁵

The records hold many examples of occurrences of “small acts of defiance” such as the refusal to pay and the piles of unused building materials that seemingly have no relationship to each other and no collective intention, but none of them are unique or incidental and all are repeated in different circumstances and agencies across the country. It is important to keep in mind the effects of these actions on Department policy and on the attitudes of Department officials as they struggled to implement faulty programs. For instance, the Department’s plan to remove condemned houses as a way to improve the overall housing condition was seldom followed. Extreme shortages resulted in people living in anything that could be called shelter. More often than not several families inhabited the old building so when one family moved out the others remained. If a structure became empty, it would be immediately inhabited by a homeless family. Such

³⁸⁴ See page 200.

³⁸⁵ Scott, *Weapons of the Weak*, 36.

was the case of the family Toren met on the Mission Reserve.³⁸⁶ Six of the eight children had been taken to residential school because there was nowhere for them to live and while the condemned house would likely not have enabled the parents to bring the children home nor did it provide decent shelter for their remaining children, it was, at least, a roof over their heads. The dilapidated single room would have been a constant reminder that the government treatment of them was unfair, that they were passed over for the new houses. Furthermore the house would remind them of their own inadequacies to provide for their children. While one family's strategy of moving into condemned houses may not in itself constitute resistance the widespread blatant disregard for the Department's plans to destroy the old houses lowered the housing standards and cast a negative light on the overall housing conditions.

There are many reports of fires and tragic loss of life that were undoubtedly the result of substandard building practices, unsafe heating systems and overcrowding. Reports of houses destroyed by fire with no loss of life interest me and deserve further examination. In 1959 the Okanagan agency reported three homes lost by fire with no loss of life.³⁸⁷ In 1960 the Kwawkwalth Agency reported, "The years 1958 and 1959 were disastrous ones for this Agency when we lost seven homes by fire. We were fortunate that no lives were lost in these fires."³⁸⁸ The agency had no contingencies for replacing these homes so housing funds were reprioritized and money was diverted from housing

³⁸⁶ Toren, "Indian Housing and Welfare," 31-33.

³⁸⁷ LAC, Department of Indian Affairs, RG 10, Report to Indian Affairs Ottawa from W.S., Indian Commissioner for B.C., 13 August 1959, volume 6856, file 901/29-2, part 3.

³⁸⁸ LAC, Department of Indian Affairs, RG 10, Report to the Regional Office, Vancouver from Superintendent, Kwawkwalth Agency, 18 February 1960, volume 6856, file 901/29-2, part. 4.

the other families on the list to provide emergency houses for the burned out families. Waiting lists were long and many families lived in squalor for years, while waiting for their names to move to the top of the list. One way to jump the queue was if your house was destroyed by fire. On the one hand all fires can be seen as a predictable consequence of poor housing conditions, on the other some could be viewed as a willful strategy to manipulate the system. Band leadership and Department officials disagreed on whether fire victims should be able to jump the queue both knowing they would face other disgruntled applicants empty handed, but in the end it appears that families made homeless by fire earned a higher priority thus scuttling an orderly approach to selection and instigating charges of favouritism and unfairness.

There was, at the band level, also the same sense that the programs were fundamentally unfair. By the 1960s increasing numbers of bands realized that housing, as it was being delivered, was a poor return on the investment for their diminishing capital funds. For example, in 1961 the Caughnawaga Band refused to permit expenditures for housing to be drawn from their band fund. Regional Supervisor R.L. Boulanger reported the situation to the Department:

Mr. Matthew Lazare, Chief Councilor Caughnawaga Indians, explained that he and the other members of the Council could not, for the moment, recommend expenditures from the Band fund for the construction of new houses or for making any improvement to existing houses on the Reserve. He based his allegation on the refusal from the part of our Branch to build welfare houses on that Reserve for Indians in need of living accommodation whereas Indian from other Reserves are given free houses by the Branch. This is interpreted as unfair to the Indians of Caughnawaga.³⁸⁹

³⁸⁹ LAC, Department of Indian Affairs, RG 10, 6837, file 377/29/2 part 10. Correspondence from R. L. Boulanger, Quebec Regional Office to Indian Affairs Branch Ottawa, March 1961.

The Caughnawaga Council refused to support any further requests for housing assistance from band funds and declared to Boulanger that, “If the Branch intends to obtain our cooperation on these questions...he should set an example himself [Boulanger] and start in building welfare houses in Caughnawaga. Houses should be built or repaired by the Government on the same basis as similar work is done on any other Reserve.”³⁹⁰

On February 9, 1963 the Caughnawaga Council passed a Band Council Resolution asking the Department for the same consideration with respect to housing as they felt was being given to other bands. Acting Director J.H. Gordon responded to the Caughnawaga request by stating that the Department did not have enough funds to provide houses to every band. The Department was able to build only 1,266 new homes in 1961, costing about \$1,255,000 provided from government welfare funds along with \$1,670,000 from band funds and personal contributions; only 66 more units were built than were needed to cover the annual family formations.

During the 1962 construction season we can expect only about 1,200 houses will be built. It will be seen that we are not going to be able to keep up with all requests for housing. It is therefore expected that Bands with adequate funds will take care of the housing needs of their own aged and destitute, and possibly loan money to low wage earners to assist them with the building of new houses. At the present time our efforts must be directed to these Indians living on Reserves where the Band has little or no Band Funds and to those individuals on those Reserves who, through no fault of their own, are living in substandard housing.³⁹¹

³⁹⁰ Ibid.

³⁹¹ Ibid.

Boulangier had nowhere to turn other than welfare for housing funds. In 1959 he reported that the bands in his region had rejected his efforts to implement a loans program,

We are now in possession of a memorandum from our Superintendent, in which he states that all his Indians are refusing to consider the advantage of being provided with loan to repair their houses, on the ground that our Department is obliged to help them and that all assistance should be given freely as in the past.³⁹²

In 1964 the Amos Band, approximately seventy kilometers northwest of Val d'Or Quebec, refused the government's offer of housing assistance as a strategy to force the Department to offer the conditions that suited the band's particular situation. Members of this band from the Abitibi agency had migrated from their traditional territory in northern Ontario and were living in shacks along the highway. In an effort to "clean up" the road Superintendent H. Lariviere of the Abitibi Agency planned to relocate the people to a more suitable location and one that was out of public view. The band agreed to contribute to the relocation project as long as certain conditions were met.

Chief Rankin and the band's council insisted that new houses be provided with basements, running water, and sewer and power and that the new location be provided with at least an elementary school. They said they would rather live where they were in second and third class homes than live without the services they demanded.³⁹³ Temporary shelters was acceptable to the Amos people when they were trapping or hunting, but, as

³⁹² LAC, Department of Indian Affairs, RG 10, Letter to Indian Affairs Branch, Ottawa, from R.L. Boulangier, Regional Supervisor of Indian Agents, May 1959, volume 6836, file 373/29-2, part 3.

³⁹³ LAC, Department of Indian Affairs, RG 10, Memorandum from Superintendent H. Lariviere, Abitibi Agency, to Regional Office, Quebec, 7 April 1964, volume 6836, file 371/29-2, part 17.

the chief insisted, now that they would be living “in the houses year in and year out” they needed much better services than what the government offered.

This example illustrates two important points concerning why some Indians accepted shanty-style shelters with little resistance in certain cases. The Amos people used government housing assistance to build dwellings that were suitable for their mobile lifestyle and their ideas of temporary seasonal traditional houses. The same would have been true in most communities across the country that lived in summer fishing and hunting, and winter trapping camps, well past the mid 20th century. That being said, by 1964 the Amos Indians were settling in permanent communities and refused to accept the same style temporary housing.

Lariviere became frustrated with the Band Council’s intransigence and complained to the superintendent that,

...he could do nothing if the people do not wish to file applications.... regardless of which way the department would like to assist them...if they refuse, we have to wait and wait....The main drawback has been a certain number of families considered as leaders holding back and getting support from others, mainly on the water question.³⁹⁴

The agent reprimanded Chief Rankin and gave him an ultimatum “if he resisted the department beyond April 1, 1964 [Lariviere] would use his power to circumvent the Band Council authority and invite individual housing applications.”³⁹⁵ The negotiations ended in an unfavourable compromise for Rankin’s people. The band leadership signed the housing applications and the Department installed water services in the community.

³⁹⁴ Ibid.

³⁹⁵ Ibid.

While the deal cost the government the price of a water system it achieved the Department's goal of removing the eyesore of Indian housing from the well-traveled highway. In the end the people of Amos got water and housing but it came at a high cost that would affect their people for generations. They failed to achieve a local elementary school, which meant several generations of their children were forced to attend a residential school.

Internal community dynamics driven by local beliefs and values foiled the Department's housing plan in the case of neighbouring Manowan. In 1964 the Department built 12 new houses to relieve the housing shortage. However, at a band meeting the prospective homeowners refused to accept the houses. Band members said if only 12 families occupied the new homes, others would be angry and that it was better to let the houses stand empty for another year until the community sorted out who would move in and possibly acquire enough new homes for everyone. In the meantime the owners chose to live in tents alongside the new houses. Frustrated by the Manowan's determination to manage their housing their own way, Lariviere wrote a stern letter to the Band to say that if they were not satisfied with the offer made for subsidy housing, they needed to say so earlier. He reported that his admonition had a "salutary effect" and that "to get results with Indians, I am a firm believer we must give them time, even if at times it is very aggrivating (sp)."³⁹⁶

Foot dragging and the stubborn determination of the people to have a voice continued to be a problem for the Abitibi agency in Waswanipi, 250 km east of

³⁹⁶ Ibid.

Manowon, where many people still lived on the trap line and the agency wanted to push ahead with its plan to settle the trappers in permanent communities. In 1964 Superintendent H. Lariviere used new houses as an inducement to persuade the people to leave their lines. In a letter to the band chief he writes “Do you intend to live on reserve if we provide houses, a school and dispensary?”³⁹⁷ They replied saying, “We do not know what is going to happen, because the country is opening south, west and north and it is already open north east and we have to look for the cheapest living.” Government offers of housing assistance meant little to Waswanipi trappers who were still firmly in control of their own choices even if it meant living in temporary shelters. Evidence of the continuation of traditional activities in spite of the disruptive effect it could have on housing can be seen in the constant and widespread interruption to construction due to traditional and seasonal activities. Although agents demanded that residents build their own houses, when construction conflicted with seasonal activities the houses did not get built.

In addition to the seasonal disruptions there was also a widespread general apathy towards the housing program. While the reports indicate that a small number of reserve residents wanted to build their own house and that a few did a good job, more often than not agents recorded examples of resistance to the program. Large numbers of pallets of materials were left untouched, the quality of construction was inadequate and many houses were left unfinished. For example Superintendent J.D. MacPherson, Eskasoni Indian Agency, reported, “It seems once we take the water inside the basement the

³⁹⁷ LAC, Department of Indian Affairs, RG 10, Letter from H. Lariviere, Superintendent, Abitibi Agency to Regional Office, Quebec, 7 January 1964, volume 6836, file 371/29-2, part 17.

average homeowner is quite content and makes no effort to bring the water in to a sink at his cost; also, he makes little effort to provide a waste system.”³⁹⁸

Superintendent B. Bailey of the Babine Agency in central BC expressed the frustration found in many of the reports: “One thing we can definitely state is that the Indian himself, today, is not building any home on his own efforts. He is waiting for the Department to do it.”³⁹⁹ One agent commented that the problem existed primarily because the program demanded that the people selected are those in most need and those least able to help themselves a population that was growing and becoming less amenable to cooperation as housing deteriorated. When faced with unfinished buildings another agent interpreted the situation differently, “The only reason why these two houses are not built is the lack of good will of these persons.”⁴⁰⁰

If these acts of resistance do not constitute overt political challenges to government at this time, they illustrate contempt and disdain for the housing conditions that simmered in communities across the country. The most overt example of intentional resistance can be found in the Homemakers’ Club movement although they too did not start out as vehicles for political struggle but as independent groups of women gathering together under the organization of the agencies to learn domestic skills.

³⁹⁸ LAC, Department of Indian Affairs, RG 10, Agency Report from J.D. MacPherson, Superintendent, Eskasoni Indian Agency to Indian Affairs, Ottawa, 1 April 1964, 7, volume 8514, file 50/23-4.

³⁹⁹ LAC, Department of Indian Affairs, RG 10, Letter from B. Bailey, Superintendent, Babine Agency, B.C. to Indian Commissioner for B.C., 14 August 1959, volume 6856, file 901/29-2, part 3.

⁴⁰⁰ LAC, Department of Indian Affairs, RG 10, Memorandum from L. Beaudoin, Superintendent, Bersimis Indian Agency to Acting Director, Indian Affairs, 9 April 1963, volume 8463, files 379/23-20.

The groups became politicized through their efforts to improve living conditions and turned into sites of resistance. In her book, *Stoney Creek Woman* Mary John describes this process,

"In those early years, we were not political. We called ourselves the Busy Beavers and we were just what the name of our club said— we were busy homemakers, looking for ways to make life better for our families and our village. All of us were having babies and raising small children and we believed that we didn't have time for politics. We were still content to let the Indian Agent and the priest and the chief do our talking for us. All this changed in 1976! We discovered in that year that we could no longer knit and crochet and quilt and leave Native politics to others... Here was our chance to talk, and talk we did, about the poverty of our reserve, the lack of opportunity for our people, the racism that we had to deal with day after day the stranglehold that the Department of Indian Affairs had over our lives."⁴⁰¹

The clubs became so successful and their messages so powerful that by 1968 the Department cut funding for homemakers. Dr. Rose Charlie, a founding member of the Homemakers' movement, directly attributes the move to the increasingly political actions of the groups.

"The women were beginning to realize that without adequate home cooking and sewing... we were without the proper facilities so we were not able to do our own cooking and sewing. So we were passing resolutions that we needed adequate homes or homes period and water systems, sanitations privileges so those were the resolutions we were passing in our AGMs.

And the DIA did tell me when I was requesting money for our AGM. Finally, he said, you women are becoming too much of a pressure group so therefore there is no more moneys available the ladies felt so bad...the late Kitty Bell said why don't you register under the society and become independent of the DIA... so that's what we did do in early 1969."⁴⁰²

⁴⁰¹ Moran, *Stoney Creek Woman*, 135 and 142. Mary John was the former president of the Vanderroof Chapter of the Homemakers' Association.

⁴⁰² Dr. Rose Charlie, interview with Karrmen Crey, April 2008 <http://indigenousfoundations.arts.ubc.ca/?id=547> (accessed 1 December 2015).

After 1969 the IHA (Indian Homemakers' Association) moved beyond promoting homemaking skills and became a significant voice in BC, spreading awareness about living conditions on reserves from the perspective of Indigenous women. The Association continued its overtly political opposition to the assimilation policies proposed in the federal government's White Paper. The same year Rose Charlie played a critical role in organizing a chiefs meeting in BC where the Union of B.C. Indian Chiefs was born and said to model itself after the Indian Homemakers' Association. In spite of their achievements the IHA became less active and finally dissolved in the early 2000s due to lack of both government funding and grassroots support.⁴⁰³ First Nations women's organizations such as the Native Women's Association of Canada (NWAC), the Aboriginal Women's Action Network (AWAN) and many other provincially based groups had formed by this time and had displaced the role once played by the IHA.

There is no single word that describes the Indians' responses to poor housing conditions in their communities. What might be called resistance using Scott's approach can also be seen as coping strategies and in many cases were likely no more than that; they were everyday negotiations between the bands, occupants and government officials. Using the lens of intention we can separate these acts into two categories: political and personal. First, political and social movements are the most obvious examples that we have come to expect when thinking about resistance. In the end we might call the Homemakers' resistance a movement in that it gained political intentions and, like other resistance movements when it became too effective, government ascribed it movement

⁴⁰³ Ibid.

status and then tried to silence the group by withholding funding. Caughnawaga presents an example of a relatively small act of political resistance, yet it demonstrates that even under the Department's control bands had the ability to refuse the government's demands and the pressure likely contributed to future changes in the delivery system.

Given that the Department's mandate to deliver housing assistance to Indian people included no obligation to include Indians in the process, there was no dialogue, no effective way for reserve residents to communicate their needs and complaints. Although, during this period, the expression of opposition to the housing conditions consisted mostly of personal and individual band acts of resistance the collective struggle to be housed laid the foundation for the rise of the pan Indian leadership movement and their united voice of opposition to the housing programs.

Individual acts of resistance such as refusing to pay and lack of cooperation, themselves responses to the unfair and unworkable housing program, exacerbated the situation and, as Scott stated, made a "shambles" of government strategies. Department officials did not interpret these acts as resistance to an unjust system but as corroborating evidence that justified their preconceived ideas about Indian inferiority. This period began what would become an intractable relationship between Indians and the government with housing firmly entrenched as the trigger point. To quote, anthropologist and museum curator, Harry Bertram Hawthorn, who conducted a government-commissioned national survey of Canadian Indians that became widely used by government, the public and Indigenous organizations; "There is probably at present no

greater source of misunderstanding between superintendents and Indians than the administration of this [housing] programme.”⁴⁰⁴

Conclusion

Superintendent Roach from the Kwawkwalth agency summed up the outcomes of the Department’s strategy to solve the postwar housing crisis. “While the desire is to reduce costs I believe we sometimes practice a false economy. If we are to build suitable houses let us use a good quality material and complete the dwelling. In this way we will not be building the same person another house in five years when his family has grown.”⁴⁰⁵ The failure of its solution to build more houses was demonstrated in a tragic decade. That houses should need to be replaced every five years is an economic fiasco but the financial implications pale next to the human suffering that resulted from these living conditions.

During the decade after WWII housing in Canada proceeded along two tracks; one driven by the market system and the other left to Department officials who both created the policies and procedures and became entrapped in the impossible task of managing the program. The program’s products, hardly qualified to be called houses, had an expected

⁴⁰⁴ H.B. Hawthorn, ed., *A Survey of the Contemporary Indians of Canada: A Report on Economic, Political, Educational Needs and Policies, In Two volumes*, Indian Affairs Branch, Ottawa, volume 1, 1966, 231; James B. Waldram, D. Ann Herring, and T. Kue Young, *Aboriginal Health in Canada: Historical, Cultural, and Epidemiological Perspectives, Second Edition* (Toronto: University of Toronto Press, 2006), 22. States that 21% of on reserve houses in 1991 had more than one person per room, by 1996 this had declined slightly to 19%. The national figure was just 1.7% of houses had more than one person per room.

⁴⁰⁵ LAC, Department of Indian Affairs, RG 10, Memorandum from A.C. Roach, Officer, Kwawkwalth Agency, B.C. to Indian Commissioner for B.C., 29 October 1962, volume 6856, file 901/29-2, part 4.

lifespan of no more than a decade and became the target of the occupants' frustration towards their circumstances.

What had gone so desperately wrong? The primary function of the Indian Affairs Branch, under the Citizenship and Immigration Act and the *Indian Act* was “to administer the affairs of the Indians of Canada in a manner that will enable them to become increasingly self-supporting and independent,”⁴⁰⁶ yet this work shows that reserve residents were growing progressively dependent on government for housing and increasingly unwilling to take responsibility for their accommodations which were not of their own making. Despite the Department's rhetoric of improvement, in this period there was not much evidence that the Department had in its mandate the well-being of reserve residents. And thus, as the 1960s approached and the Department began to withdraw from the front-line administration of Indian services it would not be able to rid itself of the outcomes of its utter failure to provide adequate housing on reserves.

⁴⁰⁶ Statistics Canada, *Canada Year Book: The Official Handbook of Present Conditions and Recent Progress* (Ottawa: Queens Printer 1955).

Chapter Four - From Welfare to Loans to Subsidies: In Search of Mainstream Housing 1960-1977

The stakes are high...buildings don't just reflect our society they shape our society down to the smallest spaces...the homes we build for our children.

Marc Kushner, architect "Why the buildings of the future will be shaped by ... you." TED talk March 2014⁴⁰⁷

In 1960 the federal government took the 1958-59 Welfare Housing program back to the drawing board—it was clear that the program did not provide the tools to substantially increase production and reduce overcrowding. The postwar decade had proved that there was more to the housing problems on reserves than a housing shortage and the Department needed new strategies. Over the next almost twenty years the Department would shift from ideas of welfare to loans and grants to subsidies in a scramble to find mainstream housing mechanisms that would be suitable for reserves. But the repetitive failure to achieve decent housing speaks to the fundamental mistaken premise on which reserve housing was built—that government should design and deliver housing to reserve residents in the first place. Undaunted by the root problem, the Department continued to shun the Indians and used its agents in the field as advisors, to create its next two housing programs. Unsurprisingly the government's approach remained focused on delivery issues and continued to be oblivious of the hopes and desires of the reserve residents.

⁴⁰⁷ Marc Kushner, "Why buildings of the future will be shaped by... you," filmed March 2014, TED Video, 18:05, https://www.ted.com/talks/marc_kushner_why_the_buildings_of_the_future_will_be_shaped_by_you?language=en (accessed 1 February 2016).

But the Department was fighting a losing battle. Reserve economies continued their downward spiral and living conditions were going from bad to worse. In 1964, the average per capita income of Indians on the reserves was 20 percent of the average Canadian household.⁴⁰⁸ Furthermore, around the same time only 6 percent of Indian young people graduated from high school compared to 50 percent of other Canadians.⁴⁰⁹ While housing was excluded from the socio-economic indicators used to understand the lack of economic development occurring on Indian bands,⁴¹⁰ as we saw in Chapter Three, the increasing exclusion of working people from housing programs coupled with the absence of adequate housing—a comfortable place to sleep, a space to store and prepare food, provisions for washing clothes, a quiet space to study, and room to have privacy had become significant factors in making very poor reserve communities.

By the 1960s the Department had shifted a considerable distance from its pre-war, hands-off approach to housing assistance but the 1950s were but a harbinger of the surging Indian Affairs bureaucracy that would evolve over the next two decades. The 1960s brought immense social and political change in Canada as academics, social workers, and economists proposed new ideas about equality and Indian self-determination. These ideas influenced the federal government to redefine its basic objectives and adopt as its central focus the introduction of mainstream housing

⁴⁰⁸ Hawthorn, *A Survey of the Contemporary Indians*, 45. Income from gainful employment was \$300 for Status Indians compared to an average over Canada as a whole of \$1400.

⁴⁰⁹ Dickason, *Canada's First Nations*, 384. Warren Clark, "Education," Statistics Canada — Catalogue No. 11-008, *Canadian Social Trends*, 59.4 (2000); 94 percent of Indian children dropped out of school prior to graduation while approximately 50 percent of other Canadians did not graduate.

⁴¹⁰ Hawthorn, *A Survey of the Contemporary Indians*, 101. Hawthorn uses educational levels, proximity to urban centres, mobility, and dependence on welfare as socio-economic determinants of economic development.

mechanisms. Despite this shift in thinking that could have brought about a fundamental change in housing delivery and narrowed the gap between on- and off-reserve housing, the government maintained its commitment to separate housing systems—one driven by the market and the other directly controlled by government. Department officials, still deeply influenced by colonial attitudes of superiority, were convinced that more government involvement was the solution to the housing problems and mainstream housing ideas based on concepts such as individual choice, investment, equity, building wealth, and autonomy, simply became tools for new strategies for government control. All the while the federal government missed the crucial point that Peter King raises that, “if individuals are provided with maximum choice and options then, generally speaking, they are competent and will make rational decisions that are best for their circumstances and families and that social policy, therefore, should be made based on that assumption.”⁴¹¹ But it is the second part of King’s argument that holds the federal government responsible for the inimical relationship between the Department and Indians as it became entrenched—if the state is to deem a person or population incompetent to make their own housing decision then the state act competently on the person or population’s behalf.

In the early 60s an incongruent mixture of new ideas and old practices permeated the Department and led to an immediate review of the Welfare Housing Program almost upon its introduction in 1962 and the implementation of the Loans and Grants/Subsidy

⁴¹¹ King and Oxley, *Housing: Who Decides?*, 174.

program later the same year.⁴¹² Still unsatisfied, in 1966 the Department abandoned the earlier program and implemented its third program officially called the On-reserve Housing Subsidy Program. The program names indicate the rapid shift in direction from welfare to loans to subsidies, which also included new housing plans, new building standards as well as new funding arrangements. The 1966 program was part of a larger government plan that, according to Hugh Shewell, was meant to, “ameliorate conditions on the reserve and to facilitate Indians’ transition to mainstream society.”⁴¹³ H.B. Hawthorn, stated likewise that the whole slate of new government programs should bring about “equality in the levels of material well-being and welfare” between Indians in Canada and the rest of the nation.⁴¹⁴

Though the same rhetoric of equality that had been touted in earlier housing programs was once again in evidence, it was not matched by a real belief that the new housing programs could produce a level of housing on reserves that compared to the standards off reserves. The programs brought new ideas of loans, building standards, and homeowner investment but they still failed to account for the drastically different circumstances on reserves. Reserves had no administrative capacity or legal framework within which the off-reserve mechanisms could function. The key questions raised by the 1960s housing programs arise from the fundamental incompatibility between the government’s presumed intention of equality and the reality that its housing programs

⁴¹² LAC, Department of Indian Affairs, RG 10, Report “Housing, Grants and Loans Program” from J.H. Gordon, Chief Welfare Division Ottawa to the Acting Chief Indian Commissioner for B.C., 15 May 1961, volume 6856, file 901, 29-2, part 4. The program was introduced as the Loans and Grants Program, but by the end of the review the name had changed several times. In 1962 it was passed in Parliament as the Subsidy Program

⁴¹³ Shewell, *Enough to Keep Them Alive*, 261.

⁴¹⁴ H.B. Hawthorn, *A Survey of the Contemporary Indians*, 22.

still limited housing opportunity to such a degree that matching off-reserve housing was clearly unattainable. To make sense of the changes on reserves we must first understand the dramatically changing social and political milieu of the 1960s.

To illustrate the influences that impacted the Department's housing decisions I focus on four important social and political changes that took place during this period. First, in the 1960s government was committed to pursuing Indian self-determination through a general devolution of the administration of Indian services to bands.⁴¹⁵ Second, in what appears to be an inconsistent pairing with its support for Indian self-government, the federal government expanded its Indian bureaucracy several-fold during this period and, rather than decreasing its role, the Department increased its involvement in housing delivery. Next, the 1960s saw the rise of new educated social scientists, such as anthropologists and political scientists who began producing in-depth surveys and studies and came up with new ideas about problems faced on Indian reserves. Finally, this period also saw a new surge of interest in pan-Indian groups such as the National Indian Brotherhood, the Federation of Saskatchewan Indian Nations (FSIN), Union of Nova Scotia Indians, and the Union of New Brunswick Indians, which brought a strong voice of advocacy for better housing conditions.⁴¹⁶

Devolution

⁴¹⁵ Judith Rae, "Program Delivery Devolution: A Stepping Stone or Quagmire for First Nations?" *Indigenous Law Journal*, 7.2 (2009): 2.

