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ATYPICAL MINORITIES IN PUBLIC POLICY PROCESSES

THE INCLUSION OF ATYPICAL MINORITIES IN PUBLIC POLICY:

URBAN ABORIGINAL PEOPLES IN CANADA AND TRAVELLERS IN IRELAND

By JOANNE HERITZ, M.A., M.I.St.

A Dissertation Submitted to the School of Graduate Studies in Partial Fulfilment of the Requirements for the Degree Doctor of Philosophy

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ABSTRACT

This research project asks: to what extent are voluntary organizations included in the policy processes that make decisions regarding the needs and interests of atypical groups? Both urban Aboriginal peoples and Travellers are defined as atypical groups due to their indigeneity and their separate treatment by the state because of cultural differences characterized by nomadism, language and distinctive lifeways preserved by oral traditions. Their marginalization was exacerbated as they transitioned to urban centres after the middle of the twentieth century and the state, although it acknowledged these groups, did not accommodate their needs and interests. In an era of neoliberalism where significant responsibility for welfare has shifted to the voluntary sector, marginalized groups still require disproportionate assistance by the state in policy areas of education, health and housing and they rely on voluntary organizations to provide culturally appropriate programs and services and to advocate for their needs and interests. Applying a scalar analysis, this project isolated three key concepts that are interdependent yet distinct, that are critical to inclusion. First, is incorporation of culturally relevant programs on the micro scale. Second, is atypical group representation in policy processes on the meso scale. And third, their collaboration with government on the macro scale. On balance it appears that urban Aboriginal peoples in Canada have moved closer to inclusion in policy processes due to their success in incorporation, representation and collaboration. In contrast, Travellers in Ireland face greater obstacles in collaborating with government, which impacts on their representation in policy processes and their incorporation of programs and services to meet the needs and interests. The trajectory of these findings suggest that urban Aboriginal peoples will continue to collaborate with government and move closer to goals self-determination while Travellers will continue to struggle against prevailing societal domination to achieve ethnic minority status.

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ABBREVIATIONS

Canada

Aboriginal Advisory Committee - City of Toronto	AAC
Aboriginal Affairs and Northern Development	AAND
Canadian Indian Centre of Toronto	CICT
Indian and Northern Affairs Canada	INAC
Métis Nation Ontario	MNO
Ministry of Aboriginal Affairs Ontario	MAA
National Association of Friendship Centres	NAFC
Office of the Federal Interlocutor for Métis and Non-Status Indians	OFI
Ontario Federation of Indian Friendship Centres	OFIFC
Ontario Métis Association	OMA
Ontario Native Women's Association	ONWA
Royal Commission on Aboriginal Peoples	RCAP
Urban Aboriginal Peoples Study	UAPS
Urban Aboriginal Strategy	UAS

Ireland

Convention for the Elimination of Racial Discrimination	CERD
Committee of the Rights of Travellers	CRT
Department of Community, Equality & Gaeltacht Affairs	CEG
Dublin Travellers' Education & Development Group	DTEDG