⁴¹⁶ James S. Frideres, *Native Peoples in Canada: Contemporary Conflicts*, 3rd edition (Toronto: Prentice-Hall, 1988), 260-270.

One of the ways the federal government promoted self-determination in Indian bands was to transfer the administration of difficult and unpopular programs to the bands while implementing a regime of regulatory, administrative and financial controls and as well as retaining legal authority.⁴¹⁷ According to a 1964 community development submission from the Department to Cabinet the new approach would, “step-up mobilization of Indian initiative and to further promote self-sufficiency. One of its end results would be to accelerate transfer to Indian communities of responsibility and authority for the management of their affairs.”⁴¹⁸ Although the government’s brand of self-administration did not come close to the self-government demanded by leaders such as Andrew Paull and Jules Sioui in the 1940s and 1950s, most bands accepted their role in program delivery as a first step towards greater authority.⁴¹⁹ But devolution was not merely the transfer of existing administrative duties; devolution increased the burden many fold. When bands adopt some of the delivery functions of housing services the Department began to require demographic information, housing plans, proposed budgets, administrative plans, rent collection regimes, construction standards and the creation of new banking relationships. Furthermore, while agents had previously ignored unpaid loans and down payments with impunity, the Department now required bands to sign an agreement stating that they would absorb any shortfalls over and above the housing subsidy including repairs, maintenance and the cost of any unpaid loans. It also became the band management’s task to reeducate band members and attempt to break the old

⁴¹⁷ Rae, “Program Delivery Devolution,” 171.

⁴¹⁸ Shewell, “*Enough to Keep Them Alive*,” 311.

⁴¹⁹ See Rae’s article for more on the effects of devolution.

habits of non-payment formed through the practices of the Indian agents. The government subsidies were made to the bands not individuals therefore the Department expected Band Councils to use the funds to develop and manage “revenue producing” housing programs. The program explanation states: “Band Councils can, therefore, build houses and dispose of them by sale to Band members, by rental purchase or without charge to indigent widows with dependent children, the physically handicapped, the aged and the infirm.”⁴²⁰ Bands were also responsible for implementing work opportunity programs as a means to supplement the self-build approach to construction and acquire additional paid labour to finish the houses. The transfer of administrative responsibility gave the Department the opportunity to standardize and formalize its approach to housing on reserves.

These duties were to be performed by band administrators. The job came with a small salary commensurate with the size of band and although the housing programs burdened the neophyte band offices with the most challenging tasks, the programs provided no extra fees for management services besides what could be garnered from within the rental regimes. Bands, especially those in remote locations, found it hard to attract qualified people. As a result, the position of band manager was often filled by a band member who rarely had the skills and experience needed to administer the programs.

Rather than conducting a planned transfer process whereby bands had time to prepare for their new responsibilities, reassess unsuccessful practices, and establish a new

⁴²⁰ AANDC Library, “Indian Housing Program,” in Indian Affairs Branch Circular No. 777, 30 October 1967.

working relationship with the Department, the shift was an unwieldy process whereby the Department enforced many of its old unsuccessful practices. Ottawa dictated its demands through Department circulars to the regions and in turn the demands became known as government policy. Band administrations were expected to follow Ottawa's directives despite the lack of formal policy, consultation with band leadership and input from the people who were to build and live in the houses.

Devolving the administration of the housing program may have made sense from the perspective of a government department wanting to off-load its failures. I believe the Department was being unrealistically hopeful and perhaps even willfully deluded when, in 1968 Indian Affairs Minister Arthur Laing announced that almost two million dollars would be spent that year to build houses on Indian reserves and that the bands had "developed the administrative and financial systems necessary to allow them to take over full responsibility for the housing needs of their reserves." The press release read:

The working capital is being supplied by Branch grants, and with this money the Band Councils on each reserve is constructing houses for sale or rent to the Band members. "Because they will now have access for the first time to the revenues from the housing program," the Minister explained, "these Bands will be in a position to build the homes they need when the funds requested from the Branch have been expended."⁴²¹

Housing on reserve had never been revenue-producing. There is no evidence that even with the "new" Subsidy Program government officials had any reason to believe that the bands could create money-making ventures out of housing programs that had been such total financial fiascos for the Department.

⁴²¹ LAC, Department of Indian Affairs, RG 10, Press Release, DIAND, 4 January 1968, volume 8881, file 55/29-2, part 61.

Inheriting the responsibility for a portfolio of decaying houses without sufficient financial and human resources presented bands with insurmountable problems. Inexperienced band administrations under the leadership of elected chiefs and councils could never satisfy Departmental requirements or meet the needs of their communities. Holding bands responsible for programs failures not of their making was unreasonable. In 1974 the NIB pointed out that the bands had no alternative under the band-administered housing program other than to have “token control on the administration of funding and no input in the budgeting process.”⁴²² Consequently, band leadership fell victim to the optics of responsibility without concomitant authority causing complicated and often confrontational relationships with their communities. Indian leadership was now seen by band members as making critical, and often-controversial decisions and therefore began to be cast as the villains.

Noel Dyck describes the relationship between the federal government, band leadership and band membership as a paradox; on the one hand community members expected their leaders to confront government on behalf of their interests, while on the other hand the bands depended primarily on the federal government for their operational funding. “In consequence, Indian leaders spend considerable time and effort seeking federal and provincial assistance in order that they may criticize and oppose various aspects of federal and provincial policy and administration.”⁴²³ In spite of the internal social disruptions caused by this paradoxical situation Hugh Shewell posits that the most bands would not choose to give up any of the control they had achieved. Devolution,

⁴²² National Indian Brotherhood (hereafter NIB), *Declaration on Indian Housing* (Ottawa: NIB, 1974), 6.

⁴²³ Dyck, *What is the Indian “Problem”?*, 119.

flawed and limited though it was, was seen by most as a good thing even though the outcomes of band management were far from positive. “Understood this way, community development and devolution would spawn a replica bureaucracy on the reserves, whether or not the provinces extended their services. The oppressed would become the oppressors.”⁴²⁴

The transfer of housing administration duties took place unevenly across the country and had varying degrees of initial success. A few bands took full responsibility for delivering their programs while most took a piecemeal approach. In all cases the records show the Department continued to control the level of subsidy to each house and the amount of personal contribution.⁴²⁵ In 1966 J.C. Letcher, from the Fraser Indian Agency reported that he was encouraging bands to become more active in running their own affairs. “This means active Band Councils under the elective system...and the appointment of Band officials such as paid secretaries, Band managers, maintenance personal and the like.”⁴²⁶ Letcher optimistically reported that two bands had engaged band managers and that, “We are convinced that each Band which handles its own budget monies is well pleased and that their experiences will be helpful in getting similar reaction from others,” and that some bands were embarking on large housing developments. For example Musqueam’s elected Council was working on a CMHC village development loan to build 40 new homes and Mt. Curry and Squamish bands

⁴²⁴ Shewell, *Enough to Keep Them Alive*, 321.

⁴²⁵ LAC, Department of Indian Affairs, RG 10, Circular No. 796, Indian Commissioner for B.C. Regional Directors, 29 January 1968, volume 8881, file 55/29-2, part 61.

⁴²⁶ LAC, Department of Indian Affairs, RG 10, Memorandum from J.C. Letcher, District Supervisor, Fraser Indian Agency to Indian Commissioner for BC, 20 September 1966, volume 8463, file 979/23/17.

were purchasing acreage to relocate their townsites. But Letcher's ambition assumed a complex level of governance that few bands enjoyed. Typically in the 1960s, bands had no office or staff and the Chief acted as secretary, manager and construction supervisor, and kept band files and operated band business out of his home.⁴²⁷ From my experience working to professionalize First Nations management systems across the country over the past 20 years my sense is that the transfer of administrative responsibilities was met with a widespread lack of capacity in band offices that is still evident today causing CMHC and AANDC to continue to focus a great deal of effort in improving First Nations' administrative capacity.

In all cases, band leadership were now fully in charge of the two most onerous and challenging aspects of housing delivery: selecting housing recipients and overseeing the construction of the homes. The significance and persistence of the effects of these two functions being passed to band leadership cannot be overstated. Bearing the burden of desperate living conditions and housing shortages, Chiefs and councils were continually driven by the imperative to house the most needy in each community. But housing decisions were now complicated by the pressures of politics and hampered by the leaderships' fear of community backlash while housing selection became the fodder of political promises. One s councillor responsible for housing stated, "People are very angry. Some people come to the band office almost every day to see if they are getting a house. Sometimes they are very upset and we get the blame. It's a difficult job."⁴²⁸

⁴²⁷ Ibid.

⁴²⁸ Quote by a councillor for the Hollow Water Reserve as cited in Subedar, "When States Design," 187.

After four decades the results of the transfer of housing management to the bands can still be seen in the 2009 BC study on housing arrears, which describes the bands' struggle to separate housing from politics; "[When] communities come to an understanding and design solutions to solve their arrears problem then Chief and Council interfere and make decisions that undermine their collective efforts [then] nothing is solved."⁴²⁹ On the management side, band housing managers applied the same lack of controls over the distribution of pallets of framing lumber and roofing materials as the agents had done in earlier days. Like the agents before them bands were required to collect meticulous administrative details in their reporting to the Department, but interestingly they were allowed to manage the delivery at the band level in their own way and seldom if ever required to report on the quality of the homes. The records show that with the transfer of administration the Department focused on its requirements for documentation of financial transactions and other administrative functions far more than on housing outcomes.⁴³⁰

Increasing Bureaucracy

After WWII the Canadian public's expectations of government intensified, demanding that the state broaden its scope of operations and undertake a wide range of responsibilities. These responsibilities included, on one hand, ensuring citizens' social wellbeing through the provision of social welfare functions like national health and

⁴²⁹ Focus Corporation, "Arrears Research Project—Final Report," prepared for the Aboriginal Housing Committee for British Columbia, 2009, 23.

⁴³⁰ There is no evidence that the Department enforced any criteria for the houses themselves or whether or not the recipient received the full subsidy and there is a blatant absence of housing inspections for quality.

pensions, pursuing full employment, and ensuring economic growth.⁴³¹ On the other hand, government already controlled almost every aspect of reserve societies and paradoxically it was trying to lessen, not increase, its responsibilities. It had been widely expected that Indian Affairs would cease to exist and that the Department would be terminated. Yet employees had more than doubled from 1948-1958 and the Department's expanded services had resulted in a 168 per cent increase in branch expenditures during the same time period.⁴³² Hawthorn saw the trend continuing; that there was a bold new role for government repairing past damages and creating a new field of Indian bureaucracy. He believed past failures presented government with a growth industry, "the special needs of the Indians and the special status they should maintain will require the sponsorship and backing of the Indian Affairs Branch."⁴³³

In practice devolution only affected front-line service delivery, which left the Department free to spread its authority into otherwise untrammelled territory such as economic development, training and educational programs. Hawthorn's view of Indians was not as children and therefore wards of government but as impoverished and vulnerable from the circumstances of their history. His characterization still deemed them as being incapable of making their own decisions and, in fact, needing more not less government intervention. Although he used a slightly different argument, Hawthorn continued to use the Indians' failure to achieve a comparable lifestyle to other Canadians as confirmation of their deficiencies in a similar way that agents and missionaries had

⁴³¹ Getty and Lussier, "The Politics of Indian Affairs," 166.

⁴³² Shewell, "Enough to Keep Them Alive", 261.

⁴³³ Hawthorn, *A Survey of the Contemporary Indians*, 12.

done in earlier years. This attitude can be seen in his recommendation, "As long as Indians are deficient in the capacity for self-defense in a society of large and powerful private and public organizations they must be given supplemental consideration by government."⁴³⁴

He created a special status for Indians that he called "citizens plus"⁴³⁵ and cemented the Department's role in providing the extra services the special status required. In the field of housing, this meant the Department passed off a few front-line troublesome tasks to the bands while increasing its grip on the fundamental aspects of the housing programs. The absence of the front-line agents was more than replaced by the presence of government in the form of additional bureaucratic work at head office processing the increased reporting requirements at the band level and carrying out program development and oversight.

Growth of Social Sciences

The growth in the academic field of social science⁴³⁶ during the post-war period had brought a new interest in the conditions on Indian reserves but there was very little systematic collection of data to study. Ottawa continued to rely on its agents to produce the data for its decision-making. Hawthorn describes the information deficit in 1955;

⁴³⁴ Hawthorn, *A Survey of the Contemporary Indians*, 13.

⁴³⁵ Ibid.

⁴³⁶ Jean-Philippe Warren and Yves Gingras, "Job Market Boom and Gender Tide: The Rise in Canadian Social Science in the 20th Century," *Scientia Canadensis: Canadian Journal of the History of Science, Technology and Medicine*, 30.2 (2007): 5-21. Page 17 looks at how the rise in the Social Sciences was responding to changing political and cultural societal demands.

“Public knowledge does not even match public misconception. Not enough is known of the problems to create a call for their solution.⁴³⁷ This deficit began to be filled in the 1960s as anthropologists, (of which Hawthorn was the most significant during this period) historians and social workers examined living conditions on reserves. Their studies challenged colonial ideas of race and inequality and realigned difference by using cultural explanations rather than the previously popular race-based assumptions. Scholars produced information based on research aimed at finding professional answers to the “Indian problem”.

Hawthorn conducted two influential early investigations; the first was published in 1958, *The Indians of British Columbia: A Study of Social Adjustment*,⁴³⁸ and later in 1966, a more comprehensive national study was published: *A Survey of the Contemporary Indians of Canada*. His findings contested the idea that the problem with Indians rested with their inferiority and specifically pointed to the system of legal and economic barriers to Indian progress as the source of the problem. For the first time the Department was confronted with the possibility that the structures it had set up were, in fact, part of the problem and that lack of opportunity contributed to the inability of Indians to succeed. Hawthorne stated, “These prerequisites for proper choice and decision must be supplied in sufficient amount for them to be at all effective. Indeed inadequate aid may be worse than none at all because it will almost certainly drain off hope and courage.” He cites British writer, G. K. Chesterton, who said, “If you think

⁴³⁷ Hawthorn, *A Survey of the Contemporary Indians*, 6.

⁴³⁸ H.B. Hawthorn, C.S. Belshaw, and S.M. Jamieson, *The Indians of British Columbia: A Study of Social Adjustment* (Toronto: University of Toronto Press, 1958).

everyone should have a cow, and you only give him the first half to start with, he will only leave the first half lying around.”⁴³⁹

While Hawthorn acknowledges the obvious causal affect of substandard housing on poor health conditions⁴⁴⁰ but in a contradictory way he also appears to view substandard reserve housing as a cultural variant with potential benefits despite the obvious negative aspects. In his *Survey* Hawthorn compares the housing conditions of Indian and non-Indian children in the education system:

Indian: Generally over-crowded, child sleeps with siblings in the same bed, little or no privacy, scarcity of furniture, some-times dirty house, often unattractive, unpainted and uncared for.

Non-Indian: Seldom crowded; child may share a room but not bed, possibility for privacy, furniture adequate, usually clean, house usually painted and not unattractive.⁴⁴¹

While Hawthorn identifies the implications of the lack of suitable clothing, food and material objects as clearly detrimental to a positive learning environment he is less conclusive in his analysis of the implications of poor housing:

It is difficult to assess how a minimum standard of housing affects growth and development. The lack of privacy, for example, no doubt has compensations in warmth and closeness to kin and in inhibiting feelings of isolation which often come when a child is retired to his own room and cut off from the warmth and interest of the adults who constitute his immediate world. Such lack of privacy also permits participation in all phases and nuances of human experience including involvements in drunken brawls and similar incidents, and also means the lack of a place to study, nowhere to

⁴³⁹ Hawthorn, *A Survey of the Contemporary Indians*, 6.

⁴⁴⁰ Shewell, “*Enough to Keep Them Alive*”, 308.

⁴⁴¹ Hawthorn, *A Survey of the Contemporary Indians*, 110.

keep personal effects such as books and clothes, and lack of sufficient sleep for school children.⁴⁴²

Earlier Hawthorn argued that while Indian children and “slum children” exhibit similar negative behaviours in the classroom such as low achievement levels and difficulty verbalizing, Indian children have rich cultures that in some way compensated for their deprivations and therefore they should not be equated with other children with similarly troubling school records.⁴⁴³ Hawthorn’s cultural explanation for housing related deficiencies masks the critical point that culture does not compensate for the hunger, cold and disease suffered by generations of Indian children living in substandard housing.

Toren’s 1957 thesis was the first comprehensive micro study of on-reserve housing undertaken with the goal to improve housing conditions. He was one of the first “outsiders” to visit on-reserve homes and write a hands-on report of housing conditions.

According to Toren:

Housing conditions are sub-marginal and overcrowding is general in almost every instance. The welfare program lacks coordination and is inadequate to the needs of the families. It appears obvious that only a comprehensive program meeting the social and psychological needs of the people could adequately solve the many interrelated problems of the Squamish people.⁴⁴⁴

Though he concluded that no housing program could be successful without the involvement of the people who were to live in the houses his overarching recommendation was more one of directed integration;

⁴⁴² Ibid., 111.

⁴⁴³ Ibid., 109.

⁴⁴⁴ Toren, “Indian Housing and Welfare,” 32.

In broad outlines the operations of the band should be parallel to that of municipal government. The final goal would be the integration of the Indian pattern of life into the surrounding municipality...The aim of an plan should be comprehensive and two-pronged; one to build adequate houses and community resources, the other to assist the Indian to achieve equal status with his fellow Canadians, and a sense of personal worth.⁴⁴⁵

Martin P. O’Connell’s 1965 research states that 90 percent of Indian housing is of “primitive and deplorable”⁴⁴⁶ standards because of the failure of the present programs.

The goal of the plan he introduced was to produce:

Houses of sufficient size and number of rooms to meet family needs; houses that are winterized, have basements and are properly heated; and houses equipped with electricity, running water, from pure sources and indoor sanitary facilities wherever possible.⁴⁴⁷

O’Connell drew on modern mainstream ideas of housing that had previously been unknown on reserves; such as subsidized rental units that would migrate to full ownership upon payout, grouping houses into subdivision arrangements to build a sense of community, municipal style services and a governance style that separates the business of the band housing from its political leadership. Like Hawthorn and Toren, O’Connell argues that self-determination is critical if Indians are to have successful housing: “The establishment of modern self-government structures, must go hand in hand with Indian participation in the planning and execution of development policies and programs, including housing.”⁴⁴⁸ He calls for the adoption of Part V and VI of the National Housing

⁴⁴⁵ Ibid., 59.

⁴⁴⁶ Ibid.

⁴⁴⁷ Ibid.

⁴⁴⁸ Ibid., 4.

Act on reserves,⁴⁴⁹ and a Memorandum of Agreement between Indian Affairs Branch and Central Mortgage and Housing Corporation to enlist the help of Canada's technical housing specialists and the programs available off reserves.⁴⁵⁰ He stated that the new housing measures should be brought about on reserve through the creation of Band Housing Authorities by their councils.⁴⁵¹

Councils should be authorized under the Indian Act to establish by By-law, with the approval of the Indian Affairs Branch, Band Housing Authorities, being "Public Housing Agencies" within the meaning of the National Housing Act, Section 35B, and to appoint Boards of Directors to such Authorities.⁴⁵²

The Department could accept O'Connell's recommendation to transfer mainstream housing mechanisms onto reserves since these strategies reinforced its own objectives. Ottawa had been attempting to implement loans and down payments for more than a decade and while they had little success and met with strong resistance they had no doubt that loans needed to be a critical part of their funding package. O'Connell's call for improved housing standards and the implementation of the National Building Code also fell within the Department's policies in principle, although the Department had done little to ensure the Code was implemented. But the idea that Indians should operate their own boards with decision making authority challenged the Department's deeply held belief that Indians needed government intervention. It would be decades before the Ottawa

⁴⁴⁹ *National Housing Act*, RSC 1985, c. N-11. Part V and Part VI deal with approved lenders and the powers of approved lenders.

⁴⁵⁰ O'Connell, "Canadian Standards," 13.

⁴⁵¹ *Ibid.*, 16.

⁴⁵² *Ibid.*, 15.

would come close to fulfilling O'Connell, Toren, or Hawthorn's recommendations that bands should have any real authority over housing delivery.⁴⁵³

Rise of the Pan Indian Movement

The rise of the pan-Indian movement⁴⁵⁴ and the establishment of the first national body, the National Indian Council (NIC), also occurred in the 1960s. The extension of the federal franchise granting the right to vote to Status Indians in 1960 has often been credited with their increased political participation.⁴⁵⁵ Indians, who had previously been forced to funnel their grievances through their Indian agent, now had direct access to parliament and as a result received increased political attention. At the same time, Prime Minister John Diefenbaker instigated the creation of the Indian Claims Commission (ICC), which had a mandate to investigate land claims, another move that gave voice to Indian concerns.

Reports from Indian leadership groups⁴⁵⁶ indicate that they embraced the ideas found in the new academic housing reports and looked optimistically at the potential

⁴⁵³ Up until the 1960s Indian Affairs has been staffed with few professionals. New social scientists joined the Indian Affairs at this time and brought new ideas to the Department.

⁴⁵⁴ The pan-Indian movement promoted unity among different Indian groups. It began in the United States in the early 20th century but became popular in Canada in the 1960s and got a boost of popularity after the 1968 White Paper.

⁴⁵⁵ Getty and Lussier, *As Long as the Sun Shines*, 168.

⁴⁵⁶ AANDC Archives, Reports from the National Indian Brotherhood, New Brunswick Indian Brotherhood.

changes such information could bring about.⁴⁵⁷ It was not long before Hawthorn's slogan "citizens plus" was joined by other calls for change such as Pierre Trudeau's "just society," based on ideas that gave the Indian movement legitimacy and, in turn, sent the message to the Indian Department that the old colonial relationship would no longer be tolerated quietly.⁴⁵⁸ In 1965 the Department responded to the pressure by establishing regional Indian advisory councils as well as a National Indian Advisory Board.

The National Indian Brotherhood (NIB) replaced the NIC in 1967 and became the umbrella group for provincial and territorial organizations representing treaty/status groups across the country. The Federation of Saskatchewan Indians, the Union of B.C. Indian Chiefs and other Regional organizations gained strength at this time and while their issues varied by regions, their similarities instilled a sense of common purpose in the national groups and coalesced previously regional efforts into a more powerful voice to change federal and provincial Indian policy in housing as well as other areas such as education, health care, and economic development.

In 1968 Prime Minister Pierre Trudeau's government proposed a White Paper, which called for the disbanding of Indian Affairs along with other policy changes including the elimination of Indian Status, the abolition of the *Indian Act*, the conversion of reserve land into private property and the transfer of the responsibility for Indian affairs transferred from the federal government to the provinces. The paper did not

⁴⁵⁷ Dickason, *Canada's First Nations*, 384.

⁴⁵⁸ Miller, *Skyscrapers Hide the Heavens*, 222.

recognize First Nations' rights or their historical grievances regarding land and treaty rights.

Harold Cardinal, a young Cree man who headed up the Indian Association of Alberta, called the white paper "a thinly disguised programme to extermination through assimilation." Cardinal wrote *The Unjust Society* in which he said;

Torrents of words have been spoken and written about Indians since the arrival of the white man on the North American continent. Endless columns of statistics have been compiled. Countless programmes have been prepared for Indians by non-Indians. Faced with society's general indifference and a massive accumulation of misdirected, often insincere efforts, the greatest mistake the Indian has made has been to remain so long silent.⁴⁵⁹

He accused the government of promoting the doctrine that; "The only good Indian is a non-Indian."⁴⁶⁰ These charges and others provided a focal point for a new era of Indian organization. The NIB matured as a national body around its response to the paper and Indian leadership took aim at the federal government, proving over the next few years that the federal government could not wash its hands of its fiduciary responsibility to Indians and that Indian rights deserved a prominent place in government considerations. Times had changed and government was now compelled not only to listen to native leaders but also to act on what they heard.

Under pressure from these external factors and the burden of previous failures the Department needed on the one hand to be seen as committed to improved housing, while on the other hand it was looking to divest itself of more of its administrative

⁴⁵⁹ Harold Cardinal, *The Unjust Society: The Tragedy of Canada's Indians* (Edmonton: M.G. Hurtig, 1969), 2.

⁴⁶⁰ *Ibid.*, 1.

responsibilities. Stymied by this conundrum, the Department looked off reserve for solutions. But off-reserve solutions would again become disingenuous rhetoric because the Department continued to ignore the key problems—economies, markets, administrative capacity and housing literacy did not exist on reserves as they did elsewhere. Legal structures were not in place to ensure building code compliance, and bands fell outside provincial landlord/tenancy policies and had no place to turn to enforce repayment of loans. And, while the Department used the language of “pride-of-ownership,” reserve housing did not include any of the benefits of home ownership enjoyed in mainstream such as the accumulation of wealth and equity or the capacity to buy and sell the houses.

Within the shifting Canadian social and political dynamics very little had changed in the bands’ struggle to house their burgeoning populations. No one talked about homelessness on reserves in those days; the people made room and took care of each other in whatever way they could. Everyone had somewhere to live even if that meant doubling and tripling up with relatives in a 300 and 400 square foot houses only fit for demolition. Housing applications show the same relentless barrage of need as did the applications of earlier decades. If anything the applications in the 1960s show that families were larger and the need greater.

It is easy to get buried in the Department’s shifting ideas and its attempts to work within the system of its own making. The records are full of the agents’ dilemmas, the difficulties managing the housing crisis and it is easy to empathize with their predicament. The records say less about the people who lived in the houses, which makes

it harder to understand the real men and women and children who suffered the inhuman living conditions.

John, from the Athabasca agency in northern Alberta, was a typical applicant. His family included his wife Mary and their children Margaret, 13, Larry, 11, John, 10, Jerry, 8, Helgi, 6, Julia, 4, Elizabeth, 2 and Mona 2 months, a total of nine members. They had never had a home of their own and had been staying in a small shack in the community for several years. According to the application John was, “quite a good trapper but with his large family and fur prices the way they are there is never anything left over. This man could provide his labour as his contribution towards the cost of this building.”⁴⁶¹ Ben, from Saddle Lake, Alberta, described his housing condition in a letter to the agency; “[the house] size 16’X20’ is beyond repair, it is old logs and rotten at the bottom, floor joist and part of the floor are rotten, windows and door beyond repair and need replacing, the roof also leaks, the house is cold and not fit for my young family to live in, I have seven young children, four which are attending school and they frequently have to miss school on account of colds.”⁴⁶² Pierre, also from Saddle Lake, described his house, size 14X20, to the same agency;

I state my house is old and unfit for my children and beyond repair. My wife and daughter Olive have T.B having spent two years in Camsell Hospital [near Edmonton] in 1958 to 1959. One boy is attending Junior High School is asthmatic. It is my intention to keep all my children at home for High School rather than send them away from the reserve.⁴⁶³

⁴⁶¹ LAC, Department of Indian Affairs, RG 10, Application for Housing Assistance to Indian Affairs Branch Athabaska Indian Agency, 29 March 1961, volume 6855, file 779/29-2, part 9,

⁴⁶² LAC, Department of Indian Affairs, RG 10, Letter from Pierre Favel to Superintendent Saddle Lake Indian Agency to the Saddle Lake Indian Agency, 20 October 1961, volume 6855, file 779/29-2, part 9.

⁴⁶³ Ibid.

Bands needed houses for new families and, as Toren reported from the Mission reserve, almost every existing house needed extensive improvements. The 1963 report from the Babine agency stated what appears to have been the case in bands across the country. All the houses constructed in their region between 1949 and 1956 needed major repairs because, “they are mostly shells that only look fair on the outside.”⁴⁶⁴ Bands often tackled the outside of the houses first as a way to keep the occupants warm, interior finishes were considered extras and often were never completed. This strategy is described in the Eskasoni agency annual report; “We are looking after outside repairs only and have been for the last year or so... Those repairs number many since warmth is essential. We do not expect to begin inside work other than gyproc for the next two years.”⁴⁶⁵

The 1963 Grant and Loan Program

It may be that it took the 1958 Welfare Program to get the Department to finally realize that the welfare approach to housing could never solve the housing problems on reserve. Before the plan had time to make an effect Department officials developed another new program. This time avoiding any reference to welfare and, referring to the Department’s new focus, was initially called the Housing Grants and Loans Program. In

⁴⁶⁴ Correspondence to the Saddle Lake Indian Agency, Memorandum from Acting Superintendent A.H. Markuson, Babine Agency, to Indian Commissioner for B.C., 25 April 1963, volume 6858, file 961/29-2, part 3.

⁴⁶⁵ LAC, Department of Indian Affairs, RG 10, Eskasoni Annual Housing Report to Ottawa, 1964, volume 8514, file 50/23-4.

1961, before implementing the new approach the Department sent the draft program to agencies across the country asking for a comprehensive review.

According to the Department's announcement the Housing Grants and Loans Program's stated objectives were to:

...equalize the housing assistance given across Canada, to provide minimum standards of housing for any family unit, and to enlist the maximum participation of the individual and the band in all phases of construction, including planning...Improved standards over the minimum provided are, in the main, the responsibility of the individual...The suggested housing program is to be integrated with a housing loan program.⁴⁶⁶

It is important to note the creeping extension of government services. Bands began to think that not only did government provide new housing but also renovations. This would become an enormous undertaking—one the Department adopted without formal plans and policies. The Department stressed the need for cash down payments, which previously had often been either overlooked or substituted with a labour or land contribution. The new program included the requirement that holders of Certificates of Occupation permit the Minister to “take” the land if a house was to be built on the property in an attempt to shift past practices of giving loans without security and with no expectation of repayment. The Department warned the agencies that while this requirement may not be well received by the bands it was an essential part of the new direction:

⁴⁶⁶ Correspondence to the Saddle Lake Indian Agency, Memorandum from J.H. Gordon, Chief, Welfare Division, Indian Affairs, Ottawa to Acting Indian Commissioner for B.C., May 1961, volume 6856, file 901/29-2, part 4. This memorandum was sent to all the regions of the country.

We feel...that this action is necessary to provide essential security for the Minister's investment. These conditions are close to the basis on which loans are provided off the reserve with which Indians must become familiar. Great care will be needed in handling this aspect of the new program to ensure the Indian understand that land so "taken" is not alienated from the Band and that the Minister's tenure is temporary and conditional.⁴⁶⁷

The announcement also included four housing plans prepared by the Department's Engineering and Construction Division.

The agencies' responses can be summed up in four central points: First, the house plans were too small. One agent called them "poky" units and another suggested that, "the use of the present plans we immediately make it possible for Indian and non-Indian alike to recognize a reserve. This, I believe, we should get away from."⁴⁶⁸ Superintendent D.M. Hett from the Okanagan Agency in BC reported:

Definite concern was shown regarding the size of bedrooms, which has in turn affected the over-all size of the houses. We understand that sleeping area in our residential schools must provide fifty square feet of floor area per child, and wonder if we will not be leaving ourselves open to public criticism if we provide less space than this.⁴⁶⁹

Second, the new program did not solve the problem of quality versus quantity. While the program suggested that bands use professional construction supervisors the emphasis remained on self-build, which the previous programs had proved could not produce the numbers needed to deal with demand. Agents voiced concerns that the price

⁴⁶⁷ Ibid.

⁴⁶⁸ LAC, Department of Indian Affairs, RG 10, Memorandum from A.C. Roach, Officer, Kwawkwelth Agency, B.C. to Indian Commissioner for B.C., 29 October 1962, volume 6856, file 901/29-2, part 4.

⁴⁶⁹ LAC, Department of Indian Affairs, RG 10, Report on the proposed Housing Grant and Loan Program from D.M. Hett, Superintendent, Okanagan Agency to Regional Office, Vancouver, 2 June 1961, volume 6856, file 901/29-2, part 4. The report was based on feedback from 4 Superintendents and 2 assistants working in the Okanagan region.

of construction materials was rising and costs needed to be cut if program funding levels were to be accommodated. If they were going to maintain production they needed to look to cutting out ‘extras’ such as kitchen cabinets, interior doors and other finishes, for example, thus intensifying the problem of quality. The Kootenay agency reported similar concerns,

In general the housing problem in this Agency revolves around quality versus quantity, for with the annual funds available from all sources; Welfare, Band Funds and personal contributions, it is not possible to build all the houses required. This brings up the question of to what extent a house should be complete as to amenities. (Underlining in the original)⁴⁷⁰

Unsurprisingly the Department’s response to an applicant in the Port Arthur agency put the problem on lack of funding and pointed to the recipients for the solution;

Funds for construction of houses are limited, which makes it impossible to look after all the requests received in any one year.... Moreover, with the increased cost of housing over the past few years it becomes even more imperative than before that the recipient contribute to the best of his ability both financially and personally.⁴⁷¹

Yet agents knew that many recipients had neither the skills, time or the tools to build their own houses nor could many of them afford a cash contribution. Agent R.M.S. Sampson describes the problem in a letter to the BC Commissioner in 1962;

For those not able-bodied, the contribution may have to be reduced and this is a matter of judgment by the Superintendent....At present it is nearly impossible to

⁴⁷⁰ LAC, Department of Indian Affairs, RG 10, Memorandum from J.S. Dunn Superintendent, Kootenay Agency, B.C. to J.V. Boys, Indian Commissioner for B.C., 14 November 1962.

⁴⁷¹ LAC, Department of Indian Affairs, RG 10, Letter from R.D. Ragan, Acting Chief, Welfare Division Indian Affairs Ottawa to Mr. Louis Hardy (housing applicant), MacDiarmid, Port Arthur Agency, Ontario, volume 6846, file 492/29-2, part 67.

put any real pressure on delinquent applicants, even though we go so far as to close down a project for non-participation.”⁴⁷²

The 1962 program set in place steps to give agents the power to enforce contributions by denying occupancy of the new house until it is fully completed, insisting on completion in a set time period otherwise the assistance would be transferred to another family, and issuing the building materials as construction phases were completed.

An Ottawa circular reads,

The best safeguard against construction deficits lies in the full involvement of the Indian community and individuals in the planning and carrying out of the program – but even where this has been achieved difficulties with individual cases may be encountered and we must be prepared to take firm and fair corrective action. It is particularly important that the band understand that our purpose is not punitive but for the good of the community. The support and co-operation of the band, as a whole, and the council are of first importance.⁴⁷³

But by this time the Department’s safeguards and objectives were purely hypothetical—lack of participation was a problem not only with the occupants but also with the agents who would soon be reassigned to other positions and continued to have little real engagement with housing construction and firm corrective action was not likely to achieve support from the bands.

Knowing there was little opportunity to increase recipient contributions the Department encouraged the practice of buying seconds and reject materials and relying on inexperienced labour. The Department put the onus for cutting costs on the agencies:

⁴⁷² LAC, Department of Indian Affairs, RG 10, Letter from Indian Agent R.H.S. Sampson for the Skeena River Agency to the B.C. Commissioner, 7 November 1962, volume 6856, file 901/29-2, part 4. It appears from other situations that if the people were not willingly cooperative that agents, like Sampson, had little recourse.

⁴⁷³ AANDC Library, “Subsidy Housing Program,” in Indian Affairs Branch Circular No. 389, 5 July 1962.

It is felt, however, that one of the reasons for higher costs may be the use of relatively expensive materials when a satisfactory but cheaper substitute could be used....the co-operation of all field staff is required in order that we may search out and study every possible way in which we can economize in the construction of Indian homes. Such an economy drive is not merely to save money but is for the more important objective of being able to build a greater number of houses from the Government appropriation which we can expect this year. For instance, a saving of \$100 on each house built in 1961-62 would have allowed us to build an additional 32 complete houses on Indian reserves that year.⁴⁷⁴

But the heart of the problem was not materials and could not be solved through cost saving strategies. The dilemma of quality versus quantity rested on insufficient funds and that the solutions the program offered were restricted to two options: that recipients provide additional funds either through their own contributions and, if that was insufficient, that they get a loan.

The agencies approved of the basic principle of instituting a loans program to supplement other funding sources, but they raised several problems associated with its administration. The Quebec Regional Office was concerned that they needed a way to identify good and bad credit risks. Establishing the income of labourers, trappers and seasonal workers was a complicated matter in terms of assessing risk. The Quebec region also raised the issue of equity—could someone with a repayable loan accrue equity in the way they did in mainstream?⁴⁷⁵ The Skeena Agency pointed to underlying anxieties about loans on both sides; according to Superintendent Sampson the new program did not include effective repayment policies and he feared that it would become another ‘give-

⁴⁷⁴ AANDC Library, “Subsidy Housing Costs,” in Indian Affairs Branch Circular No. 405, 17 September 1962, 2.

⁴⁷⁵ LAC, Department of Indian Affairs, RG 10, Memorandum from R.L. Boulanger Regional Supervisor, Quebec Regional Office to Indian Affairs, Ottawa, May 1961, volume 6874, file 394-2-1, part 2.

away.’ He stated, “It was agreed that this could happen in areas where the Indians’ attitude has been that the loans come from government funds there is no actual obligation to repay them because the white man owes this money to the Indian anyway.”⁴⁷⁶

Finally the agencies raised many questions about the age-old problem of how they were to select recipients for the new program. In a system with such limited resources and pressure to give priority to the needy, how were they were to achieve the other program objective of raising individual contributions? The emphasis on participation, cash contribution by the applicants and loans, some agents argued, would result in the new housing plan leaning towards those who had personal resources while the emphasis should be on providing for the poor. Others reported that the majority of applicants in their agencies would not qualify for loans so they were left in the same position as they were previously of having to make the subsidy and personal contributions cover the cost of construction. In response to the Quebec region’s questions regarding the issue of the poor versus the working man the Department suggested a screening process that used a point system that; “allocated [points] for need, so many for length of residence on reserve, number of dependents in family, number of school age children, etc.”⁴⁷⁷ In practice there was no way to get around the fact that the system obviously leaned heavily in favour of the poor.

⁴⁷⁶ LAC, Department of Indian Affairs, RG 10, Memorandum from R.H.S. Sampson, Superintendent, Skeena River Agency to Indian Commissioner for B.C., 1 June 1961, 3, volume 6856, file 901/29-2, part 4.

⁴⁷⁷ LAC, Department of Indian Affairs, RG 10, Memorandum from J.H. Gordon, Chief Welfare Division, Indian Affairs Ottawa to Quebec Regional Office, 29 June 1961, volume 6874, file 394-2-1, part 2.

The Department's Chief Welfare Officer, J.H. Gordon tried to clarify the program's approach: "Welfare funds will be expended in co-operation with the various band councils to ensure that assistance is provided to those Indians most in need and who are not in a position to assist themselves...the new program will stress increased participation from individual Indians and bands to stimulate a desire for better housing and result in an increase in production."⁴⁷⁸ Yet rather than clarity his response simply restated the two contradictory objectives without providing the agency with useful direction.

Still struggling to find the right name for the housing program the Loans and Grants program became known as the Subsidy Program and, with few amendments, was passed with through Treasury Board on November 20, 1963 and delivered across the country for the next three years. For the first time, housing was severed from the bands' general welfare budget and the funding drawn from a dedicated federal fund. The Department standardized materials for new home construction and renovations—the grade of windows, doors, plywood, roofing materials was determined in Ottawa. Emphasis was put on maximum individual cash contributions and band funds and, as in the past, the new welfare funds were used only when there was no possibility of acquiring funds elsewhere. In 1963 the Department and regional offices reported a strong support for the new policies and that cash contributions from individuals⁴⁷⁹ increased allowing for a greater number of houses to be constructed. The Department report stated

⁴⁷⁸ LAC, Department of Indian Affairs, RG 10, Memorandum from J.H. Gordon, Chief Welfare Division, Indian Affairs Ottawa to Senior Administrative Officer to Indian Commissioner for British Columbia, 27 February 1962, volume 6856, file 901/29-2, part 4.

⁴⁷⁹ Cash contributions averaged only \$44 per house, which would have been less than one percent of the cost of building a house.

optimistically, “These contributions...gave each applicant a “stake” in his own home, a feeling of pride of ownership and hopefully, an incentive to properly maintain and care for his home.”⁴⁸⁰ The initial optimism gave way to the reality that the houses were still too small and many were built without basic facilities and safe heating systems. Furthermore, in spite of the poor quality, production did not increase sufficiently to reduce the shortage. In 1966 the Department announced that the housing specifications under the 1962 program did not meet CMHC minimum standards.

The restrictions imposed by the regulations made it impossible to construct adequate size houses, include plumbing or electrification, and prevented sufficient funds being made available for proper supervision of construction.⁴⁸¹

Subsidy Program

In 1966 the federal government amended the 1963 program to provide house designs with minimum standards determined by CMHC. The houses were to be wired and include electrical fixtures, plumbing facilities, proper heating systems and kitchen cupboards. The program set a maximum government contribution of \$7,000 with the intention that the amount would be on a sliding scale based on income. Eligibility for the subsidy was determined according to income at the discretion of the band council and the Regional Director. Applicants that qualified and wished to build a bigger house could

⁴⁸⁰ AANDC Library, “Welfare Subsidy Housing Program,” in Indian Affairs Branch Circular No. 88, 29 April 1963.

⁴⁸¹ AANDC Library, “Revised Indian Housing Program,” in Indian Affairs Branch Circular No. 665, 17 June 1966,

receive the subsidy and acquire a CMHC loan, with the proviso that the band could guarantee the mortgage payments in case of default.

The new program improved some of the problematic delivery issues associated with house design and relieved the bands of the drain on their capital accounts. It also benefited those who were lucky enough to receive the subsidy in that initially the funds covered a substantial portion of individual construction costs. However, the program had little to offer the bands in terms of the bigger problem of adequate funding levels. Treasury Board set an annual federal budget for on-reserve housing resulting in a process whereby bands selected applicants and submitted a housing proposal to the region. Regions applied their own selection criteria to the bands' applications and based on their regional funding allotment from Ottawa distributed funds back to the bands. Limited by funding constraints and the competition for resources more often than not the bands' applications faced rejection. For example in 1968 the Eel Ground Band in New Brunswick applied for 15 housing subsidies, totaling \$105,000 and on February 11, 1969 received a response from the Department that the housing budget for the whole Miramichi Agency was only \$168,000, which would be distributed to the various bands on the basis of population and need. The Department's letter to Chief Joe Larry read:

In the case of the Eel Ground Band we have been informed that funds are to be provided for the construction of two new houses and two additions. I am sure that Mr. McKinnon and his staff feel as keenly as you do the need to build more and more houses for the people on your Reserve. Unfortunately, however, we are all restricted by the amount of money available for housing, which, although greatly increased in the last few years, is still not enough to meet completely the needs of the people.⁴⁸²

⁴⁸² LAC, Department of Indian Affairs, RG 10, Letter from William J. Mussel, Special Assistant, Indian Affairs Ottawa to Chief Joe Larry, Newcastle, New Brunswick, 11 February 1969, volume 8881, file 55/29-2, part 62.

In spite of rhetoric of providing housing assistance to working people to help them build better houses in practice the Eel Ground Band could only choose two of the fifteen families in need of a house. The result of this competition for funds was that Chiefs and Councils were morally forced to continue the practice of selecting out anyone capable of providing any sort of shelter for themselves and give priority to the very poor.

The program improved the quality of approved building plans. In order for houses to qualify for the subsidy the Department required working drawings and detailed specifications for construction and material lists. CMHC produced a new set of plans, “of a size to fit the size of the family and expected increases in the family that would allow for separate sleeping rooms for children of opposite sexes.” The plans offered a greater variety of housing styles with wiring and electrical fixtures, where possible, as well as full plumbing facilities and a proper heating unit “to ensure adequate heating and reduce the danger of fires.”⁴⁸³ To promote “pride of ownership” and to convince occupants to “keep their homes in good repair,” band leadership was encouraged to work with applicants to select their own house plan, colour scheme, heating appliances and other details. Building supply companies developed plans and building materials packages to meet the new CMHC on-reserve specifications and that catered to reserve customers. For example Valley Lumber in Vancouver offered the “Squamish,” a 26 ft X 26 ft, 728 sq ft. building that was described as “a roomy three bedroom home, with large kitchen and living room.” The “Burrard,” was advertised as, “A three bedroom low cost home for a

⁴⁸³ AANDC Library, Revised Indian Housing Program,” in Indian Affairs Branch Circular No. 665, 17 June 1966.

large family” was a mere 632 square feet.⁴⁸⁴ While these plans were marginally bigger than those provided for the previous program, off reserve these packages were no bigger than those sold as cottages. The double standard was still blatantly obvious—only on a reserve would these houses be called roomy or be considered to be suitable for large families.

The increased funding provided by the subsidy took into account an allowance for construction foremen to augment the applicants’ ‘sweat equity,’⁴⁸⁵ which reportedly worked for families with capable builders, but agencies continued to struggle to find ways to construct houses for the old, infirmed, single mothers, and others who were incapable of providing their own labour. To fill in the gap some bands used trade school classes to acquire free labour, others purchased prefabricated houses in an effort to achieve high quality buildings with minimal labour.⁴⁸⁶

The Fraser Agency in British Columbia reported that as soon as the subsidy was standardized construction costs rose to meet the new level of funding; “Construction costs are almost doubled under the new concept of housing and house units now average \$7000.00.”⁴⁸⁷ Given that the average cost of a house and a lot in Vancouver in 1965 was

⁴⁸⁴ LAC, Department of Indian Affairs, RG 10, Quote from Valley Lumber in response to a call for quotes from Department of Indian Affairs, Vancouver, 14 June 1963, volume 6857, file 987/29-2, part 7.

⁴⁸⁵ Personal contributions were now called sweat equity--and were factored into the housing funding package.

⁴⁸⁶ LAC, Department of Indian Affairs, RG 10, Memorandum from L.C. Hunter, Regional Supervisor, Athabaska Agency, Alberta to Indian Affairs, Ottawa, 3 January 1964, volume 6855, file 779/29-2 part 9. Prefabricated houses were first used extensively in the Prairies and the north where labour shortages were the most acute.

⁴⁸⁷ LAC, Department of Indian Affairs, RG 10, Memorandum from J.C. Letcher, District Supervisor, Fraser Indian Agency to Indian Commissioner for BC, 20 September 1966, volume 8463, file 979/23/17. For a comparison in Victoria see “1960’s Homes,” <http://www.thepeoplehistory.com/60s-homes.html> (accessed 1 December 2015). For average Vancouver house prices in the 1960s see Vancouver Real Estate Archive,

\$12,924, the subsidy appears to be in line with mainstream construction costs. However, by the mid 1970s the subsidy had fallen to one third the cost of the construction of a modest house.⁴⁸⁸

Funding

With subsidies now drawn almost exclusively from government funds there was a new impetus to enforce limits and eliminate the arbitrariness of funding distribution. The government's policy "that Indians should be granted minimum financial assistance under the tightest administration possible in order to discourage Indian dependency"⁴⁸⁹ was reflected in the program mandate to provide a subsidy to augment loans, down payments, and sweat equity to make up a full financial package and to require that reserve residents borrow additional funds to complete their houses. "It should be clearly understood that the subsidy grant by the Department is not generally expected to cover the total cost of a house....[it] is intended only as a contribution towards the cost of the house."⁴⁹⁰ Bands were advised to work within the program funding parameters and warned against "trying to 'cut-corners' by economizing on important components such as foundations or the

<https://vreaa.wordpress.com/2013/01/> (accessed 1 February 2016). Factoring in a land cost, \$7,000 for a building on reserve land sounds like a reasonable amount for a subsidy.

⁴⁸⁸ Drawing on my own experience in 1976 the subsidy for Tsartlip First Nation near Victoria B.C. was \$10,000 while the cost of a modest modular home without including the expense of set up and services was \$30,000. We can rightfully assume that the cost of the modular home was similar to the cost of building a modest house of the same size.

⁴⁸⁹ Shewell, *Enough to Keep Them Alive*, 243.

⁴⁹⁰ AANDC Archives, DIAND Branch Circular No. 57, 11 June 1973, 3. Distributed to Chiefs, Indian Band Councils, Regional Directors, District Superintendents.

basic structure of the house.”⁴⁹¹ The Department and CMHC developed housing-related training in the field of carpentry, electricity, plumbing, surveying, planning, and engineering aimed at improving the quality of construction skills. The program’s jobs plan was meant to dovetail with CMHC’s technical arm, which attempted to increase the use of mainstream contractors to construct and inspect buildings on reserves. However, at a time when inspections and permits were being formalized in the mainstream these initiatives were not formally implemented on reserves. The receipt of the subsidy was not contingent on building code compliance; there was no mandated obligation to have the buildings inspected or reporting requirements giving proof that the houses were completed.

In 1966 Parliament granted authority to Indian and Northern Affairs to issue Ministerial Loan Guarantees (MLG), a undertaking that partially removed the borrowing restrictions imposed by Section 89 (1) of the *Indian Act*,“ whereby the Minister guarantees repayment of the loan to the lender in the event of default by the borrower.”⁴⁹² Individual housing loans also required a Band Council Resolution (BCR) stating that the applicant was fit to receive a loan and had sufficient income to repay the full amount.

⁴⁹¹ Ibid.

⁴⁹² The AANDC website defines an MLG as follows: “LGs are a tool to assist First Nations in accessing loans for housing on reserve. Reserve lands are held by the Crown for the use and benefit of First Nations, as set out in the *Indian Act*. The *Indian Act* (Section 89(1)) protects Indian property from seizure by a non-Indian. Section 89(1) of the *Indian Act* effectively prevents the use of land on reserve as security and the seizure of real property located on reserve by a lender. These restrictions pose an impediment to Chief and Councils, individuals and businesses seeking loan financing such as mortgages for on-reserve projects including housing. To address this risk to the lender, AANDC issues MLGs to lenders in order to secure on-reserve housing loans.” AANDC website: Indigenous and Northern Affairs Canada (formerly INAC), www.aadnc-aandc.gc.ca (accessed 1 December 2015).

With an MLG and a BCR lending institutions had double default loan insurance making lending to Indians an attractive proposition.⁴⁹³

Loans were to provide assistance for two classes of people: first, low-income persons who qualified for assistance under the Subsidy Housing Program but who wished to build a larger or more expensive house than the subsidy provided and second, persons who did not qualify for the subsidy but who wished to build a house in excess of what he/she could afford. Once CMHC approved the loan the Indian Agency Superintendent then managed progress disbursements to the borrower under instructions from CMHC. The program required applicants' consent to the cancellation of any certificate of possession (sometimes referred to as an occupation or location ticket) he/she held in respect to land referred to in the application and his/her agreement to vacate the land and house in the event of default being made to repayment of the loan. The Minister then had the power to sell the house or rent it to another band member to recover the loan.

In spite of being backstopped by the federal government, responsibility to enforce loan repayments fell to band councils.⁴⁹⁴ Failure to do so would result in recovery of the money from band resources or any funding the band received for programs and administration disbursements from the federal government. BCRs stated that "an expenditure of Indian Band monies shall be made from our Band Funds for the purpose of

⁴⁹³ Most loans at this time were taken out through CMHC.

⁴⁹⁴ LAC, Department of Indian Affairs, RG 10, volume 8881, file 55/29-2, part 63; "Procedure: Indian Band Council Housing Program: CMHC Loans to Supplement Subsidy," DIAND Branch Circular No. 54, 24 Sept 1971.

reimbursing Her Majesty for any payments made by her Majesty to Central Mortgage and Housing Corporation...in the event of any default by the borrower.”⁴⁹⁵

Understandably bands were reticent to adopt the loans program; they had witnessed years of non repayment of loans. In addition many band leaders fundamentally disagreed with providing loans to people who lived in poverty and they were unprepared to put their band land and economies at risk, even if only temporarily, in the case of loan defaults. Though using land as collateral was commonplace off reserves it met with intense opposition on reserves where Indian people had witnessed the loss of most of their traditional territories over the past hundred years and did not trust that the new arrangements would be any less risky. The NIB “Declaration on Indian Housing” states that the housing programs in general failed to accurately consider reserve conditions. The report issues a complex review of the failed loan component of the program including the inability of Indian people to meet the financial burden of repayments and the fear that land is in a position of jeopardy. The issue of loans is summed up, “These loaning programs are not compatible with the economic resources of the Indian people and have not had any substantial impact on the [housing] situation.”⁴⁹⁶ The idea of trading land for houses had proved to be a bad business deal for many bands – they had used their savings to pay for housing that had failed to adequately shelter their people. That Indians did not trust government with their land can be seen in a position paper on Indian housing in New Brunswick prepared for the Union of New Brunswick Indians, “Indian people of New Brunswick feel that their rights and legal status will be jeopardized by incorporation

⁴⁹⁵ AANDC Library, DIAND Branch Circular No. 53, 30 June 1971, file 1/29-2 (C-5).

⁴⁹⁶ NIB, *Declaration on Indian Housing*, 9.

and by making agreements with Central Mortgage and Housing Corporation.”⁴⁹⁷ Furthermore, as many agencies had warned in the program review, poverty was so deeply entrenched in the reserve populations that most members failed to qualify. Those who did had little experience with loans and there was a general reluctance to taking on debt.

Stiffening regulations in regards to personal contributions and forcing the use of repayable loans had met with skepticism in the Loans and Grants program review. R.L. Boulanger, Regional Supervisor of Indian Agents in Quebec questioned how the Department intended to increase demand on families in his agencies that did not have regular incomes. He argued that there were too many pieces missing to make on-reserve housing a good investment and experience had already shown that administering the loans would be almost impossible. He questioned: What was the Department’s attitude to families who could not repay loans? What would happen to a family wishing to move out of a subsidy house? Could reserve homeowners build equity?

Supposing a family established under the Loans Program, through no fault of the bread-winner, becomes heavily in arrears or unable to reimburse in the future...if this family is moved out into a subsidy house and the house built under the Loans Program is sold to another family, would the first occupant be entitled to a refund equal to the actual value of the improvements he has made or the equity he has acquired in the property?⁴⁹⁸

The theoretical answer to Boulanger’s questions came in 1966 when the Department laid out its position; the first family would receive no compensation unless it owned the house outright. Even then it was unlikely that the owner would retrieve the full

⁴⁹⁷ Union of New Brunswick Indians (hereafter UNBI), “Indian Housing in New Brunswick” (Fredericton, NB: Union of New Brunswick Indians, 1972), 36.

⁴⁹⁸ LAC, Department of Indian Affairs, RG 10, Memorandum from Quebec Regional Office, to Indian Affairs Branch, Ottawa, 25 May 1961, volume 6874, file 394-2-1, part 2.

amount of its investment given that the lifespan of the houses rarely exceeded the amortization of the loan. But in practice the Department knew from experience that they had had no success in moving anyone out of a house and that if they did evict a family it would have nowhere to live. Questions that had simple answers in the rest of Canada confounded the on-reserve housing system. In 1974 the NIB raised the same issue:

When an Indian person ‘defaults’ on a loan, the Band is put into the ludicrous bind of having not only to evict the family, but at the same time, be responsible for finding alternate accommodations that meet basic standards of health and decency; unless, of course, the Government expects Indian people who are poor and unable to meet loan repayments to be punished by assignment to a hovel.⁴⁹⁹

It was all very well for government to create funding strategies that looked good on paper but if the officials never visited the reserves or experienced the results of the strategies they would never know to what degree the programs failed. The problem that remained unstated here, and that allowed the crisis to reach such dire proportions, was that the government *was* prepared to punish Indians by assigning them to a hovel; they had been doing just that for the past several decades.

By the late 1960s Indian agents’ positions were being abolished and housing administration was the responsibility of band managers and chiefs and councils, most of which had no experience and little capacity to collect loan payments. The problems that had plagued Indian agents in the past were magnified when band managers tried to collect from their family members and neighbours, especially given that most leadership were not committed to the process because they believed loans were not a good idea in

⁴⁹⁹ NIB, *Declaration on Indian Housing*, 8.

the first place. Consequently during the period between 1970 and 1972, even though there was a backlog need of over 10,000 housing units across the country, the loans program accounted for fewer than 200 new units a year.⁵⁰⁰

Unwilling to sign lending agreements most bands continued to build using only subsidy funds, federally funded work programs, and whatever personal contributions they could collect. In some cases the new housing program itself provided the solution for bands looking for another source of housing funds. According to the program policy, “the only sources of additional money for that purpose (house construction) will be by transfer from other activities such as roads, electrification, sewer and water services, etc., or, alternatively, increased personal or Band contributions.”⁵⁰¹ Following this mandate the first funding stream to be depleted by increased housing expenditures was the infrastructure budget leaving many bands with no provision for services such as water, sewage treatment and power.⁵⁰² When faced with pressure from members desperate for shelter, band administrations also transferred funding from other programs such as education and health.

The new program’s funding arrangement had several critical problems. First, within the structure of the delivery system there was no way to ensure policy adherence and without enforcement, all the good planning in the world could not make the program successful. Secondly, while the program intended to provide flexibility in regards to who

⁵⁰⁰ Ibid., 8-9.

⁵⁰¹ AANDC Library, DIAND Circular No. 57, 11 June 1973.

⁵⁰² National Indian Brotherhood and Department of Indian and Northern Affairs, “Indian Housing Policy and Program: A Technical Report,” Prepared by the Joint Working Group of the National Indian Brotherhood and the Department of Indian and Northern Affairs, 1976, 1-2.

qualified for assistance ostensibly allowing for higher income earners to acquire a subsidy, each band was limited to only a few subsidies a year when they had waiting lists with several hundred names. As a result the new program did little to relieve the struggle over limited resources and out of necessity most bands continued to be forced to give priority to those in most need and deny applicants with personal resources and wishing to improve their living conditions.

Between 1966 and 1975, 17,800 new units were constructed and 8000 units were renovated across the country under the Subsidy Housing Program.⁵⁰³ Even so, according to a comprehensive survey conducted in 1977, 22,957 new housing units were still needed to eliminate the growing backlog. This figure was more than double that of the 1972 estimate.⁵⁰⁴ The survey estimated the average lifespan of a house on a reserve at 15 years compared to a national average of 35 years. It stated that an average of 10 per cent of homes on reserves lacked electricity, 55 per cent lacked sewage systems, and 50 per cent lacked running water, compared to the Canadian averages of approximately three per cent for these categories.⁵⁰⁵ It estimated that 62 percent of the houses on reserves needed minor repairs, 38 percent needed major repairs and 13 percent needed to be replaced.⁵⁰⁶ The average number of people per household was 5.9 and more than one quarter of on-reserve families found shelter by doubling or tripling up with other families. According to

⁵⁰³ Most of these houses were built using the subsidy only with small down payments and owner sweat equity.

⁵⁰⁴ IAND, "Discussion Paper: Indian on Reserve Housing Program," paper for Hon. John C. Munro, Minister of Indian Affairs and Northern Development, 1980, 9.

⁵⁰⁵ DIAND, "Indian Conditions: A Survey," Supply and Services, Ottawa, 1980, 28-36. The survey did not differentiate the data based on proximity to urban centers, but it noted that the situation was much worse in rural and remote locations, where 71 per cent of all reserves were located.

⁵⁰⁶ DIAND, "Summary Report: Evaluation of the On Reserve Housing Program," 27 June 1985, 18.

a 1980 discussion paper submitted to Indian Affairs Minister Hon John C. Munro, fire remained a threat to houses on reserves: “Additionally, on-reserve housing conditions are directly related to an on-reserve fire death rate that is nine times the national average. In 1978, 186 homes were destroyed by fire and 55 deaths resulted.”⁵⁰⁷

Keeping in mind that major and minor repairs are a subjective rendering of housing conditions and the double standard between on- and off- reserve housing prevents us from assuming that the assessments applied to housing on reserves compare to the standards set for the mainstream the housing survey likely understates the actual need on the reserves. In response to a 1965 government survey of housing needs on reserves the NIB stated,

“The survey was carried out by field officials, who in many instances had become accustomed to Indian community conditions. Homes were rated Good, Fair and Poor, using a subjective judgment. This figure of 12,350 units [estimated need] later proved to be a very conservative estimate.”⁵⁰⁸

The on-reserve housing program needed more than moderate increases for building and renovating if it was going to contend with the rampant growth in population. While earlier programs contended with a 50 percent increase between 1930 and 1960 by 1985 the population had experienced a 250 percent increase over the 1930 number and the Department was forced to look for alternative methods to ameliorate the housing crisis. One strategy was to reverse the earlier policy of restricting outward mobility, which was described by Walter Dinsdale, MP to the Standing Committee on Indian Affairs in 1966,

⁵⁰⁷ Ibid.

⁵⁰⁸ NIB, *Declaration on Indian Housing*, 7.

“This positive approach [is] to encourage the Indians to move into the larger society and to compete by means of education and vocational training...the thing that is discouraging them is the inability to find adequate housing...off-reserve housing needs the same attention as on-reserve housing.”⁵⁰⁹ However, in spite of the fledgling urban native housing programs, moving off the reserve was still not a good option and often turned out to be another letdown because the urban programs could also not keep up with the demand. In 1979 government estimated that 27 percent of the Status Indian population lived off reserve compared to 18 percent in 1966 and that number was projected to increase to 34 percent by 1986.⁵¹⁰

Making poverty

In their 1974 housing policy paper the NIB put housing in the centre of the cycle of poverty on reserves. The report stated,

It is tempting to point to education or to employment as the key to break the poverty cycle. Those have been favourite historic Canadian biases. No one will deny the value of knowledge or work. Yet it is futile to send a child to school, or an adult to work, who is in poor health. And it is equally futile to expect good health in housing conditions that would be condemned by an urban housing inspector...The improvement of housing conditions so that adequate accommodation is provided for all Indian families is absolutely necessary if any impact is to be made on the impoverished situation.”⁵¹¹

⁵⁰⁹ Brandon Manitoba to the Parliament House of Commons Standing Committee on Indian Affairs, Human Rights and Citizenship and Immigration, Minutes of proceedings and evidence, 1966, testimony from Walter Gilbert Dinsdale, MP, 123.

⁵¹⁰ AANDC Library and Archives, Minister’s briefing notes, Honourable William Jarvis, 12 June 1979.

⁵¹¹ NIB, *Declaration on Indian Housing*, 4.

The NIB was expressing concerns being voiced throughout Indian country—good housing needed to come first.

The 1960s housing problems had also become a child welfare problem. In 1955 native children represented less than 1 per cent of the children in care in British Columbia. By 1964 they represented 34.2 of the total children in care. The numbers soared over the next two decades and by 1980 4.6 percent of all registered Indian children were in care across Canada, compared to less than 1 per cent of all Canadian children.⁵¹² While there was little many families could do to improve their miserable living conditions in a 1967 Circular the Department stubbornly maintained the blame rested with the Indians,

In the view of the facilities and services available it must be assumed that neglect and irresponsibility lead to misery, suffering and death for far too many Indian children. The first responsibility rests with the parents, but the Indian community as a whole has the responsibility of ensuring that neglect situations are brought to the attention of the appropriate authorities... Apart from providing financial assistance to meet physical needs and for ensuring that it is applied to the needs of the family, Indian Affairs Branch staff[‘s] responsibilities are to ensure recognition by the community of its responsibility...⁵¹³

It is hard to determine the extent to which poor housing conditions were responsible for the loss of children to the foster system in the 1960s, but for too long the association has been given too little attention—the topic requires a further study of its

⁵¹² Pauline Comeau and Aldo Santin, *The First Canadians: A Profile of Canada’s Native People Today* (Toronto: James Lorimer and Company, 1990), 112.

⁵¹³ LAC, Department of Indian Affairs, RG 10, Indian Affairs Branch Circular No. 781 “Child Welfare”, from Indian Commissioner for B.C. to Regional Directors, Superintendents of Indian Agencies and Teachers, 28 November 1967, 1, volume 8885, file 55/29-4, part 5.

own. A memorandum from Indian Affairs Branch, Maritime Region in 1968 sets out the sad and troubling relationship between housing and child apprehension. It states in part:

Child Welfare... includes the creation or manipulation of environmental factors both in the home and in the community through the provisions of Child Welfare programs and services, which will permit the child to ...attain a productive and satisfying life in his society...

Parental Role In our society it is the family which is considered the main desirable means, generally of assuring for the child the essentials for his well being...

Societal Role Society, then has the ultimate responsibility to provide protection for the children where parental responsibility is proved lacking...

Role of Child-Caring Agency Removal of children from the care and custody of parents or guardians...is the legal responsibility of the child-caring agency, public or private in each province...

Functions of the Juvenile and Family Court ...Remove legal guardianship from parents and make the child a ward of Child-Caring Agency. Such wardship could be temporary or permanent...

Function of Indian Affairs Branch Protection of children included preventive services designed to improve conditions in the child's home as well as enforcement of legislation which makes provision for removal of children from care and custody of parents. All resources, those of the Branch, the province and C.C.A must be utilized through coordinated efforts to assist the family in their interpersonal relationships as well as economically...When every possible means of effecting improvement in the child's home has failed to produce desired results, action should be initiated for apprehension and placement elsewhere.⁵¹⁴

The rational steps were laid out for the permanent disruption of thousands of families in a way that apparently made sense to everyone, yet in spite of the widespread knowledge that poor housing caused poor life chances nowhere in this process does anyone acknowledge and take responsibility for the relationship between child welfare

⁵¹⁴ LAC, Department of Indian Affairs, RG 10, Correspondence from Maritime Regional Office to All Superintendents, 28 Jan. 1968, 2-6, volume 8885, file 55/29-4, part 5.

and poor physical living conditions. Instead the Department's stubborn refusal to address the housing crisis in a meaningful way diverted the attention to the parents. "Everything" appears to mean improving the parents' behavior not providing the opportunity for the family to acquire a decent house. Yet it was the absence of a decent house that prevented families from getting their children back once they had been taken. A letter to the Miramichi agency provides a typical example of the parents' dilemma: "I was wondering if there was any chance for me to get a house. As I want to get my children and Mr. Young said the way I can get them back is to have a house."⁵¹⁵ While the bands' internal finances were scrambling to "rob Peter to pay Paul" by taking funds from general programs to pay for housing construction to improve living conditions for these children, the Miramichi Agency reported that a large portion of the bands' Social Program budgets, meant to enhance the children's opportunities in their communities, were now being diverted to foster care maintenance off the reserve.⁵¹⁶ Between 1960 and 1980, thousands of Indian children from across the country were taken from their families and put in foster care in what has become known as the Sixties Scoop. In British Columbia, by 1980-81, Indigenous children constituted 42.7 percent of all children in foster care in the province.⁵¹⁷

⁵¹⁵ LAC, Department of Indian Affairs, RG 10, Letter from a mother from Burnt Church to Miramichi Indian Agency, 24 February 1969, volume 8881, file 55/29-2, part 62.

⁵¹⁶ LAC, Department of Indian Affairs, RG 10, Letter from R.M.J.J. Guillas, Superintendent, Miramichi Indian Agency to Mr. B. Lockart, Dept of Health and Welfare, Fredericton, N.B., 26 February 1969, volume 8885, file 55/29-4, part 4.

⁵¹⁷ Statistics found in John A. Macdonald, "The Program of the Spallucheen Indian Band in British Columbia as a Model of Indian Child Welfare" in *Social Welfare Policy in Canada: Historical Readings*, eds. Raymond B. Blake and Jeff Keshen (Toronto: Copp Clark, 1995), 380.

The problem, in the opinion of Indian leadership, was not the parents or the bands, nor did the solution lie in taking the children. The Union of New Brunswick Indians' viewed housing as a fundamental part of the problem. In 1972 their petition to government argues that far too much government attention was being put towards social services designed to fix problems rather than address housing, the root cause; "It has always been our contention that instead of the government spending millions on treatment programs, it should embark on preventative programs on a significant basis rather than tokenism."⁵¹⁸

In a submission to government the chief of the Chapel Island Band of Nova Scotia said his band members could not compete with the non-Indian labour force because they were missing "saleable skills" that they could not acquire without adequate housing.

Our housing needs are very great, rooms are small and over crowded and many occupy small dilapidated structures which represent health hazards, many homes are in need of repairs...our income is insufficient to provide family needs....If a proper home environment is to be given our children while they attend school and also when mixing with white children substantial and physical structures should be provided.⁵¹⁹

The Wagmatcook Band, Mi'kmag from Cape Breton, made a similar argument. "There is much lacking in promoting employment on the reserve...There is a great need for new houses as many families are living in shacks unfit for human habitation...People cannot acquire desirable social habits while the present situation exists."⁵²⁰

⁵¹⁸ UNBI, "Indian Housing in New Brunswick," 36.

⁵¹⁹ Submission to E.W. Innes, Committee Clerk, Canada Special Joint Committee on Indian Affairs, 23 December 1959, as quoted in Shewell, *Enough to Keep Them Alive*, 286.

⁵²⁰ Shewell, *Just Enough to Keep Them Alive*, 287.

Like the programs before it, the 1966 program had failed to improve housing conditions and to create livable houses and communities. In 1971 a position paper prepared for the Union of Nova Scotia Indians reported on a housing project in Eskasoni, Nova Scotia that had been aimed at implementing new community design ideas:

Eskasoni have [sic] acted responsibly in accepting on good faith the engineered plan on Hill 74 for the sake of economy. They now question seriously the small lots, scalping and filling, centralization of population and the sameness of housing form. Eskasoni and other bands want to behave responsibly when it comes to matters of economy and they accept the economic way of doing things. **The concern is not for more expensive housing but for more space, attractiveness and variety of style.** [original emphasis]

The housing and community building process is not Indian. It does not spring from the Indian nor does it add to skills, livelihood, cultural pride or identity. The housing design job, the community planning, the construction management and building process are largely white functions dropped into the reservation. Further, although Indian Affairs appears to try to improve communications, there appears to be little success in the sensitive job of ensuring good “fit” of the imported solutions to the users’ needs and desires.⁵²¹

Eight years after the 1966 program had been operating the NIB submitted a policy statement to the Indian Department and said, “Housing conditions in Indian Communities are in desperate need of improvement....For a country as affluent as Canada, with vast energy, natural and human resources, to allow such a disgraceful situation to exist is appalling.”⁵²² The report claims that the housing program was not only failing to house reserve residents, the program itself was not designed to succeed—it was a boondoggle.

⁵²¹ AANDC Library, Union of Nova Scotia Indians Report, 1971, 7. A discussion on the Eskasoni housing program can be found in; Francis J. Lapointe, “Towards a Resolution of the On-Reserve Housing Problem,” (Master’s Thesis, Technical University of Nova Scotia, 1996), 49-52.

⁵²² NIB, *Declaration on Housing*, 1.

It states that bands were forced to send their requests to the regional office, which would, in turn, forward the request to Ottawa. Approvals came from government officials who had never stepped foot on a reserve, and in utter and complete isolation from the people who would receive the services. Moneys were then released to the district offices to be administered back to the communities. While this, the report states, was in keeping with what Indian Affairs defined as its mandate—to administer the affairs of Indian people—the Department’s obligation was also to act in the best interest of Indian people and their communities. This could not be achieved through the housing program as it was delivered. The Subsidy Program had resulted in an overly complex housing system that was divorced from the peoples’ lives and completely failed to serve the best interests of the occupants of the houses. There was nothing new in any of the reports; poor housing conditions had existed for decades. What had changed was that Indian leadership was now clearly articulating the problems in a way the government could not ignore.

Even though the NIB’s statement recognized the failed government programs, the report was optimistic and stated that if the government were sincere in its commitment to assist Indian people to “participate fully in the social and economic life of the country,” change in housing delivery would not only be possible, it would not be difficult to achieve. The Brotherhood claimed that, “development of Indian communities has been approached on a piecemeal basis. What is needed is a total co-ordinated approach”⁵²³ and that meant Indian leadership working with the Department to develop a plan that could succeed. The NIB argued that the federal government should maintain financial oversight

⁵²³ NIB, *Declaration on Indian Housing*, 3.

while the Department and Indians should share the responsibility for policy and housing delivery. This appeal was a departure from earlier calls by Indian activists like Andrew Paull and Jules Sioui for total Indian control. It is likely that the Indian leadership could now see the intractability of the housing problems and wanted to ensure government remained responsible for funding while including Indians in policy and administration.

In 1976 the federal government established a Joint Executive Committee, comprised of representatives from the NIB and the Indian Department, to develop a housing policy and program acceptable to both the Indian people and the federal government. In 1977 the Committee proposed a policy statement that authorized the Minister of Indian Affairs to plan and implement yet another comprehensive Indian Housing Program, only this time the report stated that the next program was to include participation by Indian leadership and place a new focus on the “needs, aspirations and location of Indian communities throughout Canada.”⁵²⁴ The Committee’s report called for policies based on the following seven principles:

1. Priority be given to the “no-income” group;
2. DIAND maintain the lead responsibility for Indian Housing;
3. Band governments be enabled to manage their housing program;
4. Housing subsidies and loans be scaled according to the means of individuals;
5. Resources from CMHC and other agencies be made available to Bands and individuals;
6. The special status of reserve lands not be jeopardized by loans; and
7. Indian people have direct input into housing policy and program management.

⁵²⁴ National Indian Brotherhood and Department of Indian and Northern Affairs, “Indian Housing Policy and Program: A Technical Report,” 2-3.

Significantly, and despite the program's broad ideals, the report's stated focus remained on the needs of low and no income reserve residents, which were conservatively estimated to constitute 80 percent of the country's reserve population—maintaining the practice of excluding the successful members of the communities.⁵²⁵

The financial package for the program was to include four sources: Equity Generating Programs including federal and provincial job opportunity programs. Individual and band funds in the form of down-payments, sweat equity and band contributions. DIAND administered subsidies following the 1966 funding arrangements, and lastly: Loan funds guaranteed by the Minister of Indian Affairs and insured by CMHC. The program was to implement a complicated subsidy structure that would increase the subsidy allowance from \$7,000 to \$12,000 for those in the no and low income groups and would increase the overall level of available loans and provided for improved access to borrowed money.

The program proposal reflected government's new objective of implementing off-reserve housing mechanisms. The stated objectives of the new program were to promote self-sufficiency by using housing to stimulate economic development through the provision of jobs in construction, the sale of building supplies, the manufacture and transport of housing components and job training programs. Program dollars were to

⁵²⁵ Central Mortgage and Housing Corporation, "Native Housing Report," Native Housing Committee Policy Planning Division, Ottawa, 1972.

have two functions—the first to provide houses, the second to provide economic stimulus and development at the band level.⁵²⁶

The draft proposal shows little evidence of Indian input. It borrowed directly from mainstream ideas and approaches and again failed to recognize that the social and economic conditions on reserves. Neither side of the Joint Committee could have believed that the bands would be able to collect between 25 and 33 percent of the income of poor people for their housing costs either up front or through a loan repayment, especially given the past failed attempts at collecting loan payments. It is equally as inconceivable that anyone could have thought that on-reserve housing could bring about the same sort of economic stimulus as in the mainstream given the scattered locations of the reserves, the small populations, the almost non-existent economies and the absence of a housing market.

Despite the initial optimism that the Joint NIB-Cabinet committee would bring about a new working relationship and give Indian leadership access to policy development their input was largely overlooked. At this time it appears that the inclusion of Indians on the Committee did not fundamentally alter the Department's position on significant issues. For instance government maintained the same position on loans as the NIB had reported a few years earlier; "Government officials maintain a closed mind to the negative impact of loans on the lives of Indian people, in the face of considerable evidence that loans to the economically depressed is both debilitating and

⁵²⁶ National Indian Brotherhood and Department of Indian and Northern Affairs, "Indian Housing Policy and Program: A Technical Report," section 4-1.

retrogressive.”⁵²⁷ By 1978, the NIB became frustrated by the bureaucratic control of the process and their lack of success at impacting decisions and withdrew from the committee altogether.

In the 1960s the idea that Indians needed government involvement in housing remained, nevertheless the government narrative changed considerably. The welfare program of earlier years gave way in 1966 to an assimilative approach whereby the Department maintained a separate system but integrated mainstream housing mechanisms onto reserves. At the same time government withdrew from frontline reserve administration leaving bands to manage the program. Houses continued to be built, although building them did not solve the housing crisis. Under the subsidy program between 1963 and 1977 housing production kept pace with the population increase but could not reduce the occupancy rate, which remained at 6.0 persons per house.⁵²⁸

Agencies had correctly identified many of the problems in the program—there was not enough money, only the poor could be helped within the constraints of the funding, both quality and quantity could not be achieved, they had no authority to enforce the policies, to name a few. In summary; off-reserve housing mechanisms did not work within the constraints of the reserve system. The 1975 Joint Committee showed an initial

⁵²⁷ LAC, Department of Indian Affairs, RG 10, National Indian Brotherhood Position Paper on Loans for Housing, 1974, volume 12728, file 1/44-2, part 17.

⁵²⁸ Central Mortgage and Housing, “Basic Departmental Data. First Nations and Northern Statistics Section,” Corporate Information Management Directorate, Information Management, 2003. First Nations and Northern Statistics Section, Corporate Information Management Directorate, Information Management Branch, Department of Indian Affairs and Northern Development, March 2004, 71. In real numbers the number of dwelling on reserves increased from 34,189 in 1977 to 53,868 in 1986.... After the first decade of the Section 56.1 program, in spite of the continued population increase, the number of persons per house had decreased to 4.8 in 1986.

willingness by the government to solve the other glaring problem—the exclusion of Indians from decision-making roles—and include Indian leadership in housing discussions. The Committee gave the impression that there would be a legitimately new relationship whereby Indians would take part of the lead role in housing provision. But it was not to be. The Department was reluctant to release its grip on housing decisions and the new policy bore little resemblance to Indian cares and desires. However, in spite of government intransigence Indian leadership was in the housing game to stay. Invited or not government was now obligated to listen to the voices of Indian leadership. By passing housing administration off to the bands the Department may have been able to distance itself from the problem but that would not take away its responsibility for the devastating living conditions they were leaving behind.

Chapter Five - Making Tenants: The Social Housing Experiment, 1978-1996

“Why does Indian Affairs have to give me money that they went to the Treasury Board for? What is stopping me from going directly to the Treasury Board? The treaty relationship is there.”⁵²⁹ Speaking on September 15, 2014 to the Standing Senate Committee on Aboriginal Peoples on housing conditions on reserves, Kasabonika Lake First Nations councillor, Mike Morris voiced a version of the question that has been asked by many people: Why is the federal government involved in on-reserve housing? Theresa Spence of Attawapiskat First Nation told the Committee, “For me, and I’m sure other First Nations, we don’t want to have to depend on the government... It’s time to meet and sit down and renew [the treaty] relationship because they are imposing their legislation on us. I don’t know by what right they do that.”⁵³⁰ The 2011 Auditor General’s report states that for real improvements in on-reserve living conditions to occur First Nations must take a lead role in developing, monitoring and enforcing standards as well as in the development of funding mechanisms for housing.⁵³¹ Moving government out of the central role in housing on reserves was also the key message in a 2011 Global News report. Cynthia Wesley-Esquimaux, the Nexen Chair in Aboriginal Leadership at

⁵²⁹ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Mike Morris, Councillor, Kasabonika Lake First Nation, and signatories of The James Bay Treaty (Treaty 9), Issue 8, 15 September 2014 (Afternoon), 99.

⁵³⁰ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Theresa Spence, Issue 8, 15 September 2014 (Afternoon), 106.

⁵³¹ Auditor General of Canada, “2011 June Status Report of the Auditor General of Canada,” http://www.oagbvg.gc.ca/internet/English/parl_oag_201106_04_e_35372.html#hd5b (accessed 1 December 2015).

the Banff Centre said, “Too often the federal government comes in with a plan, design and pre-approved suppliers, instead of looking to the community to identify their needs, create a location-specific design and pony up some of the human resources and financial capital.”⁵³²

There modern voices are the current echo of old messages. The appeals that government must release its grip on housing on reserves is not new. In 1972 the National Indian Brotherhood (NIB) set out key policy objectives for improving housing conditions, which included: to involve First Nations at a decision making level, to simplify housing administration and to refrain from loaning money to poor people.⁵³³ The NIB was not asking for the government to withdraw from housing altogether, but to engage in housing on different terms, which they set out in their 1974 Housing Declaration:

The responsibility for “Indians and lands reserved for the Indians” as outlined by the British North America Act, rests exclusively with the Parliament of Canada. The Government has the responsibility to provide adequate housing for the Indian people... Total responsibility for Indian housing must come through the Department of Indian Affairs. One, all-encompassing housing program, designed by the Indian people, for the Indian people, under the responsibility of the Department of Indian Affairs must actually be established.⁵³⁴

The NIB sought to reverse the roles of the current system by calling for the federal government to take responsibility for the outcomes of its housing programs, while

⁵³² Rebecca Lindell, “Housing Answers May Reside within First Nations,” *Global News*, 8 December 2011, <http://globalnews.ca/news/187391/housing-answers-may-reside-within-first-nations/> (accessed 1 December 2015).

⁵³³ NIB, *Declaration on Indian Housing*.

⁵³⁴ *Ibid.*, 14.

handing authority over program design to Indian people. The opposite relationship structure that had been in place for decades whereby the Department designed and delivered the programs and then charged the Indians with the responsibility for the outcomes had not only failed repetitively but was patently unfair.

But the new, and what was to be collaborative relationship, that began in 1975 when the Joint Commission brought Indian leadership and Department officials together had gotten off to a rocky start.⁵³⁵ In spite of some obvious overlapping objectives, in the end the report ignored the NIB's key concerns about depending on loans in poor communities signalling to First Nations leadership that government was, in fact, still in control of housing decisions. Consequently, in the same manner as in previous decades, the government unilaterally decided the terms of the next era of housing programs.

In 1977⁵³⁶ CMHC made three of its existing housing programs available on reserves. The Loan Insurance Program, (National Housing Act (NHA) Section 6, now 10) by which CMHC provided mortgage insurance to the public at favourable terms and conditions to indemnify the banks against mortgage default and promote access to home ownership and rental construction. The Homeowner Residential Rehabilitation Assistance Program (RRAP) (NHA Section 34.1, now 51) is a national program that provides financial assistance to low-income households, seniors and persons with disabilities in the form of forgivable loans to be used to fund house repairs, renovations and adaptations. The third and most important program on reserves was the Non-Profit

⁵³⁵ National Indian Brotherhood and Department of Indian and Northern Affairs, "Indian Housing Policy and Program: A Technical Report," 2-3.

⁵³⁶ Central Mortgage and Housing (CMHC) changed its name to Canada Mortgage and Housing in 1979.

Housing Program also called the Rental Housing Assistance Program (NHA Section 56.1, replaced in 1983 by NHA Section 95).⁵³⁷ Section 95, as it came to be known, was designed to provide modest, affordable housing for low and moderate income families and individuals at a minimum cost by implementing cost controls and to encourage approved lenders to provide capital for low and moderate income housing needs.⁵³⁸ On reserves these programs were to be supplemented with federal works programs and the 1966 subsidy to make up the funding package.⁵³⁹ On many levels these programs showed a blatant disregard for First Nations' concerns.

First, not only did the Department and CMHC implement the programs with no input from First Nations, but the programs had been designed for mainstream conditions and were transferred onto reserves without modifications to accommodate the different social, political, economic and legal conditions. Second the programs multiplied and complicated the burden of federal bureaucracy on band administrations and required a high level of management capacity few First Nations possessed. Finally, while Section 95 substituted most individual loans with band-held mortgages, the program saddled poor First Nations with millions of dollars of housing debt with little to show for it and an

⁵³⁷ Section 95 allowed Indian bands to be recognized as non-profit housing corporations and cleared the way for CMHC to get out of the business of funding on reserve housing through subsidies and become solely a loan guarantor by providing access to financing through insured loans.

⁵³⁸ "Section 56.1 Non-Profit and Cooperative Housing Program Evaluation," Program Evaluation Division, Canada Mortgage and Housing Corporation, 1983, 3.

⁵³⁹ Bands in all provinces except B.C. received housing subsidy funding in a lump sum based on population. In B.C., where there are so many tiny bands and where the annual allotment for the smallest bands would not cover even the cost of one subsidy, the funding is distributed on a per unit basis and based on band applications.

almost impossible task of repayment. As a consequence First Nations were put at risk of losing their community funding and facing bankruptcy.⁵⁴⁰

Ironically, the Department's decades of failure to deliver successful housing services were rewarded during this period with an increase in its responsibilities and, with the inclusion of CMHC, a doubling of government involvement. In spite of the rhetoric of a new relationship of collaboration bands now faced a monumental task of delivering the new programs that were still not of their making yet with new and even higher levels of bureaucratic requirements. But Mike Morris' question was beginning to bedevil the federal government and it sought to justify its ongoing involvement in on-reserve housing. A 1984 CMHC report explains the federal government's rationale for its initial involvement: First: the federal government had a legal and constitutional commitment to status Indians that stemmed from Section 91(24) of the British North America Act.⁵⁴¹ Second, the absence of normal housing market conditions prevented housing finance mechanisms used off reserve from being applied on reserves. The third rationale was associated with the housing crisis "There is no doubt that the housing need which originally prompted the introduction of housing programs on reserves continues to exist."⁵⁴² A 1987 CMHC housing program evaluation report sets out the rationale for the federal government's continued involvement:

⁵⁴⁰ The risk to band financial stability was well known from the start. In 1974 the NIB reported, "the band council funds could be easily frozen in the case of default, preventing beneficial community development." NIB, *Declaration on Indian Housing*, 10.

⁵⁴¹ Section 91(24) states that Indians, and lands reserves for Indian falls under the exclusive legislative authority of Parliament. *British North America Act*, 1867, 30 & 31 Vict, c 3.

⁵⁴² CMHC, "CMHC Housing Report," 1984, 41-42.

While there has been some improvement in housing conditions on reserves since 1977, there continues to be severe problems of crowding, poor physical house conditions and lack of basic amenities. Given the extent of housing problems, the low incomes of on-reserve households and the absence of a functioning housing market on reserves, it is evident that continued federal assistance is required. Moreover, simulations of the on-reserve housing stock indicate that problems will persist on reserves at least to the year 2010.⁵⁴³

The efficacy of doubling bureaucracy and involving two agencies in on-reserve housing delivery was questionable even from the government's perspective as the report states, "Although assistance is clearly required, the rationale for provision of housing subsidies through two federal agencies is less evident. This is because coordination problems arise between the agencies and because bands must deal with two agencies on housing matters."⁵⁴⁴ In the same vein the 2003 Auditor General's report states;

Indian and Northern Affairs Canada and Canada Mortgage and Housing Corporation (CMHC) are the two main federal organizations that assist First Nations in meeting their on-reserve housing needs. We calculated that these two organizations have provided First Nations with about \$3.8 billion over the last 10 years for on-reserve housing. However, they have not clearly defined what their assistance is intended to achieve in terms of addressing the critical housing shortage; nor have they defined a time frame in which to achieve it.⁵⁴⁵

This chapter explores the conundrum facing the Department; on one hand it professed a commitment to Indian self-determination while on the other hand government doubled its involvement in housing programs. I also look at Indian leadership's largely

⁵⁴³ CMHC, "Summary Report: Evaluation of CMHC On-Reserve Housing Programs," 1987, i.

⁵⁴⁴ Ibid.

⁵⁴⁵ Proceedings of the Standing Senate Committee, Report to the Auditor General of Canada, Chapter 6: Federal Government Support to First Nations—Housing on Reserves, 2003 http://www.oagbvg.gc.ca/internet/English/parl_oag_200304_06_e_12912.html (accessed 25 November 2015).

ineffectual attempt to find a place of authority in the field of housing while government assigned First Nations roles and responsibilities that were as detached from their own making as the houses themselves. I concentrate on Section 95, the rental subsidy program⁵⁴⁶ that essentially made reserve residents into tenants and bands into landlords and further complicated the question of who owned on-reserve housing and who was responsible for its conditions.

In the absence of any general literature on Section 95 I am forced to draw on my own observations and from government program evaluations. Though these reports were strictly vetted and contain only government-approved information making them highly likely to be biased in the federal government's favour, they afford us the opportunity to view the government's self-assessment of its programs, however conservative the assessments may be. I also use reports from Indigenous organizations, which, for the first time provide a First Nations perspective.

Context

The Department's choice to implement the three social housing programs reflects the general shift towards increased government involvement in housing that had been taking place in Canada since the late 1960s. Although Canada's pro-market, pro-industry focus in the post war era had produced a significant increase in home ownership the market had not solved the problems of housing the poor whom lived in urban slums.

⁵⁴⁶ Section 56.1, The Non-Profit Housing Program, became known simply as Section 56.1 and later Section 95. The name Non-Profit Housing had no meaning in the reserve context given that no housing was for profit.

Up until this time many Canadians were still reticent to view housing as a government responsibility. In theory, Canadians had always supported the idea that all citizens should have the right to be adequately housed, regardless of income; in practice they were divided on how that goal should be achieved. On one side of the argument social housing advocates saw housing as a social need rather than an individual need and therefore a government responsibility, on the other side the business approach posited that housing was more “akin to a car than to a hospital bed” and therefore best left up to individuals to provide for themselves.⁵⁴⁷ Humphrey Carver⁵⁴⁸, one of Canada’s foremost social housing advocates, characterized Canada’s relationship to housing in the days of the 1935 Dominion Housing Act as all business. He stated, "housing was an economic instrument...and the declared motive was to increase employment" rather than a way to provide adequate shelter for Canadians.⁵⁴⁹

In 1964 Prime Minister Pearson’s minister for housing, J.R. Nicholson, in a move to prevent further deterioration in living conditions in Canada’s cities, had made a significant departure from the market focus when he told the House of Commons that the government would, “concentrate its future lending in the important social areas of greatest need, namely public housing, housing for the elderly people, housing for students

⁵⁴⁷ Alvin Finkel, *Social Policy and Practice in Canada: A History* (Waterloo: Wilfred Laurier University Press), 242.

⁵⁴⁸ Humphrey Stephen Mumford Carver was a British academic, architect, community planner, philosopher and author who relocated to Toronto in the 1930s. He pioneered the controversial Regent Park North public housing project that was built from the late 1940s to 1960s. Carver chaired CMHC’s Research Committee (1948-1955) and its Advisory Group (1955-1967).

⁵⁴⁹ Humphrey Carver, *Compassionate Landscape* (Toronto: University of Toronto Press, 1975), 54.

and urban renewal.”⁵⁵⁰ The late 60s had seen hundreds of public housing units built in Manitoba and Ontario. For a short period between 1973 and 1978 Canadian housing reformers experienced what John C. Bacher calls a “short-lived Valhalla”⁵⁵¹ when social housing advocates made significant, if only temporary, inroads into the deeply-rooted, market approach to housing. During the 1970s provincial governments partnered with the federal government to bolster social housing programs in some cases as much as a hundred fold. For example, between 1972 and 1979 once all the housing starts from previous years were completed the Ontario social housing portfolio had expanded from 50,000 to 85,000 units.⁵⁵² The same trend was seen in Manitoba—in 1969 the province managed 500 public housing units, in the next five years the government built 11,600 new units. From 1949 to 1963, only 11,000 units of public housing were produced in Canada, amounting to just .7 per cent of the new residential construction. On average during this 14-year period, only 873 units per year of public housing were built. By contrast, during the eight years between 1964 and 1972, some 96,000 units of public housing were built averaging 12,000 units per year nationally.⁵⁵³ Amendments to the NHA in 1964 had also provided a subsection to encourage non-profit housing through the provision of loans on affordable terms to organizations such as church and self-help groups, the YMCA, and service clubs.

⁵⁵⁰ Finkel, *Social Policy and Practice in Canada*, 232.

⁵⁵¹ *Ibid.*, 273.

⁵⁵² *Ibid.*, 235.

⁵⁵³ *Ibid.*, 237.

The shift to public housing in mainstream society impacted Indian housing first as a way to deal with the migration of reserve residents into urban areas. In 1966 the Department had implemented the Off-Reserve Housing Program; a grant and repayable loan program that was designed to assist aboriginal peoples to achieve off-reserve home ownership. But the program had limited uptake and targeted only a small native population who could afford to purchase housing. It was followed in 1970 by the Urban Native Housing Program (UNHP),⁵⁵⁴ which was wholly owned and operated by aboriginal people and focused on rental housing needs in the major urban centres. The first projects got underway in Winnipeg, Saskatoon and Thunder Bay. Using CMHC subsidies urban aboriginal housing corporations acquired older existing housing, rehabilitated the buildings and rented them to low-income families.⁵⁵⁵ Between 1970 and 1994 approximately 11,000 social housing units were developed under the UNHP and administered by over 100 Aboriginal housing organizations; the total social urban-native housing stock was roughly 661,000 units.⁵⁵⁶ Between 1966 and 1986, the numbers of off-reserve Status Indians in Canada jumped 254 percent, from 47,496 to 158,944, though the distribution was unevenly distributed across cities. Manitoba led the way with an urban

⁵⁵⁴ Urban Native Housing Programs were administered on behalf of the federal government by CMHC to assist Urban Native non-profit housing organizations to provide rental accommodation to low-and moderate-income native people. For more information see: BC Housing, Urban Native Housing Operating Manual, https://www.bchousing.org/resources/Partner_Resources/Program_Resources/Urban_Native/Urban_Native_Housing_Operating_Manual_FINAL.pdf (accessed 1 February 2016).

⁵⁵⁵ Canadian Aboriginal AIDS Network, "Aboriginal Housing in Canada: An Informal Background Discussion Paper," 8 April 2010 http://caan.ca/wp-content/uploads/2012/05/CAAN_Aboriginal-housing-in-Canada_2010.pdf (accessed 1 December 2015).

⁵⁵⁶ Ryan Walker, "Social Housing and the Role of Aboriginal Organizations in Canadian Cities," *IRPP Choices*, 14.4 (May 2008): 6.

Indian population rise of 330 percent in the thirty years.⁵⁵⁷ By 1986, according to the census, 38 percent of the Status Indian population lived off reserves nationwide,⁵⁵⁸ a shift that no doubt was assisted by the influx of urban native housing programs. These programs raised questions over jurisdiction and fueled a new debate over who was responsible for Indian housing off reserves with Indian leaders arguing against provincial involvement claiming that the federal government was renegeing on its fiduciary responsibility to Status Indians.⁵⁵⁹

The expansion of mainstream social housing ebbed in the 1970s when the federal government began to transfer social housing responsibilities to the provinces. This led to a rapid contraction of the growth of third-sector rental housing.⁵⁶⁰ In spite of the dramatic increase in government involvement and the changes to the housing culture in Canada during this period, Canada failed to develop a comprehensive housing policy or to establish a permanent federal housing ministry.

It is not surprising that on-reserve housing was hardly mentioned in mainstream Canada's housing discussions during this period. There was no market and housing in isolated small reserves had little potential to become a major economic driver. The bands'

⁵⁵⁷ Comeau and Santin, *The First Canadians*, 42.

⁵⁵⁸ *Ibid.*, 41.

⁵⁵⁹ By placing all Status Indians' land and money into its own care the federal government assumed a fiduciary obligation in regard to Status Indians. Definition of fiduciary: A legal obligation of one party to act in the best interest of another. The obligated party is typically a fiduciary, that is, someone entrusted with the care of money or property. Business Dictionary, "Fiduciary," <http://www.businessdictionary.com/definition/fiduciary-duty.html> (accessed 1 December 2015).

⁵⁶⁰ *Ibid.*, 2.

primary goal was to provide shelter for their members, falling outside Canada's increasingly market-focused housing interests.

But the programs were coming to reserves none-the-less. They took two routes to move on-reserve housing towards off-reserve standards. One, the Residential Rehabilitation Assistance Program (RRAP) provided a reliable source of funding for renovation and additions. Renovations was a new concept on reserves where previously houses were generally seen as either livable or a tear down. Two, the Non-Profit Housing Program, Section 95, created a subsidy rental program. Cabinet endorsed the new programs along with the optimistic projection that with their implementation housing shortages on reserves would be eliminated by 1982.

The 1966 subsidy program remained essentially intact while CMHC promised that its new programs would use innovative approaches to planning and the latest technological advances in community improvement. Bands were assured that the programs would focus on the low and no income individuals and families, estimated to constitute 70 percent of the reserve populations. Furthermore, the Department guaranteed First Nations that the mortgage agreements would not jeopardize the special status of Indian lands.⁵⁶¹

The new programs were designed to focus on housing first but also to concentrate on economic development. Indian people were promised direct input into the planning and operating decisions through the implementation of band housing authorities that

⁵⁶¹ National Indian Brotherhood and Department of Indian and Northern Affairs, "Indian Housing Policy and Program: A Technical Report," 2-6.

would manage the on-going programs. These housing authorities would act as the governance structure in the same way as mainstream Non-Profits organizations had authority to allocate housing assistance, administer contributions, oversee maintenance and repairs. The program mandate states that these overarching housing groups would, “undertake functions normally associated with property management.”⁵⁶²

Section 95 provided the opportunity for bands to borrow the additional capital⁵⁶³ needed to construct housing units from an approved lender or directly from CMHC, generally using a 25 to 35 year mortgage term. Federal government Ministerial Guarantees backstopped the full amount of the loan in the case of default, which allowed the bands to circumvent the restriction to borrowing set in place a hundred years earlier by the Indian Act. They also gave CMHC the authority to provide a subsidy up to an amount that would reduce the interest rate on housing capital costs to two percent; this was known as a two per cent write-down.⁵⁶⁴ Rents were either geared-to-income calculated at 25 percent of the family income, collected from social assistance based on the current shelter allowances, or, in cases where 25 percent of the family income was

⁵⁶² Ibid., 3-10. Several attempts at establishing on reserve housing authorities had failed previously. For an example see Lapointe, “Towards a Resolution of the On-Reserve Housing Problem.” Ibid., 49-52. It is important to note that no housing authorities were created under the Section 95 program and that the program governance functions were left to individual First Nations. The governance structure called for in the reserve social housing programs has yet to be established in most bands. In 2000 a housing policy assessment recommendation states the need to, “develop and implement administrative and governance processes or structures in housing, including housing authorities and local administration models.” Norbert Koeck, “On-Reserve Housing Policy Impact Assessment, 1996-2000,” prepared for the DIAND, October 2000, 4.

⁵⁶³ Approximately 25% of the cost of constructing a low cost house was covered by the 1966 subsidy program.

⁵⁶⁴ The subsidies were tied to mortgage rates—known as the 2% write-down. The subsidy amount was calculated as the difference between the full capital cost of the project amortized at the actual interest rate and the same cost amortized at 2%.

higher than the low-end-of-market rental rates⁵⁶⁵ in neighbouring communities, the program required tenants to pay the going market rental rate. In order for the program's budget to work tenants with a wide range on incomes would be selected so full market rental rates would offset the very poor who could not pay more than a few dollars rent.⁵⁶⁶ Regardless of widespread poverty on reserves and their limited populations from which to select tenants CMHC applied these same policies directly onto reserve programs.

CMHC promoted the language of landlord/tenancy and named bands the owners of the rental units and residents as the tenants. The agency controlled the ownership relationship between the band, tenants and houses while the subsidy was in place, and upon the retirement of the loans, bands were authorized to give or sell the house to the tenant or retain ownership. Once the mortgages were retired the federal rules governing social assistance on reserves precluded bands from collecting rent from the tenants in those homes that had collected social assistance. The Department claimed that government funds had already paid for the house and continuing to pay shelter would be tantamount to paying again for the same building. This argument failed to account for the bands' contributions to the cost of the house, including land, management, vacancies etc. This policy also left the bands with 25 year-old houses, most often in need of additional upkeep, yet with no rental income. First Nations saw this restriction as discriminatory treatment given that in the same situation off-reserve housing authorities could collect

⁵⁶⁵ Low-end-of-market rental rates are calculated yearly and are based on average Canada Mortgage and Housing Corporation (CMHC) market rent increases/decreases by rent district.

⁵⁶⁶ Ekos Research Associates, "Summary Report: Evaluation of the On Reserve Housing Program," prepared for the DIAND, 27 June 2004, 4.

rents on all or part of their dwelling whether or not the lessee was on social assistance.⁵⁶⁷ Consequently, on reserves, at the termination of the mortgage bands had two choices; either force the SA clients to vacate their house or manage the housing unit with no income. Both choices were acceptable, and in spite of repeated appeals from First Nations, at the time of writing, this restriction continues to be a contentious issue.⁵⁶⁸

According to the Section 95 program mandate, bands were to follow a property management regime similar to that found off reserve. In addition to paying rent, occupants were responsible for repairing any willful or negligent damage. Eviction was the consequence for non-payment of rent or vandalism, to be undertaken by the band administration or leadership. Bands were to build the houses using construction standards established by the NHA and have qualified CMHC inspectors conduct inspections. The housing designs were to be solid and comfortable, but modest, meaning without any luxury items such as “expensive carpets, shake roofs, pools, large decks, and carports”.⁵⁶⁹

Upon signing Section 95 agreements bands assumed responsibility for construction management, insurance, maintenance, record keeping, financing and audits, rental collections and tenant selection and relations. According to CMHC’s recommendations this new program was to be managed by someone, “trained in the

⁵⁶⁷ Bands did not anticipate how this unique policy would affect them until the 25 and 30 year mortgages began maturing in the early 2000s. Many bands are now faced with maintaining houses for SA clients that have no way of paying rent.

⁵⁶⁸ Social assistance shelter allowances pay a set rate depending on the size of the family and most often is meant to cover both mortgage, maintenance and energy payments. In most cases the allowance does not come even close to covering the full cost of the house. First Nations argue that the remainder is covered by the band so at least the government can only claim to have paid for part of the house and that when the mortgage is retired the house has not been paid for by the government.

⁵⁶⁹ The Native Training Institute, “Social Housing on the Reserve, Planning Guide for CMHC,” Spence’s Bridge, BC, 1978, 3.

operation and administration of social housing programs, and with a high level of understanding of home construction and maintenance,”⁵⁷⁰ and knowledge of tendering and contracting, good written and oral communications skills and high competency in interpersonal communications and public relations. The program agreement assigned the bands the responsibility for covering the cost of employing such a manager, which was to be funded out of rental revenues.

The stakes for band leadership were high; the chronic housing crisis had been devastating their communities for 30 to 40 years. With no other relief in sight Section 95 appeared to some bands to be a good solution; in fact, it was the only solution. The increases in the subsidy had not been enough to keep up with inflation and the gap was widening between the subsidy and the cost of building a house making it impossible to complete even a tiny dwelling with the subsidy alone. The new programs were heavily promoted by CMHC making it appear that funding was available like never before. Even so, uptake started out slowly, and bands continued to try and build for the subsidy alone. But the benefits of the program were obvious; bands were building bigger and more expensive houses often six or a dozen at a time.

By the 1990s two thirds of Canada’s 600 bands were taking part in CMHC social housing programs.⁵⁷¹ Testifying to the Standing Senate Committee in 2014, Roxanne Harper, a First Nations housing consultant from Eel Ground First Nation in New

⁵⁷⁰ Ibid., 2.

⁵⁷¹ Informetrica Limited, “First Nation Economies: A Comparative Perspective A Socio-Economic Baseline Study Between Cities and First Nation Communities,” prepared for CMHC, 2004, 11.

Brunswick, with decades of experience working in on reserve housing management, described the consequences of Section 95:

First Nations staff became landlords without proper training behind them. To start there was little support for the administration or even ensuring that our Chiefs and Councils understood the agreements that they were signing with the federal government...staff are often not qualified to manage millions of dollars worth of real estate. They often had no accreditation, no experience. There is a general shortage of staff resources.⁵⁷²

Chief Shining Turtle of Whitefish River First Nation, Ontario told the Committee that while First Nations administrations may have been given the responsibility to deliver housing services to their communities, the problem was that the responsibility came, “without the resources. You have the responsibility, but you don’t have the resource levels to do it.”⁵⁷³ Occupants also had trouble adapting to their new relationship with their homes, as Chris Maracle, on-reserve housing specialist from Tyendinaga First Nation, ON, told the Committee, “How has teaching us to be good tenants worked? Not at all. We were never tenants culturally.”⁵⁷⁴

Under Section 95 bands held the mortgages and therefore were contractually responsible for repayment, and, in that sense, the rightful owners of the houses. Yet the federal government held Ministerial Guarantees and was also contractually responsible for the loans as well as holding title to the land, giving bands the impression that the government had an ownership relationship to the houses and was ultimately responsible

⁵⁷² Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Roxanne Harper, Issue 5, 1 April 2014, 84-91.

⁵⁷³ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Chief Shining Turtle, Issue 5, 2 April 2014, 137.

⁵⁷⁴ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Chris Maracle, 2 April 2014, 128.

for their upkeep. The language of the program was strictly that of landlord and tenant, thereby excluding the occupants from any ownership relationship. Yet the program management at all levels failed to communicate the difference between Section 95 and previous programs. Therefore individuals that “got” a social housing unit often assumed they had same tenure they had in previous programs—ownership without payments.

Without experienced landlords or tenants and without housing authorities or governing boards to oversee program policy and delivery, Section 95 faced overwhelming challenges; few occupants paid their rent payments, few bands kept up with maintenance and bands began to experience mounting debt.

Focusing on band incompetency rather than program deficiencies CMHC viewed the problems as a lack of administrative capacity. The agency took the lead role in developing and delivering housing management training programs for band administrations in order to help bands comply with both INAC and CMHC’s reporting requirements and delivery mechanisms.⁵⁷⁵ The sessions included topics such as establishing housing committees, managing rental regimes, construction methods, house design, mortgage implications and administration.

Managing the Program

Administrative fees available within the subsidy program were contingent on sufficiently high rent collections yet bands operated their programs under the imperative

⁵⁷⁵ The first training programs were delivered in the 1970s. First Nations management training continued to be a CMHC focus throughout the 1980s. In the mid 90s CMHC created the Aboriginal Capacity Development department to promote housing knowledge, skills and training for First Nations housing departments.

to keep rents as low as possible. Generally speaking reserve populations were poor and unable to pay high rates and leadership opposed forced rent collections as they had resisted the idea of loans from the outset. Secondly, occupants were unfamiliar with paying rent so bands wanted to make it as palatable as possible. The other problem was that only a few bands could afford to hire a housing manager to take on the duties of collecting.⁵⁷⁶ Roxanne Harper⁵⁷⁷, an authority on on-reserve housing and First Nations management trainer, describes the bands' challenge;

The position of housing manager has never been a position that the federal government has funded. It is a position that, if a First Nation chooses to have a housing manager, then they have to find the money within their own capital budgets or own-source revenue to fund this position. If a First Nation is already struggling with financial challenges or deficits, they may not have the money to put into hiring a housing manager, or they end up hiring a manager who isn't always the best qualified for the job. Or the band manager often ends up doing the job.⁵⁷⁸

By the 1980s most First Nations had complicated housing portfolios comprised of three types of tenure: First, rental units built and managed by the band using the subsidy and Section 95, which required rent collections. These homes came to be called CMHC houses. Second, houses built through earlier programs using subsidies alone, usually with no loans attached and requiring no payments. These homes were called by names such as INAC, DIAND, band or status quo homes. And third, small number of individually built houses that were built with no government assistance and were called privately owned

⁵⁷⁶ The CMHC On-Reserve survey indicated that 83 percent of the bands had hired housing coordinators and 53 percent of the bands said they had control over their own housing delivery. CMHC, "Summary Report: Evaluation of CMHC On-Reserve Housing Programs, 1984, 140.

⁵⁷⁷ Roxanne Harper is one of Canada's most well-known First Nations housing trainers.

⁵⁷⁸ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Roxanne Harper, Issue 5, 1 April 2014, 87.

homes. Each tenure type required a different set of services and level of engagement from the band administrations and government.

The inability to maintain a distinction between programs resulted in a general expectation that band housing services should be available to all reserve residents whether or not they occupied social housing. The idea that services were based on the housing program and that the band took responsibility for only certain people created confusion and resentment. The social housing programs ushered in a new era of increased demands on band administrations and while band administrations attempted to please everyone, they could fill very few housing requests. Band leadership found themselves in a further bind by having signed financial agreements that required rent collection from their people even though many Chiefs and Councils did not agree with the premise of the new program and had no intention of charging rent other than that which could be collected by way of social assistance.

Rent would have been a hard sell in any case as First Nations housing authority, Chris Maracle⁵⁷⁹, suggested. It required an entirely new way of thinking about housing in communities that had no past experience with the idea of paying monthly for something you would never own. Furthermore, non-compliance with the requirements of the earlier programs' had, by now, become deeply ingrained in the habits of reserve residents. Many people resented the hovels they had been assigned and believed that the government owed them better housing conditions; the idea that one should pay for desperately

⁵⁷⁹ Chris Maracle became well-known in the on-reserve housing field in the mid 1990s when he built an innovative elders' housing unit using R2000 building practices. He has since worked around the country training in the field of housing management and construction.

substandard accommodations was ludicrous.⁵⁸⁰ According to Harper, up until the late 90s “there was tremendous resistance to the change. People were angry because it hadn’t been done on the reserve before.”⁵⁸¹ These were new roles and not ones anyone asked for, the program provided no capacity to educate either the bands or the tenants on the nature of the new tenure relationships or to convince them of their efficacy. From Harper’s experience, for the first 20 years of these programs 100 percent of the tenants did not pay rent. Through the earlier subsidy programs, she says, “the majority of First Nations that built the home said to the members, ‘You can occupy that home,’ but they did not necessarily create a policy that transferred any responsibility to the occupant for things like maintenance, repairs and insurance.”⁵⁸² It was not until the mid 1990s when extreme debt load from the programs crippled many First Nations, that bands began to demand that occupants make a rental contribution.

But occupants refused to pay rent and maintain the houses, arguing that if the houses belonged to the band then the band should maintain and repair them.⁵⁸³ In her study of on-reserve housing design Mary Subedar found widespread uncertainty about housing ownership and rights and responsibilities,

Many band members still refer to their homes as a “band house,” “band capital house,” or “CMHC house” and are unsure of their proprietorship,

⁵⁸⁰ From living on a reserve since 1972 and working on reserves across the country for the past 15 years or so I have encountered deep resentment in on-reserve residents from coast to coast about their housing conditions.

⁵⁸¹ Ibid.

⁵⁸² Ibid., 7.

⁵⁸³ I am drawing on ideas from Harper and other testimony at the Standing Senate Committee.

while many councils maintain that houses belong to families and attempt to establish responsibilities towards homes and good home husbandry.⁵⁸⁴

Government-issue housing could not easily be described as government housing, band housing or privately-owned housing and it was now left up to band leadership to sort out and manage the debacle. Manitoba Chiefs and Councils' frustrations can be heard in their interviews with Subedar...“If we could only get people to pay,” and “If only Indian and Northern Affairs issued a directive that effective April, 2001, all First Nations members must pay rent we could work with that—but to try it on our own is political suicide.”⁵⁸⁵ The new Social Housing programs encumbered First Nations with the financial and administrative responsibilities of programs that were not of their choosing, that were not culturally, socially or economically appropriate, and, as Chief Shining Turtle pointed out, without adequate resources, bands had nowhere to turn for housing solutions. Housing became a catch 22 situation; without management the bands could not collect rents and without rents the bands could not afford to hire management. Likewise with maintenance: without staff or financial resources to perform the obligations of a landlord, the housing units immediately began to deteriorate. Tenants, in turn, argued that if the band did not execute its role as landlord by maintaining the unit then they were not obligated to pay rents.

The mandate of Section 95 called for organized, professional and funded housing societies to govern the social housing programs and off reserve these operational problems were resolved by these overarching boards. Yet when the program was

⁵⁸⁴ Subedar, “When States Design,” 196.

⁵⁸⁵ *Ibid.*, 195.

transferred to reserves CMHC failed to ensure similar bodies were established leaving individual bands and their Chiefs and Councils that generally had no capacity to deliver the programs responsible for governing the programs as well. To further complicate the situation, provincial residential tenancy agreements had no jurisdiction on reserves because of their federal status, leaving both band management and tenants with no external board of appeal and no legal protection and as a result disputes were left unresolved.

Housing Quality

The Section 95 funding package included the cost of construction, which some bands used to hire mainstream general contractors. But, with a new focus on economic development, both CMHC and INAC encouraged bands to take advantage of construction job opportunities and form their own building crews. In spite of the Department's own belief that "[i]ndividual involvement and commitment to the dwelling is one of 'the key factors underlying superior housing conditions,'" in both cases the era of government support for self-build was over. Under the new program occupants were assigned a completed house and bands, not individuals, were responsible for construction oversight and standards. Section 95 houses could now be built six or even twelve at a time and were often located in subdivisions on tracts of band land that had little relationship to the occupants' traditional family land holdings. Subdivisions reduced the cost of building infrastructure but they changed what had been a natural choice of housing location often based on the usable landscape—rivers, beaches, forests and traditional family

landholdings. In her micro study of the Hollow Water Reserve in Manitoba, Mary Subedar describes the significance of the changes that took place in the community when houses began to adhere to INAC's subdivisions of the land and living spaces were dictated by sewer, water and accessibility.

Historically, people arranged themselves in family groupings. A family's yard was determined by what it maintained and used, establishing a loose system of territorial boundaries.... The subdivision is an individualized repetition of forms, uniform in size and type. There are no small clusters of building. There are no grandma suites. There are no multiple-family structures where a large family or extended family could reside. There are no attached or semidetached arrangements. Almost all the houses are new two-storey designs cut from the same template.⁵⁸⁶

The subdivision in Hollow Water, like land developments on other reserves across the country was not planned with family life or community living in mind, but as a recreation of suburban North America in every aspect, but as Subedar explains, it made no sense in northern Manitoba: "[N]o one meets on the street or spends time there. Streets are windswept, vacant thoroughfares utilized for commuting by car...Hollow Water replicates an urban orientation in the midst of the forest."⁵⁸⁷

To ensure the houses were sound and of good construction the program included mandatory building inspections, which were to be carried out by CMHC inspectors to guarantee National Building Code compliance. However, CMHC was not a regulatory agency and had no authority to enforce building codes or standards. Though inspectors visited building sites, their effectiveness was restricted to recommendations regarding

⁵⁸⁶ Ibid., 47.

⁵⁸⁷ Ibid., 48.

construction practices. In 1985 CMHC conducted a survey that found that 15 per cent of houses built in 1983 or later failed to meet minimum building standards. It stated that the problems ranged from building methods, poor siting, poor maintenance, and unfinished buildings—the overarching problem was the lack of inspection services.⁵⁸⁸ The study is in stark contradiction to First Nations building specialists who claim that as late as 2014 there were only 20 (less than 4 percent) communities that had the proper bylaws in place to ensure their homes were being built to National Building Code standards. According to John Kierdrowski from the First Nations National Building Officers' Association:

The problem is that there's been a challenge in providing the capacity and what it means when it comes to construction projects. We think this is the elephant in the room when you talk about housing and who the authority is, who is responsible and how funds are being transferred from the federal government to First Nations to ensure that homes are being built to National Code standards.⁵⁸⁹

Both the Department and CMHC maintained that individual band chiefs and councils were the authorities having jurisdiction and therefore were responsible for ensuring that houses in their communities met the National Building Code standards. Alan Croteau of CMHC in Ottawa makes the agency's position clear. He states, "We finance. We don't guarantee the quality of construction... Funding is not tied to building code compliance."⁵⁹⁰ Both government agencies continued to overlook the program's mandate to ensure code compliance and approve housing projects in spite of their

⁵⁸⁸ CMHC, "Summary Report: Evaluation of CMHC On-Reserve Housing Programs," Peter Phillipoff, 27 June 1985, 32.

⁵⁸⁹ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, John Kierdrowski, Issue 2, 3 December 2013, 8.

⁵⁹⁰ Quoted in Subedar, "When States Design," 194.

knowledge that only a handful of bands across the country had the legal framework in place to give building inspectors the authority to enforce compliance to the code.⁵⁹¹ In the absence of proper code inspections or compliance enforcement, contractors building on First Nations land continued to construct vastly substandard buildings. The difference was, since the implementation of Section 95, CMHC, the federal government, and the participating banks were aware that most First Nations did not have code compliance bylaws in place.⁵⁹²

The lack of building standards had devastating consequences that went beyond minor and aesthetic deficiencies. Consultant to the First Nations National Building Officers' Association (FNNBOA), John Kiederowski explains:

If you look at the fire death rates on First Nations, it's really a result of bad code compliance. First Nations have the highest death rate in North America in terms of burn rates, and that's from bad housing construction ... if you look at the way the homes are being built, they're not being built to code. They're death traps. If you look at the number of fires, they're not in the larger capital buildings such as band offices because those are being built to code. They're required to be built to code under capital expenditures. Those inspections have engineers who sign off and they are built properly. But if you look at homes, which are really given to the First Nations under authority of having jurisdiction, they are not meeting code compliance.⁵⁹³

⁵⁹¹ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, John Kierdrowski, Issue 2, 3 December 2013, 20. Auditor General of Canada, "2003 April Report of the Auditor General of Canada."

⁵⁹² Hurley and Wherrett, "The Report of the Royal Commission on Aboriginal Peoples," Volume 3, Chapter 4: Housing, 30-36.

⁵⁹³ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, John Kierdrowski, Issue 2, 3 December 2013, 20.

In many cases houses delivered through the Section 95 program were improvements over houses built under earlier programs.⁵⁹⁴ They were larger and more accommodating, most were finished before the tenants moved in and had indoor services. The program boosted housing starts slowly reducing overcrowding. While the 1966 subsidy program kept pace with the population increase after the first decade of the Section 95 program the number of persons per house had decreased from 6.0 to 4.8 in 1986.⁵⁹⁵ But almost immediately the program received a mixed evaluation. CMHC reported that an examination of houses only six years after the program began revealed that one-fifth were in need of major repair in contrast to only eight percent of Section 56.1 houses off reserve.⁵⁹⁶ Furthermore, Section 95 units were less cost-effective than housing built with only the federal capital grant. While the social housing units were in better physical condition, had longer life expectancy⁵⁹⁷ and higher occupant satisfaction than housing built using only the grants, when accounting for the vastly higher government subsidy contribution to Section 95 the study concluded that subsidy housing has a higher cost effectiveness. This study estimated the average useful life of a house built with a subsidy only at 16.2 years and the average useful life of a house built under Section 95 to be 21.5 years. Both these numbers are arbitrary given earlier estimates from Indian agents put the life of subsidy houses much lower than 16.2 years and at the time of

⁵⁹⁴ Daniel Brant, "Report on Community Case Studies: Success Cannot be Created, It Can Only Be Supported," prepared for Indian and Northern Affairs, 2000, 1.

⁵⁹⁵ Central Mortgage and Housing, "Basic Departmental Data. First Nations and Northern Statistics Section;" First Nations and Northern Statistics Section, Corporate Information Management Directorate, Information Management Branch, DIAND, March 2004, 71. In real numbers the number of dwelling on reserves increased from 34,189 in 1977 to 53,868 in 1986.

⁵⁹⁶ CMHC, "Summary Report: Evaluation of CMHC On-Reserve Housing Programs," 13.

⁵⁹⁷ Ibid.

the study the program had only been in effect for 10 years so the estimate was only a projection. Occupants contributed greater amounts of equity, in both labour and capital, to the subsidy homes. CMHC was beginning to see that putting both construction and housing ownership into the hands of the bands was acting as a disincentive to equity contributions.⁵⁹⁸ The new program had made occupants into tenants completely reversing the pride-of-ownership narrative it had promoted for so long and now had to find ways to increase occupant involvement.⁵⁹⁹

First Nations Leadership Response

In spite of the challenges and risks, by 1987 64 percent of bands had contact with one or more of CMHC programs on reserves.⁶⁰⁰ A 1985 NIB evaluation of these programs shows that BC was the only province to report a high utilization of Section 95 and RRAP and that the province's early response was generally satisfactory.⁶⁰¹ The initial uptake on the programs was similarly high in many Quebec bands but quickly they began expressing concerns that their communities could not afford rent payments due to high unemployment rates and low-income levels. On principle First Nations from the Prairie Provinces rejected the programs, maintaining that the federal government was responsible for housing on reserves and that there should only be a single agency administering federal housing. Prairie First Nations maintained that the Section 95

⁵⁹⁸ Ibid.

⁵⁹⁹ Peter Phillipoff, "Summary Report: Evaluation of the On Reserve Housing Program," prepared for the DIAND, 198, 32.

⁶⁰⁰ CMHC, "Summary Report: Evaluation of CMHC On-Reserve Housing Programs," 19.

⁶⁰¹ Ibid.

program should be changed from a loan program to a grant program and were unwilling to charge their band members rent. Nationally RRAP got off to a slow start in the first year with only fifteen units being renovated in 1977 and fifty-five in 1978. The program had ramped up by the early 1980s and provided approximately 1700 forgivable loans per year across the country between 1981 and 1990.⁶⁰²

But the prairie First Nations were not alone. As Harper said earlier most bands resisted collecting rents until the 1990s. First Nations, in the face of high program expenses, developed strategies to counterbalance the low or non-existent rents. One common practice was to assign the majority of the units to social assistance clients where the band would be sure they could collect shelter allowances through a simple in-house transfer of funds from Social Assistance to the Housing program.⁶⁰³ If enough units had a sure and reliable income stream, other units could be assigned to working people free of charge. Because this strategy rarely resulted in enough revenue to run a successful housing program, bands allowed several families on Social Assistance to live in the same house, which had the effect of doubling or, in some cases, tripling the shelter allowance. This was an important strategy if bands were to bring in enough revenues to compensate for those working people who did not pay. This is a common practice I have encountered in many bands across the country as I have worked in the field from coast to coast.

This practice had widespread negative social consequences. The first obvious problem was that it thwarted efforts to reduce overcrowding. Notwithstanding, for bands

⁶⁰² These numbers were provided by CMHC National Office.

⁶⁰³ Social Assistance shelter allowances were introduced on reserves in the mid 70s. Federation of Saskatchewan Indian Nations, "Working Paper on Indian Housing Policy," 1988, 3.

strapped for housing revenues, the immediate benefits of collecting reliable rent outweighed the long-term potential physical damage to the building not to mention the social and health costs associated with overcrowding. Secondly, assigning housing first to welfare recipients replicated the old practice of bestowing housing priority to the poor and became a disincentive to work especially for the low wage earners. The responsibility of paying rent meant that a family would have had more disposable income if they stayed on Social Assistance (SA) and received a shelter allowance, than if they worked at a low income job. Not only did the selection process prioritize the poor, introducing rents in economically depressed communities encouraged the poor to stay on social assistance as way to achieve housing security.

Chief Alex McDougall describes the problem,

[T]here is no incentive for somebody to go out and get their skills upgraded because they are worried that they will lose their shelter allowance and their home. That just creates dependency on that system. The effect of it is at two levels. There is the homeowner who is a welfare recipient relying on shelter allowance to pay for that house. The First Nation then takes that money and pays CMHC for the mortgage. Debt is incurred by the First Nation and that adds to the overall financial position of the First Nations. In some cases, it may even result in having the department impose its highest level of intervention, and that is third party, which is what Wasagamack is in right now.⁶⁰⁴

The practice of doubling up SA clients was not only necessary to cover those who did not pay rent, it was the only way, in many cases that the SA shelter allowance would

⁶⁰⁴ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Chief Alex McDougall of the Wasagamack First Nation, Issue 8, 15 September 2014, 70. Third-Party is a funding arrangement implemented by AANDC when a First Nation has defaulted in its obligations set out in its funding agreements with the federal government. A Third Party Manager is put in place as a temporary measure to ensure continued delivery of program until the underlying issues are resolved.

cover even the basic expenses of the houses. The monthly hydro payment often exceeded the mortgage payment and add to that the cost of insurance, services and maintenance, single family shelter allowances did not come close to paying the full cost of the social housing units. As Roxanne Harper describes “Asking in those communities. ‘Can you also pay \$300 of rent on top of your \$500 hydro bill and your \$1200 grocery bill?’ is probably an impossibility for the average Northerner.”⁶⁰⁵

Despite government hopes to the contrary a 1984 NIB report describes Section 95 as a deterrent to progressive successful bands and individuals: “The present On-Reserve Housing Program does not promote economic independence, employment, dignity or self-worth. It encourages Indian people to receive social assistance so they can live in a modest house. The program does not have any positive inducements for the employed.”⁶⁰⁶

Rent Geared to Income (RGI) was one of the program’s other most problematic practices when transferred onto reserves. Meant to ensure affordable rent to low and even no income groups, RGI calculated rent levels based on 25 percent of the household’s gross income. This method worked well in mainstream communities with large populations where professional property managers could select tenants from a wide range of applicants with varied incomes, thus ensuring that the program generated sufficient rental income to accommodate the poor and at the same time supplement the subsidies

⁶⁰⁵ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Roxanne Harper, Issue 5, 1 April 2014, 87.

⁶⁰⁶ National Indian Brotherhood and the Assembly of First Nations, “Report to Canada Mortgage and Housing Corporation,” 1984, 3-9.

and fund the projects. However, what was possible in mainstream was impossible on the reserves; most reserves had a limited population from which to draw their clients having the net effect that almost all the potential tenants were either social assistance recipients or low-income wage earners. Consequently rent was less than \$100 a month for many of clients and there were not enough high-income earners to offset the low rents. As a result, even if management was able to collect 100 percent of such rents they could not meet the program's financial obligations.

A 1985 housing review commissioned by INAC⁶⁰⁷ found that housing conditions on reserves across Canada were still “seriously inadequate in both absolute and relative terms.”⁶⁰⁸ Seventy-five percent of the homes failed to meet basic standards of health and decency, rates that were many times higher than for the general Canadian population. The study estimated it would cost \$840 million to correct the problem. Poor housing conditions were unevenly distributed across the country with BC achieving the highest levels of housing adequacy and Manitoba by far the lowest. Urban and rural bands had superior housing to more remote bands and those bands that had adopted CMHC programs fared better than bands that relied exclusively on INAC housing subsidies.⁶⁰⁹

The new program was making some inroads into improving housing conditions. Bands reported substantially fewer houses in need of demolition, a reduction in

⁶⁰⁷ INAC reviews use annual reports submitted by First Nations administrations, which documented housing conditions. These reports are subjective evaluations made by in most cases by housing managers or First Nations administrators who have very little experience assessing housing conditions. From my experience I believe in general that these evaluations are based on low expectations and tend to give reserve houses passing grades when off reserve the houses would be considered vastly substandard.

⁶⁰⁸ CMHC, “Summary Report: Evaluation of CMHC On-Reserve Housing Programs,” 8.

⁶⁰⁹ *Ibid.*, ii.

overcrowding and one third more households were provided with basic amenities when compared to 1977 figures. In spite of the problems, the provision of sufficient funds to hire qualified contractors had resulted in a general improvement to building standards and according to a 1981 study “marked improvements occurred during the 1977-1981 period in the housing well-being of Indians living on reserve...Nevertheless...this population continues to experience housing deficiencies at a rate which far exceeds that of the non-Indian population.”⁶¹⁰

Debt

By the mid-1980s government and First Nations knew the program was causing financial problems across the country. In 1983 the Assembly of First Nations cautioned CMHC in regards to its expectation of the rental programs:

Rental housing is a new concept to reserves..... We must be flexible and tolerate (sic) in expecting these changes to occur. There is a period of time that should be considered as ‘orientation’ to this concept. The Chiefs and Councils are grappling with this problem at the reserve level.⁶¹¹

A government discussion paper based on a 1988 study of on-reserve housing identified the rising debt load as a key housing problem going forward. It states that bands “place a high priority on housing” and as a result they approved mortgages for construction projects without fully understanding the cost implications. Many bands, the

⁶¹⁰ Stewart Clatworthy and Harvey Stevens, “An Overview of the Housing Conditions of Registered Indians in Canada,” prepared for Indian and Northern Affairs Canada, 1987, 151.

⁶¹¹ National Indian Brotherhood and the Assembly of First Nations, “Report to Canada Mortgage and Housing Corporation,” 7.

paper reports, did not collect rent as required by the CMHC programs nor do not evict the people who refuse to pay. “The overall result of these situations is that band housing debt becomes a part of larger band debts. These continue to rise until the band may be unable to do any new activity at all, everything has to be devoted to debt reduction.”⁶¹²

Knowing that the debt load from housing arrears was crippling many BC First Nations, the Aboriginal Housing Committee for British Columbia surveyed 20 percent of the First Nations in the province over a six-month period in 2008 to assess the contributing factors for the mounting arrears. The study found that while First Nations and government knew housing debt was a problem, neither CMHC nor INAC tracked the financial implications of the programs to the bands and only 53 percent of the First Nations in the study could provide a number for the extent of their arrears. Adding to the problem, much of the arrears data presented by First Nations was inaccurate due to poor record keeping and a lack of housing department history and because, as many respondents disclosed, their First Nations had a practice of writing off rental arrears ranging from several thousand to \$1M a year.⁶¹³

In 1993, an Indian Affairs audit estimated that more than one third of Canada’s 522 bands had deficits, most of which could be attributed to the housing program.⁶¹⁴ The BC study estimated that 71 percent of First Nations in British Columbia had growing arrears ranging from \$2,000 to \$615,000 per community, annually.⁶¹⁵ The report states, “One

⁶¹² DIAND, “DIAND Discussion Paper,” prepared by the Interdepartmental Steering Committee, 1990, 7.

⁶¹³ Focus Corporation, “Arrears Research Project—Final Report,” 1.

⁶¹⁴ DIAND, “Laying the Foundations of a New On-Reserve Housing Program,” 1990, 7.

⁶¹⁵ Focus Corporation, “Arrears Research Project—Final Report,” 9.

community, with Ministerial Guarantees for housing valued at over \$6 million was owed rent by all of their tenants that live in Section 95 houses.”⁶¹⁶ Ministerial Guarantees once thought of as the financial mechanism to bring equality to reserves was, in fact, only a temporary measure and one that allowed indebtedness beyond the band’s capacity to repay. By the 1990s many bands held so many mortgages backed by the federal government’s Ministerial Guarantees that they had reached their limit based on their financial status. Chief Shining Turtle explains:

CMHC’s Aboriginal Housing Program has given a modicum of relief of meeting some of the First Nations’ crises through their section 95 and section 10 programs. However, the need for ministerial guarantee by the Minister of Aboriginal Affairs has now reached untenable levels of exposure on loan guarantees...What happens is the Department of Indian Affairs has to provide a loan guarantee program for CMHC to roll out ministerial loans for First Nations, and they’ve put a cap on that. When you reach the cap, it’s basically how much borrowing you have at a bank.⁶¹⁷

Section 95 threatened the financial structure of whole bands and First Nations tribal organizations as Roxanne Harper describes, “what makes it so stressful is that in our communities we literally own millions of dollars worth of residential assets and often are so understaffed and unable to manage those resources.”⁶¹⁸

The BC study reported that a common strategy was to use other department funds to cover the housing costs. One First Nation describes using education transfer funds to cover housing debts consequently out of 120 students applying for education support

⁶¹⁶ Ibid.

⁶¹⁷ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Chief Shining Turtle, Issue 5, 2 April 2014, 118.

⁶¹⁸ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Roxanne Harper, Issue 5, 1 April 2014, 95.

funding only one could be assisted to attend post secondary.⁶¹⁹ The Arrears Report describes how arrears forced many bands to suspend construction, “Our housing portfolio is in a financial crisis and the Nation is not in a position to undertake new construction until such time as it restructures and completes major repairs on existing homes.”⁶²⁰ Restructuring often meant paying down the housing debt with funds from other band programs, but without the capacity to fix the problems the First Nation was destined to repeat the same practices that created the problem in the at place.

Housing debt was often invisible and hard for the researchers to assess. The report explained:

CMHC Section 95 Financial Statement Reviews recognize rental arrears or ‘bad debt’ only when the First Nation has policies and processes in place for collecting rent. In cases whereby tenants were not expected to pay rent and rental policies were not enforced then the bad debts are not a recognized expense and therefore in many cases auditor would not report them.⁶²¹

The BC study found that typically housing departments were unstable and that in over half the First Nations consulted their housing manager had less than 6 months experience on the job.⁶²² The report noted the litany of contributing factors that made their job intolerable:

Managing an on-reserve-housing portfolio is vastly different from conventional property management. On-reserve the tenants who do not pay rent are your friends and family. Councils are re-elected every 2 years and are subject to political pressure. Maintenance staff and budgets are limited

⁶¹⁹ Focus Corporation, “Arrears Research Project—Final Report,” 13.

⁶²⁰ *Ibid.*, 21.

⁶²¹ *Ibid.*, 7.

⁶²² *Ibid.*, 16.

or non-existent. Good trades (plumbing, electrical, heating) are hard to find in isolated communities. Budgets run out and housing staff are laid off until a new fiscal year begins. The thankless nature of the job and the stress of these many factors combined with the fact that there is no direct funding for housing staff lead to exceptionally high turnover rates among housing staff. It is widely known that the position of housing manager is one of the toughest jobs on reserve.⁶²³

People who were brave enough to take on the position of housing manager could find themselves ostracized from the community and even physically threatened. The study reported that it was not uncommon for housing managers to suffer personal and property abuse. Linda⁶²⁴ is a case in point, “[she] has had her vehicles regularly vandalized and has spent a few months in hospital after being beaten by angry tenants. Her Chief and Council provided no support and insist that she continue to collect rent.”⁶²⁵

Leadership was often reluctant to support policies that brought hardship to band members. The BC study showed that in many cases housing managers, who tried to enforce policies, were undermined by Chiefs and Councils decisions and promises.⁶²⁶ Housing management might recommend the eviction of a non-cooperative tenant but the councils felt responsible for the wellbeing of their communities and finding other accommodations in many cases, particularly in isolated and remote communities and in unfriendly urban areas, finding alternative housing would have been impossible.

Changes for Women

⁶²³ Ibid., 17.

⁶²⁴ The study uses first names only to protect the identities of the participants.

⁶²⁵ Ibid.

⁶²⁶ Focus Corporation, “Arrears Research Project—Final Report,” 2.

What was a victory for First Nations women was seen by many as a new housing problem for reserves. In June 1985, the Parliament of Canada amended the Indian Act and passed Bill C-31, which restored Indian status and membership rights to status women who had married non-status men and been alienated from their reserves. Department officials estimated that the amendments would apply to approximately 68,000 individuals, a number that would have had a significant impact on housing.⁶²⁷ While it appears that the federal government has not published the number of reinstated Status Indians who became residents on reserves across the country if we can take the Kahnawake Reserve, on the south shore of the St. Lawrence River in Quebec, as an indication then we can assume the numbers were substantial. In John Ward's BA thesis "The Drive for Citizenship" he states that the population of Quebec reserve increased by two-thirds between 1986-1991 as a result of reinstated band members due to Bill C-31.⁶²⁸

While reinstatement became a housing issue it was primarily righting past wrongs against women, it is something that goes beyond the scope of my research. From my experience Bill C-31 ended legislated sexual discrimination but in spite of the opportunity to apply for additional targeted housing funds for the returning women⁶²⁹ many First Nations had no capacity and/or inclination to deal with the housing needs of the women and families who received Indian Status. The bands that allowed the new population of status band members to apply for houses had a small window of time in

⁶²⁷ Gerard Hartley, "The Search for Consensus: A Legislative History of Bill C-31, 1969-1985," in *Aboriginal Policy Research Series, Volume 5: Moving Forward, Making a Difference* (Toronto: Thompson Educational Publishing, 2013), 22.

⁶²⁸ John T. Ward, "The Drive for Citizenship: Impacts of Bill C-31 Membership Model, 1985-1996," (Bachelor of Arts Thesis, University of Ottawa, 2009), 34.

⁶²⁹ Silman, *Enough is Enough*, 9.

which they could apply for additional federal funding for housing. But in the long run the bands were faced with longer housing lists and often resentment from other members already waiting for a home. While Bill C-31 helped many women to house their families, others continued to fall through the cracks. In her study on First Nations' Women's Rights Mavis Erickson describes how desperate the situation can become:

An Aboriginal woman committed suicide earlier this year after the authorities apprehended her children. The woman, who had five children, was forced to leave her reserve due to a chronic housing shortage. However, she could not find affordable housing off reserve. Due to her financial situation she was forced to live in a rundown boarding house with five children. She sought assistance from the authorities to seek affordable housing for her and her children. The authorities responded by apprehending her children. At that point, the woman, sadly, lost all hope and took her life.⁶³⁰

The Department sought ways to include First Nations individuals on working groups and committees while maintaining decision-making authority over the program. In effect government borrowed First Nations leaders in order to give the optics of inclusion while consistently ignoring their recommendations. The First Nations' need to collaborate with government in order to operate financially weakened their ability to resist and even to negotiate for better administrative terms and conditions. In the end they became an ineffective voice to bring about change.

Given that CMHC did not insist on the creation of housing societies or boards similar to mainstream programs, bands did not adopt an overarching or arms-length governing structure. The programs were left under the administration of individual band's

⁶³⁰ Mavis A. Erickson, "Where are the Women? Report of the Special Representative on the Protection of First Nations Women's Rights," prepared for Indian and Northern Affairs Canada, 2001, 65.

leadership, which often capitulated to political pressure from community members desperate for housing leaving the programs rudderless. The Department continued to point the finger at the ineptitude of First Nations and, as a governance solution, stepped up its training programs. In 1983, it developed a focused training program for individual bands to set up their own housing authorities in order to carry out legislative and administrative functions. The same year Hon. John Munro's office on Parliament Hill issued a Housing Manual identifying additional training needs. The manual stated that before government intervention, native people were self-reliant and provided appropriate housing for their families, but "After the department of Indian Affairs and Northern Development got involved in the administration of housing programs on reserve, the process changed from housing by people to housing for people."⁶³¹ The manual proposed that training must be designed "to give Indian people and community leaders the skills and knowledge they need to change the housing process back to one which could be described as housing by people."⁶³² But the authority to manage housing has never been defined legally or understood by First Nations and government officials alike.

The federal government did not enter into negotiations with First Nations over the transfer of housing authority or set up legitimate vehicles to govern the financial agreements. Devolution, if it can be called that, had no resemblance to the legal and financial transfer of social housing programs to the provinces that took place off reserves

⁶³¹ DIAND, "On-Reserve Housing Manual" Published under the authority of the Hon. John C Munro, Minister of Indian and Northern Development, 1983, 22. For more on the early efforts to create housing authorities on reserves see Lapointe, "Towards a Resolution of the On-Reserve Housing Problem," 49-50.

⁶³² Ibid.

in the 1990s.⁶³³ Speaking to the Standing Senate Commission on Aboriginal Peoples in 2013, John Kierdrowski, manager of the First Nations National Building Officers Association (FNNBOA) described the shifting relationship:

There has been an effort to transpose this concept [authority having jurisdiction over housing] to First Nations. It started back in 1983 when the comprehensive agreements between First Nations and the federal government changed and it put the onus back on the First Nations to be responsible for the construction of their capital projects. It forced everything through a comprehensive agreement. At the time, and even today, it has never been clear thorough policy or legislation how First Nations became the authority having jurisdiction.⁶³⁴

When asked why most First Nations did not see themselves as having authority over housing, Kierdrowski replied that it was a top-down policy decision that came from the federal government to the reserves and that there were no discussions. The ‘one-way devolution’⁶³⁵ process did not involve First Nations, it was not explained to First Nations, nor did most First Nations approve of or understand the implications of the transfer of authority, if in fact a transfer did occur. Department housing evaluations and reports show that in the early 1980s the federal government made a deliberate effort to change its messaging to highlight increased First Nations responsibility and to downplay the government’s role in on-reserve housing. In 1982 an INAC position paper on housing stated that the government’s role in the delivery of houses on reserve was by then

⁶³³ For more on the devolution process to the provinces see Housing Services Corporation (HSC), “Canada’s Social and Affordable Housing Landscape: A Province-to-Province Overview,” 2014, http://www.hscorp.ca/wp-content/uploads/2014/06/Canada-Social-Housing-Landscape_FINAL.pdf (accessed 1 December 2015).

⁶³⁴ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, John Kierdrowski, Issue 2, 3 December 2013, 7.

⁶³⁵ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Senator Wilfred Moore, Nova Scotia, Issue 2, 3 December 2013, 27.

‘residual.’⁶³⁶ In 1984 a CMHC housing report stated that the government had a moral rather than legal obligation for services on reserves; “the federal government has committed itself to the provision of on-reserve housing, even though this does not represent a constitutional responsibility and has not been the subject of a treaty.”⁶³⁷

Another CMHC report frames the relationship slightly differently,

On-reserve, the federal government, through INAC, is responsible for the provision of an array of services including health, education and housing. Although it does not have a legal or treaty obligation to provide housing assistance on reserves, the federal government does have an historical commitment, which it continues to honour.⁶³⁸

A 1988 discussion paper prepared by INAC as part of its on-reserve housing approach describes the government’s commitment:

Government *does* firmly believe that all Indian people should have access to adequate suitable and affordable housing. It proposes a policy of providing financial support to First Nations, *at a level comparable to that available to other Canadians with similar housing and financial needs*. This means that the Government of Canada would provide money to First Nations, to help ensure that Indian families and communities in need could get appropriate housing without having to pay more than other Canadians with similar needs.⁶³⁹

Incrementally the Department took an increasingly defensive stance and its language of responsibility progressively narrows the government’s role and more strictly defines its intentions. In the evaluation of the 1996 On-Reserve Housing Policy, the

⁶³⁶ IAND, “Evaluation of the 1996 On-Reserve Housing Policy,” 2008, 3.

⁶³⁷ CMHC, “CMHC Housing Report, “1984, ii.

⁶³⁸ CMHC, “Summary Report: Evaluation of CMHC On-Reserve Housing Programs,” 7.

⁶³⁹ Italics in original. DIAND, “Laying the Foundations of a New On-Reserve Housing Program,” 2.

program, which amended Section 95, the Department clearly puts the responsibility for housing onto the First Nations.

The Government of Canada supports First Nations in providing safe and affordable housing on reserve. The provision and management of housing on reserve lands is the responsibility of First Nations (First Nations and individual members). In addition to Government of Canada's support, First Nations are expected to identify funding from other sources for their housing needs including shelter charges and loans. It should be noted that there are a number of First Nations or First Nation members who view housing as a treaty right—the “treaty right for housing”—and therefore maintain that it is the responsibility or fiduciary obligation of the Government of Canada to provide housing on reserve for all status Indians. NOTE: (This right has not been tested in the courts and is not currently the subject of any treaty negotiations that we are aware of.)⁶⁴⁰

Though Department reports claimed that the government supported First Nations only by providing “sage advice” and affordable housing on reserve by the 1990s,⁶⁴¹ government reports had a harder time justifying its increasing control over housing and its doubling up of bureaucratic requirements. Reasons for CMHC involvement on reserves had stemmed from the role the agency already successfully played in mainstream housing. In 1977 the government decided that INAC did not have the technical expertise in housing construction and rehabilitation and that CMHC should offer housing programs already in place off reserves that would complement the INAC subsidy program.⁶⁴² While these government roles made sense to begin with federal audits and external housing reviews questioned the need for both INAC and CMHC's

⁶⁴⁰ AANDC Library, “Evaluation of the 1996 On-Reserve Housing Policy,” INAC, 2003.

⁶⁴¹ *Ibid.*, 3.

⁶⁴² CMHC, “Summary Report: Evaluation of CMHC On-Reserve Housing Programs,” ii.

continued involvement. Services of the two agencies often overlapped and bands had no capacity to keep up with the cumbersome reporting requirement.⁶⁴³

Indian Affairs and Canada Mortgage and housing Corp are the two main federal organizations that assist First Nations in meeting their on-reserve housing needs. We calculated that these two organizations have provided First Nations with about \$3.8 billion over the last 10 years for on reserve housing. However, they have not clearly defined what their assistance is intended to achieve in terms of addressing the critical housing shortage; nor have they defined a time frame in which to achieve it.

The Department's and CMHC's programs and funding mechanisms to support on-reserve housing are complex and need to be streamlined, with clear assignment of responsibility for results. All the parties involved—First Nations individuals, their leaders, and federal organizations—need to reach a broad agreement on their respective roles and responsibilities for on-reserve housing.⁶⁴⁴

First Nations' leadership did not request or agree with the government's 'one-way devolution' of housing responsibilities or the slippery transition to a new relationship, nor did they accept the government's new messages. The NIB continued to maintain that government was responsible to fund housing and that the unique legal status under the *Indian Act* made housing an improvement on government land. Hence Indian interest in their land was only one of "occupation and possession" not free-hold title and, as was the case, the houses could not be sold by their occupants for gain.⁶⁴⁵ For these reasons the NIB argued houses on reserve should be considered community utilities and as such they should be wholly financed by federal funds like infrastructure.⁶⁴⁶ They called for the Department to discontinue means testing and to renew a commitment to loan-free

⁶⁴³ Ibid., iii.

⁶⁴⁴ Auditor General of Canada, "2003 April Report of the Auditor General of Canada," 3.

⁶⁴⁵ NIB, *Declaration on Indian Housing*, 6.

⁶⁴⁶ Ibid., 8.

housing for those in the no-income category. They also claimed that the new Ministerial Guarantee was a totally unacceptable approach to meeting the requirement for collateral by loan agencies. They argued, “No other loan insurance scheme exacts such negative requirement upon borrowers as does the ‘Ministerial Guarantee’ for Indian people.”⁶⁴⁷

The Federation of Saskatchewan Indian Nations (FSIN) responded to the Section 56.1 program by establishing the Saskatchewan Indian Housing Commission and petitioning government to rethink its approach to housing. The Commission contended that “the federal government ha[d] not adequately carried out its trust and fiscal responsibility regarding shelter for Indian people.”⁶⁴⁸ The FSIN’s position was that government owed Indians housing as a treaty right like education and medical treatment. In 1988 the FSIN proposed that, “shelter in the form of housing, renovations and related infra-structure is a Treaty Right and form part of the Federal Trust and Fiscal Responsibility.” The position was based on the special Indian Crown relationship written into the Royal Proclamation of 1763 and enhanced by Section 91 (24) of the Constitution Act, 1867 and Sections 25 and 35 of the Constitution Act, 1982. Based on these Acts the FSIN contended that it was, therefore, the obligation of the federal government through Indian and Northern Affairs Canada to provide the necessary resources and leadership to access the required resources to meet the housing needs of Saskatchewan.⁶⁴⁹ While there was not necessarily any reason to read these *Acts* as meaning that the government owed on-reserve residents housing services in perpetuity, this interpretation became common

⁶⁴⁷ Ibid., 3.

⁶⁴⁸ Federation of Saskatchewan Indian Nations, “Working Paper on Indian Housing Policy,” 3.

⁶⁴⁹ Ibid., 8.

on reserves across the country especially on the Prairies and in the Maritimes. The Union of New Brunswick Indians shared the FSIN's rights based approach to housing. "Access to adequate housing should be recognized as a right of Indian People as access to health care, education or adequate income. Sufficient housing of a reasonable standard must be considered as service of the Department of Indian Affairs."⁶⁵⁰

While all First Nations did not claim a treaty right to housing, they were all faced with the same unanswered questions about ownership and responsibility. These questions were fraught with deep mistrust and disillusionment from decades of failed housing promises and First Nations were not going to let the federal government slip out the backdoor of housing responsibility. Accordingly, Chris Maracle, believes the government's fiduciary responsibility to First Nations lies at the heart of the discussion:

In my travels across the country, I see a lot of the First Nations leadership struggle with the question are they capitulating or dishonouring their forefathers by saying, "Yes, we are going to have to enter into debt financing and pay for our houses" when many First Nations believe there's a treaty right to shelter. Almost every First Nation believes that government has a fiduciary responsibility to assist First Nations.⁶⁵¹

Generally the Department rejected the right to housing and the fiduciary responsibility for housing arguments as much by ignoring them as challenging them. The Department established its case against the arguments, for the most part, by stating more adamantly with each ensuing housing program that housing belonged to the bands. In a rare instance in 1990 a Department report responded to the "treaty right to housing"

⁶⁵⁰ UNBI, "Indian Housing in New Brunswick," 38.

⁶⁵¹ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Chris Maracle, Issue 5, 2 April 2014, 126.

challenge head-on by reaffirming its earlier position on the source of government responsibility and stating that its commitment to on-reserve housing was no more or less than its commitment to any other housing in the country.

The Government's commitment to on-reserve housing flows from the responsibilities of the federal government and the Minister under the Constitution. The Government has not recognized any universal Indian entitlements to government-financed housing. But the Government does firmly believe that all Indian people should have access to adequate, suitable and affordable housing. It proposes a policy of providing financial support to First Nations, at a level comparable to that available to other Canadians with similar housing and financial needs, to enable them to ensure that their people have housing that meets basic national standards.⁶⁵²

After decades of failed government housing programs the rhetoric of comparisons has a hollow ring to it. The social housing programs of the 1970s – 1990s proved that the same housing programs on reserves did not result in the same standard of housing as in the mainstream and the federal government had no reason to believe that comparable levels of funding to that available to other Canadians would bring about comparable results. If the Department learned anything from the social housing era it should have been that unless it takes into account the social, political, economic, and legal contexts of reserves it could not compare the two housing systems or their outcomes.

By adding CMHC to the mix the federal government's responsibility to on-reserve housing became more complicated during this period and we are left without answers to basic questions about the ownership of on-reserve houses and about who is responsible for the disastrous outcomes of the federal housing programs. We are also left facing

⁶⁵² DIAND, "Laying the Foundations of a New On-Reserve Housing Program," 1-2.

serious ethical questions such as: how did the federal government have the right to proscribe housing programs against First Nations' will and then transfer those programs to First Nations without their input and full participation? Furthermore, morally how could the government hold bands financially responsible for their housing failures when they had little control over their housing programs? And, if we cannot determine the government's legal responsibility without a court challenge, does the federal government not have an ethical responsibility to deal with the housing fiasco it created?

According to First Nations housing expert, Dan Brant's "Report on Community Case Studies", the federal government not First Nations set the template decades earlier,

Government and government agencies were undertaking everything with respect to the provision of housing and thus not allowing the First Nations to benefit from learning how to undertake their own programs and build capacity with their own membership....The government created the housing options and provided funds, agents managed the programs, and reserve residents built and lived in their houses without any other responsibilities.⁶⁵³

The 2003 Auditor General's report describes the same problem;

People living on reserves face some fundamental and long-standing issues that impeded progress on improving their housing conditions. For example, the legal rules applicable to housing on reserves may be difficult to determine. The powers of band councils to regulate on-reserve housing are not clear. In addition, under the *Indian Act*, the Crown holds title to reserve lands, and properties located on reserves can be mortgaged only in favour of or by, an Indian or band.⁶⁵⁴

⁶⁵³ Dan Brant, "Successful Housing in First Nations Communities: A Report on Community Case Studies," prepared for Indian and Northern Affairs, 2000, 3 and 12.

⁶⁵⁴ Auditor General of Canada, "2003 April Report of the Auditor General of Canada," sections 6.11 and 6.14.

Reserves needed a First Nations-directed housing system that was sustainable and suitable for their specific cultural, social, political, economic and geographical conditions. They did not need another government quick fix in the form of a program like Section 95 that made occupants into tenants and bands into landlords only to find after bands were bankrupted that the program did not fit. Chris Maracle states;

Unfortunately, too often, the government goes in [a certain] direction, and we get some momentum going, and then they change and go in a different direction this stuff needs years to sustain itself—saying we're going to develop an initiative, and a year or two later the money all dries up in implementing those initiatives within our communities.⁶⁵⁵

The stated objective of self-determination and the elimination of poverty brought by the new idealism of the 1960's and 70s failed to reorient government thinking. The federal government never believed that Indians could manage their own affairs, consequently with each new housing solution came previously unimagined ways to make poverty on reserves. Maracle continues:

I think we are all aware of the social costs to this country as a result of not having good social housing...in most First Nations in Canada, as First Nation people we don't see housing as a good investment.

Homeownership is a wealth and equity piece. As First Nations people, the poorest of the poor, we're missing out on that key fundamental piece as children, parents and leadership, knowing that home ownership is key....we need strong financial literacy....from children right on through. I cannot say enough about the paradigm shift that has to take place in our communities educating our people...We need greater First Nation control regarding programming and policies.

In First Nations across Canada, there's a strong perception that decisions are all made in Ottawa, by a lot of people, with all due respect, who have never

⁶⁵⁵ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Chris Maracle, Standing Senate Committee, Issue 5, 2 April 2014, 127.

been to a First Nation, never lived in a First Nation or worked in a First Nation. There's a strong disconnect.⁶⁵⁶

In 1992 Deputy Chief Roger Bull from the Lac Seul First Nation, northeast of Dryden Ontario gave a presentation to the Royal Commission on Aboriginal People. Talking about the housing conditions and the disconnect Maracle refers to, he said,

Here we are this afternoon trying to make sensible and practical recommendations to these insensible and impractical solutions from the Canadian government. Would it be more sensible to have a fiduciary representative who can feel the whip when it is laid on our backs? In essence this is what has happened to this day. We are still being blamed for being poor and for the living environment, which we could never have created.⁶⁵⁷

By the federal government's own analysis in less than 10 years the 1970s social housing programs on reserves were set to fail in their objective to solve the on-reserve housing crisis. A 1987 CMHC report on reserve housing conditions across Canada after 10 years of the social housing programs showed:

- 36 per cent of on-reserve units are crowded as opposed to 2.3 per cent in Canada as a whole;
- 43 per cent of housing units are in need of major repair as opposed to 10 percent throughout rural Canada; and
- 40 per cent do not have access to running water, indoor toilet or bathing facilities as opposed to only 1 per cent across Canada.⁶⁵⁸

⁶⁵⁶ Ibid.

⁶⁵⁷ "Royal Commission for Aboriginal People: Presentation by Lac Seul First Nation," Deputy Chief Roger Bull, 4 December 1992, 200, <http://scaa.sk.ca/ourlegacy/solr?query=ID:30574&start=0&rows=10&mode=results> (accessed 1 December 2015).

⁶⁵⁸ CMHC, "Summary Report: Evaluation of CMHC On-Reserve Housing Programs," 168.

In 1989 the Department reported that while new construction was now keeping pace with new family formations there was still a shortfall in supply due to the short life expectancy of the houses. The shortfall of “*acceptable quality*” houses was expected to increase from approximately 17-20,000 units in 1986 to 29-46,000 units by 2000 due to the absence of major renovation and adequate maintenance support. And, in spite of the transfer of administration the Department report stated, “most responsibility for policy and program design and direction rests with the government.”⁶⁵⁹ In 1994 just 45 percent of the houses on reserves were deemed adequate, an improvement of only 3 percent over 1987 figures⁶⁶⁰ and in 2003 the Auditor General stated that almost half of the existing 95,000 houses required renovations.⁶⁶¹ The cost to the First Nations of these substandard houses is hard to measure but in 2009, 71 percent of B.C. First Nations stated that they had growing housing arrears that threatened to bankrupt their communities.⁶⁶² In sum, the federal government (CMHC and Indian Affairs) spent over \$1.5 billion producing 49,000 houses and repairing 60,000, including housing-related components of social assistance in the decade 1982-1993.⁶⁶³

What the Department should have learned from its own agents in the 1961 review was that mainstream housing mechanisms such as loans and evictions became

⁶⁵⁹ AANDC Library, “Indian Housing on Reserves: Towards a New Federal Policy and Approach, Highlights of Working Paper,” 12 June 1989, 2.

⁶⁶⁰ CMHC, “Basic Departmental Data. First Nations and Northern Statistics Section,” March 2004, 53.

⁶⁶¹ CMHC and Indian and Northern Affairs, “Aboriginal Housing Background Paper,” 2004, 3; Auditor General of Canada, “2003 April Report of the Auditor General of Canada,” section 6.11. The variation in these numbers show the subjective nature of on reserve housing assessments and cannot be relied on for anything more than a general overview.

⁶⁶² Focus Corporation, “Arrears Research Project—Final Report,” 9.

⁶⁶³ National Aboriginal Capital Corporation Association (NACCA), “The Role of Housing in an Economy,” 4.

complicated when transferred onto reserves yet it forged ahead ignoring even its own warnings and foisted on First Nations more programs that simply did not fit. Yet even after the failure of the social housing programs, in 1996 the Department and CMHC conducted extensive revisions of Section 95 and, not surprisingly, implemented the next “new” program called the 1996 New On-Reserve Housing program, which amended some of the old program’s administrative policies particularly in regards to giving the First Nations’ more authority over setting and collecting rents. Another new government program leaves us thinking about the quote attributed to Albert Einstein; “The definition of insanity is doing something over and over again and expecting a different result” and wondering; When will the federal government stop repeating the same mistakes?

Conclusion

The old Kickapoo saying states, “By our houses you will know us.” For too many years, widespread perceptions of First Nations people have reflected a twisted reality resulting from superficial observations of First Nations houses and faulty assumptions made based on appearances. Although federal government housing programs dominated on-reserve housing in the last half of the 20th century government failed to produce adequate shelter. Consequently generations of First Nations people suffered as a result of the poor living conditions, but these faulty perceptions also resulted in a pernicious poisoning of mainstream [mis]understanding of First Nations in Canada. It is essential we create a new story about on-reserve housing.

On-reserve housing is more complicated than the stereotypes gleaned by driving through a reserve or by watching a television news program broadcasting the poor living conditions. On-reserve housing warrants its own thorough investigation and deserves its own theories and field of scholarship aimed at developing a body of research that will clarify the misunderstandings and fill the gaping holes in what is known about the topic.

Canadian perceptions of First Nations people have been largely influenced by images of dilapidated houses and run-down communities. Our ideas about First Nations housing are generally framed around two concepts; one points to the occupants and the First Nations as responsible for the poor living conditions and the other claims that poverty is to blame. While there are obvious truths in both concepts, housing must not be seen as only a symptom of something else.

In light of the findings in this text, two themes emerge that force us to see on-reserve housing from a new perspective. First, the federal government was thoroughly in control of the housing delivery system on reserves and created the policies and programs without any input from First Nations and, therefore, holds the lion's share of the responsibility for the outcomes. Second, housing policy was a significant factor in making both reserve residents and First Nations communities poor. When we revisit Winston Churchill's quote "First we make our houses then our houses make us" we are able to put new emphasis on the importance of the role of the federal government and we can, with good reason, lay the responsibility for the poverty and suffering that resulted from the inadequate houses at the feet of the government that made them.

In sum, houses on reserves were made by a federally designed and controlled system that withheld mainstream housing opportunities from reserve residents while expecting the same results as in general Canadian neighbourhoods. When parity was not achieved and the derelict houses began to wreak havoc with the people inside, who suffered untold problems such as ill health, poor education, violence, and malnutrition as a result of their poor housing conditions, our government and we, as a country, blamed the residents and the bands for the failure and labeled them failures, like their houses.

The Kickapoo saying should read, "By our houses you think you know us" because for more than a century houses on reserves have played by different rules than in the mainstream. When we apply common Canadian housing assumptions to what we see on reserves we go way off course in our conclusions. On-reserve housing is poorly understood, there is little scholarship on the topic and what is known has been written

and/or vetted by the same government departments that designed and delivered the housing programs. The narratives that have resulted from such material and the motives of the federal government have remained unexamined and unquestioned. And still, to this day, there is an absence of First Nations stories about how the federal housing programs affected Indigenous people. Yet, it is my sense that on-reserve housing is one of the most important First Nations issues of the 20th century and a clear understanding of the topic will help us redress our colonialist past, enable us to understand our troubled present and emerge into the best possible future.

The history of government-imposed housing delivery on reserves has impacted First Nations with the same kind of pervasive devastation we now recognize was caused by residential schools as both institutions (housing and education) destroyed individuals, families and communities. It is time to call upon the federal government to finally take responsibility for its contribution to the problem. It is too late to indulge government with aphorisms such as paternalism, which leaves us believing that there was a benevolent aspect to the housing programs, or the idea that, perhaps, Indian agents were just doing their job the best way they could and that at least poor people on reserves received some government aid, which was better than poor mainstream folk. We know that the federal government has spent billions of dollars on reserve housing. We now also know that for many years the money the government spent was largely the bands' own money, earned from the sale of their land and resources. Yet, the astronomical figures are not, and never were, the crux of the issue. The real problem rests with the system that controlled the money, how funds were managed and distributed and, most importantly, the relationship

between the delivery of federal government housing programs and the dismal outcomes of the vast expenditures.

On-reserve housing may be the greatest Canadian economic and social debacle in our nation's history because never has so much money been spent over such an extended period of time with such devastating results. Reserve residents were trapped in their communities in shelters that elsewhere would not be called homes, with no other choice but to become dependent on the only housing government allowed. Reserve communities became defined by the trickle of funds that found its way through the massive and expensive government bureaucracy to the reserve and, ultimately, was only enough for the few 'lucky' ones who were selected because of their sheer poverty to receive the dismal prize.

Despite the expenditures, reserve housing was defined throughout the 20th century by its lack of financial resources. In contrast to the market system established in the mainstream, which made housing into an economic engine that generated wealth for individual homeowners, the construction and lending industries and the government, on-reserve housing was in continuous need of re-capitalization. Without real dollar value on-reserve housing had only social capital, which manifested itself in the idea that adequate housing should be available for all First Nations residents as a right or an ethic, yet it was an intangible and unachievable goal. Unable to meet the needs, government continued to feed money into this social account when all indications were that the programs would continue to fail to achieve the goals.

On the individual level, the on-reserve system withheld housing opportunities from homeowners by making government-controlled hand-outs the only available source of housing assistance. In most bands, bank loans were unavailable making a house beyond the government-issue tarpaper shacks unattainable. If better housing was beyond what most people could even dream of, then and without dreams as Langston Hughes said, “...if dreams die/Life is a broken-winged bird/That cannot fly.” In stark comparison to the mainstream’s housing fetish wherein houses are objects of desire, status symbols and the country’s single most important wealth generating mechanism, houses on reserves became objects of extreme ambivalence and shame. On one hand they were ignominious reminders to their occupants of racist government Indian policy and treated with disdain, while on the other hand they were the only option for the people trapped in the government system. While the houses could never generate wealth or provide adequate shelter, their occupants felt the rudimentary shelters were better than not having a house at all.

It is easy to explain on-reserve housing conditions with arguments about colonization and the restrictions imposed by the *Indian Act* and, in a global sense, that perspective is correct. However, limiting the discussion to one rooted in the language of colonization is not helpful. Substandard on-reserve housing was not inevitable; even within the constraints of the *Act* the federal government could have made other choices—choices based on respect and a real desire to improve the quality of housing on reserves to match dwellings enjoyed by mainstream society. In truth, as we have seen throughout this study, the constraints placed on the provision of housing on reserves by the legal

parameters of the *Act* was only part of the problem. The acceptance of substandard quality was perpetuated by the racist ideas of European superiority held by government officials that Indigenous people did not deserve comparable housing to their neighbours. Furthermore housing activities were sustained by the ongoing systematic implementation of colonial practices based on the notion that Indians were incompetent to make their own housing decisions. Apart from racism and a severe lack of will, how can we explain the disastrous outcomes of the various attempts at a loans program, the subsidy program and Section 95 and why did the Department overlook the tremendously successful Build Your Own Home program altogether? It would not have taken a Phd to come up with ways to adapt these programs to reserve conditions and deliver them in ways that would bring at least a measure of success. The incomprehensible irony is that government used the failure of its own programs, which had not been designed to succeed in the reserve environment, as supporting evidence of Indian incompetence.

From the first involvement of government with on-reserve housing there has been a profound ignoring not just of Indigenous architectural forms such as longhouses and pit houses and appropriate buildings based on climate, geography and work activities, but of the reserve residents' needs and desires and band leaderships' rightful roles. The imposition of the federal government's plans, programs and administrative requirements were vastly out of step with the legal, social, political and economic realities of the reserves. Government intervention gave the impression that the federal government was responsible for housing and by excluding any other housing opportunities, reserve residents became utterly dependent on the only system they had.

Then in the 1980s, when the failure of the programs had reached undeniable proportions, the federal government began to wash its hands of on-reserve housing. Unlike in the mainstream where the federal government negotiated a transfer of housing authority with the provinces, on reserves the federal government quietly ‘devolved’ the programs and ‘gave’ them to the bands as if this were an act of generosity. The gift the federal government passed to the bands was not the authority to make their own housing choices but the responsibility to operate the government housing programs by following government dictates word for word, which might be why the transfer is still largely unknown. In fact, the transfer was so quiet that if you ask anyone today from AANDC, CMHC or the bands when and how that transfer occurred you will be met by blank stares. In spite of the government’s rhetoric that First Nations are responsible for the outcomes of the federal housing programs, there remains a lack of certainty over the ownership of and responsibility for houses on reserves.

What has become obvious to me after my investigation of this topic is that on-reserve housing was not a system designed to result in housing for reserve residents comparable to that of their mainstream neighbours, but which failed to meet its objectives. Rather, it was a system that was never meant to produce adequate housing. The difference is significant because we approach something very differently if we think it is a legitimate project and a valiant effort that fails than if we believe the project was never meant to succeed in the first place. My sense is that when something important and useful fails we try to fix it. On the other hand, if the thing was faulty at its core and with

no real belief that in the long-term it would succeed we would look at developing a different system altogether.

In the case under investigation, the federal government established a separate housing system on reserves and treated it as if it were a useful and legitimate project that failed. Consequently, the government applied one fix after the other, all using the same approach to the problem as the previous failure, all resulting in an inability to provide equal housing opportunities and outcomes on reserve as was occurring in the mainstream. Yet from the start it was clear that the housing system on reserves was structurally deficient. It was no more than a series of temporary stop-gap measures beginning in 1930s and 40s to deal with a crisis and was never designed to be a permanent housing solution.

The on-reserve housing problem could not be fixed by persuading Indigenous people to clean their houses, or to take pride in their houses or any of the other litany of “fixes”. The problem was a structural absence of opportunity and the removal by the federal government of all control over one’s own life and community. It is only when the problem is correctly identified that useful solutions may be found. The real problem lay with the federal government and the Canadian public—failure was all we expected from “Indians” and failed houses fell within our misguided expectations. We did not try to change the system because it reinforced what we already believed—“Indians” are poor so their houses are poor. We deemed Indigenous people to be incompetent, so we expected little and believed it was okay to intervene on their behalf. Our assumptions and stereotypes led to inappropriate and ultimately destructive interventions, perpetuating this

vicious cycle. Canadians came to expect failure from Indigenous people and that is how we tolerated the inconceivable suffering that resulted from on-reserve housing. Assessing culpability in this story takes us back to Peter King's argument in chapter one: if an individual is deemed incompetent and the state acts on that person's behalf, the assumption is that the state will act competently, something, in this case, we could not assume.⁶⁶⁴

Making Poverty

Ameliorating and redressing historical inequities will require not only a new understanding of the role the federal government played in creating the on-reserve housing programs but it requires a new understanding of the historical role housing has played in making poverty on reserves.

The association between poverty and housing is not new, yet housing, more often than not, is seen as a deprivation of poverty and one of the challenges of poor men, women and children.⁶⁶⁵ The causal relationship between housing and poverty is not

⁶⁶⁴ See page 70.

⁶⁶⁵ "Poverty in Canada," Report to the Special Senate Committee on Poverty [Croll Report], Ottawa, 1970; "Poverty, Housing and Homelessness: Issues and Options, First Report of the Subcommittee on Cities of the Standing Senate Committee on Social Affairs, Science and Technology," 2008, 2 and 6. In 2007, the United Nations Special Rapporteur, Miloon Kothari stated as a cause of the national housing crisis the lack of a properly funded national poverty reduction strategy. United Nations Human Rights, "United Nations Expert On Adequate Housing Calls For Immediate Attention To Tackle National Housing Crisis In Canada," November 2007, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=4822&LangID=E#sthash.5TOD6Eg7.dpuf> (accessed 1 December 2015).

exclusively found in First Nations, but by calling this study Making Poverty I am putting a new emphasis on the exceptional role housing plays in the production of poverty on reserves. I propose that both the manner in which housing has created poverty and the extent to which the poverty has impacted residents and First Nations communities is unique in Canada to Indian reserves.

Housing as a force in creating poverty took many forms and changed over time, moving systematically with force through communities until almost every First Nation became negatively affected by government housing policies. Spelling out the ways in which housing has created poverty reads like the old phrase, “let me count the ways” until the unfolding list becomes a story of its own.

It began with the *Indian Act* and the imposition of legal restrictions on land ownership and borrowing, two key aspects of housing in mainstream Canada. But it was not until the 1940s when reserve populations began to soar and local resources became scarce that the impact of the *Act* and the ensuing federal government control over housing begin to wreak havoc on reserves. Unable to access the financing available to all other Canadians because the government, not the Indians, has legal ownership of the reserves, Indians had to turn to government for a system to finance housing. Widespread housing illiteracy resulted when government took control of housing transactions and reserve residents had no ability to buy or sell houses and no experience that would allow them to understand personal property management and housing finance. Who actually owns houses on reserve was a contested concept that has, to this day, never been resolved. Consequently, responsibility for housing has been, more often than not, left to fall

through jurisdictional cracks. Ambivalence around ownership made mainstream landlord and tenant relationships irrelevant and left key tenancy concepts inapplicable and misunderstood on reserves. Nowhere has government control spawned housing illiteracy more than in the field of housing construction. Reserve residents had no say in the design or plan of their houses and the only houses they could build with the resources available were no more than rudimentary shacks lacking modern building technologies and materials. Thus, reserve residents were stripped of the opportunity to develop the necessary housing skills to build adequate housing and to create and manage their own housing system.

On-reserve housing policy has also made reserves poor by selecting out middle-income earning community members. Within the closed financial system, and in the absence of a replenishing source of funds, there was relentless competition for the desperately limited housing resources. Faced with the excruciating level of need government officials were morally compelled to select the most needy over those who could provide some shelter for themselves. Contrary to mainstream housing practices where people must prove their financial stability in order to acquire a house, in most cases, on reserves, need for housing trumped all other selection criteria.

With no housing market and little freedom of mobility between houses, the people who controlled the selection policy and process ultimately determined who would make up the population of the reserve. At first it was government officials and later band representatives and leaders acting on government directives, but in both cases the administrators were morally compelled to give priority to the most needy. By essentially

selecting against the most economically prosperous band members, housing policy created communities of the poor. The 1970s social housing programs perpetuated the problem when band leadership that were unable or unwilling to collect rents from their members gave priority to welfare recipients as a way to ensure program revenues. This practice acted as both a disincentive to getting a job and cementing the dependency relationship between individuals and government assistance.

Band members with means who could in some cases, receive housing assistance and construct higher standard houses, but in general government assistance was restricted to rudimentary building materials. In this way, policy not only selected the poorest of the band members to comprise the community on the reserve it also lowered the ceiling on the standard of houses found on reserves. The government's program approach to housing left First Nations without a range of options with which to house needy, the working people and the rich. Housing had no natural progression whereby people began with starter homes and worked their way up to a more substantial home as their income and families grew. And, most significantly in this discussion, their houses, no matter how grand, had no monetary value and could not, under any circumstances be used as a financial investment and, therefore, provided no incentive to create wealth.

Poor health, poor education and poor job prospects are commonly known to be outcomes of poor housing conditions, but nowhere is this more obvious than on reserves. Without studies that chart the relationship it is hard to quantify what part housing played in preventing on-reserve residents from getting their school work done and thereby missing out on their education, or making it impossible to wash their clothes so they

could get a decent job, or making it difficult to store and prepare healthy food so their families could be well fed. Studies have shown the causal relationship between poor housing conditions and skin ailments, TB and other communicable diseases but we have no hard data on what role housing played in creating family violence and fuelling addictions. What we do know is that first we make our houses and then our houses make us and in that light the bleak housing prospects experienced on reserve are directly related to the breakdown in reserve societies. This idea is expressed by a young mother in *Wrapped in Plastic*, a film showing housing conditions in northern Manitoba in the 1990s; “My family gets angry and they get frustrated because over and over again we mention this; because there is nothing we can do and there is nothing going to be done about it.”⁶⁶⁶

Government records do not chart the level of expenditures that were used from band capital accounts specifically for housing, either as a percentage of the total accounts or in real dollars. Therefore, it is hard to calculate to what extent housing was responsible for draining band accounts during the second half of the 20th century. We do know that up until the late 1960s it was common government practice to draw housing expenditures from these accounts first leaving federal welfare expenditures to cover only emergency cases.

This practice may be one of the most egregious mismanagement of bands funds ever perpetrated. It is hard to imagine making such decisions with one’s own money never mind that a government tasked with a fiduciary responsibility to act in the best

⁶⁶⁶ *Wrapped in Plastic: Housing Manitoba First Nations*, film (Thompson, MN: Manitoba Keewatinowi Okimakanak Production, 1999).

interest of its wards should continue such a practice for decades. The decision of government to use funds from the sale of the bands' limited land and resources to pay for houses that were often no better than garden sheds and more often than not had a lifespan of less than 15 years is almost incomprehensible and could not be called a good business deal in anyone's estimation.

Having failed to successfully implement an individual housing loans program, the social housing programs of the 1970s successfully introduced mortgages to reserves and in so doing brought a new kind of poverty previously unheard of. The subprime mortgage crisis that ensued buried bands in bad debt—almost immediately upon construction the houses were not worth as much as the mortgages held against them. Despite the fact that the federal government created the programs and co-signed the mortgages, bands were left bearing the primary financial burden for their houses causing housing to be the number one reason for bands to fall into third party management—the bands' equivalent of bankruptcy. As a consequence, bands were forced to cut back their economic development, education, health, and social programs.

Perhaps the easiest impacts to observe, yet the hardest to measure, are the effects the housing system had on reserve communities' governance and cultures. Nowhere on reserves are the relationships between governance, administration and community members worse than in the delivery of housing. And, as we have seen, the problem was magnified when band administrations took over the program delivery and band leadership was given the optics of control yet had no real decision making authority over the housing conditions.

But the relationship that suffered the most was between the occupants and their houses. Resistance to the housing programs can be seen in the ambivalence towards the houses themselves, which became material expressions of external control and the shame of dependency. Without a sense of ownership and unable to make basic decisions about their homes, residents were unable to receive any comfort from their dwellings. Instead, occupants turned against their houses and those houses became physical manifestations of a more nebulous enemy. Scott notes that everyday acts of resistance such as this can make a shambles out of government efforts and subsequently wreak havoc with resisters' lives. As material manifestations of the disregard government had for Indian people, houses became a source of shame and disgust. When I was conducting a housing workshop in Saskatchewan a participant told me, "It's not my house I hate, it's housing. I hate the way we have to get a house, how everyone is in control of housing, what the government has done to us, like we are no better than these little houses so I guess I don't hate my little house. I love it but it's the source of so much anger and frustration that I have against this system. The government wouldn't treat anyone else like this."

In spite of the repetitive failures of earlier programs and a slight improvement in housing conditions in the early 1990s housing continued to be delivered through federal housing programs. In 1996 the Department implemented the next "new" housing program called the New On-Reserve Housing Approach (NORA), a topic for another time and another researcher. I will close with an Olsen family housing update. Many changes have taken place on reserves since Carl and I found a way to house our family in Tsartlip First Nation. In 2012 my three Coast Salish children (I have another son from Brazil who is

part of the family but is not a Status Indian) applied to the Bank of Montreal for a mortgage and, at the same time, to Tsartlip First Nation to co-sign the loan and for a housing subsidy. They were approved. Adam, my oldest son, used a small loan to build an addition and to renovate the cabin on the property. In 2015 he reapplied for a larger mortgage and built his family a new house. My two daughters, Joni and Heather, used their mortgage to build an addition and renovate the family home, giving Heather a three-bedroom apartment and Joni a large family home. At the time of writing, almost twenty Tsartlip members have acquired personal mortgages in the same way as my children and have planned and built houses of their own. It is the first time Tsartlip First Nation members have had reliable access to mortgages.⁶⁶⁷

Tsartlip is one of a growing number of First Nations that are increasingly gaining control over their own housing conditions. Very different economic and political circumstances exist today in many communities, especially in the south and in economically prosperous regions where First Nations with sophisticated administrations and creative leaders can make their own choices. We are beginning to believe that well-to-do First Nations on reserves no longer face the obstructions to opportunity that prevented their parents and grandparents from acquiring decent housing. Many discriminatory practices are disappearing as banks and businesses are beginning to see First Nations as desirable partners. But a closer look at the recent housing successes show

⁶⁶⁷ I add a note of caution. New mortgage arrangements between financial institutions and First Nations are providing opportunities for some individuals, but the numbers are limited and the future policy and financial for the First Nation's financial capacity are, as yet, unexamined.

that many of the same problems remain more than 50 years after the federal government developed its first housing program.

Housing on reserves is improving one community at a time at a tremendous cost and with varying degrees of success. To this day the social housing programs have no overarching governance structure like they do off the reserves. Each First Nation is required to operate its own housing department and governance structure, write and enforce its own housing policies, and train and pay for its own management. Treaty First Nations still argue that the federal government has a fiduciary responsibility to provide housing, while the government denies the claim and continues to point the finger at First Nations as the jurisdiction having authority over housing and therefore solely responsible for the housing outcomes. But the de facto devolution of housing from the federal government to First Nations that apparently took place in the 1980s is largely misunderstood, First Nations and government agents alike are still unclear about their roles and authority. The question that remains is; How did the federal government devolve such an onerous and cumbersome program without a transfer of operating funds and administrative apparatus? As recently as the 2014 Senate Committee hearing Chris Maracle restated what Harry Hawthorn said more than 50 years earlier “no one knows their responsibilities.”⁶⁶⁸

The recent positive changes must be tempered by the host of remaining issues left unsolved: Enduring legal discrimination on reserves necessitates First Nations involvement in private housing financing without the concomitant market conditions to

⁶⁶⁸ Parliament of Canada, Proceedings of the Standing Senate Committee on Aboriginal Peoples, Chris Maracle, 2 April 2014, 10.

support their investments. Without an easy way to buy and sell houses on reserves there is still very little mobility between homes. Non-native spouses have no rights to their houses or to the value of their investments on reserves. Reserve residents are still unable to use their homes as equity for business or recreational loans, in the same manner as their mainstream peers. Most importantly, the recent focus on home ownership has reversed the earlier practice of prioritizing the poor and has, in most cases, ignored the issues of housing the poor altogether. But these are just the problems of the southern, progressive, more fortunate bands. At least 50 percent of the First Nations, especially those in the north and in rural and isolated locations are still struggling to achieve basic amenities such as clean water and sanitation. Housing conditions in these communities compare to those of the 1960s and 1970s in the rest of the country.

Canadians have become rightly concerned with the treatment of the children in residential schools and the damage caused by generations of undereducated, traumatized young people who became angry and displaced adults. Our country is grieving the wasted and destructive years spent by thousands of children who were oppressed rather than educated and we are left asking what if Indigenous children had received the education their parents wanted them to have? What if they could have retained their culture while learning new knowledge, skills and languages?

In the same way, this housing story leaves me asking what if reserve residents had not suffered the indignity of housing poverty and the resulting diseases, violence, family disruption and shame? What if those who could afford a house had been given the same

opportunities as other Canadians to build the sort of home they wanted? What if bands had the opportunity to evolve on their own terms with their own leadership making housing decisions that fit the social, economic and political ideas and desires of their communities? If King is right and we cannot fix housing until we understand it, then it is no wonder, given the absence of scholarship, on-reserve housing has remained one of Canada's most intransigent problems of the 20th century.

The history of housing on reserves has taken an enormous toll on First Nations personal wealth, housing literacy, and band economies. But there has always been more than wealth at stake. The damage done to health, education, financial security and self-identity reaches across generations and continues today. The way forward requires us to recognize the roles we have all played, admit the failures of our government and ourselves. My goal has been to begin a new narrative that explains the history of First Nations housing in Canada and my hope is that with a better understanding of our past we will move beyond the old stereotypes as we create a better future.

First Nations are left with the shameful burden of this history and now they are tasked with changing the attitudes of their people towards their houses and unpacking the relationship between housing and the government so their people can live peacefully. The awful irony is that Indigenous people, whose land has been taken or sold, and whose money has been spent by government on housing that has made them poor and who have been confined to government controlled substandard housing system are still cast as free loaders. But the First Nations' call for the 'right' to housing is not a call for hand-outs, it

is a call for justice and equality, a call for equal access to wealth and opportunity. It is an appeal to Canada to finally do the right thing.

Throughout this study I have become familiar with the work of many Indian Agents. Sometimes I caught glimpses into their personal traits and individual approaches to housing. For instance I got the sense that Superintendent Romain Proulx, of the Oka agency was willing to try innovative methods to get the most housing for his communities, and that perhaps Agent F.J.C. Ball of the Vancouver agency had his eye on a promotion because he appeared as interested in the concerns of the job as delivering housing. I am pretty sure that J. H. Gordon, Superintendent of Welfare in Ottawa, was frustrated and unimpressed by the slack attitudes of many of the agents in the field.

What I did not find was a champion for housing, no one stood out as going to bat in any significant way for making significant changes to the housing system. Nor did I find agents that exhibited an overtly negative attitude towards Indigenous people. I found that year after year in every agency across the country Indian agents willingly delivered unreasonably inadequate housing assistance that resulted in unconscionable living conditions. This presents me with several questions: Who was responsible for the repetitive failures? And did the government officials intend that housing on reserves should fail?

Assuming that government agents created and implemented the housing system, as after exploring the topic I am compelled to do, then the role of government agency in the failure of that system is indisputable. In conclusion I am further compelled to repeat my earlier claim that the system was never meant to succeed and by success I mean it

was never meant to achieve its goal—to produce adequate housing to compare with housing in mainstream society. While I found no evidence that Department officials conspired amongst themselves to use housing to destroy Indian communities the records show an absence of regard for the outcomes of the housing they were delivering, a shirking of any responsibility and a complacency with the devastating conditions of the people they were charged with serving. I can only explain this situation as the harsh manifestation of the deeply racist belief that Indians deserved no better.

Curiously Canadians have been willing to blame the Indians for the conditions of their houses causing untold suffering and shame for generations of Indigenous people. Yet we resist placing the responsibility where it really belongs—with the people who, without a master plan and constrained by persistent under-funding, created and delivered the failed housing program decision by decision. I cannot make a blanket moral judgment on any individual man—that he intended the people should suffer. But I cannot avoid charging the system that was made up of many men, each willingly contributing to the system's endurance, for removing the opportunity for reserve residents and their leaders to adequately house themselves and then renege on their responsibilities to provide decent housing.

If we have learned anything from this story we have learned this: some of the most significant problems with housing on reserves has been the lack of choice, opportunity, and control, therefore we can be certain that the solutions will not come from yet another new housing scheme designed by government officials nor will the solutions come from economic models alone. I am not suggesting that conventional

western housing approaches have nothing to offer and should be entirely rejected; I am saying that to find real solutions will require a different process that must be driven by Indigenous people themselves and include those of the rest of us who understand the history of the role government schemes have played in creating and sustaining the on-going crisis. We all must be prepared to take a broader approach based on the beliefs, values, knowledge and cultural practices of Indigenous people in Canada and on housing ideas from around the globe. Recognizing that my study has not equipped me to recommend solutions, and believing that we cannot fix it until we know it, I am convinced that we are ready to begin.

Arthur Manuel's approach to finding solutions to the land questions would be a good place to start:

To be absolutely clear, we are not talking about stopgap programs and services that are created under federal and provincial legislation. And we are not talking about action that is purely for disrupting the establishment without any real plan of what kind of future we want to create. We are talking about fundamental change that recognizes our title to our territories and our right to self-determination. This is where we [must be] headed.⁶⁶⁹

⁶⁶⁹ Manuel and Derrickson, *Unsettling Canada*, 227.

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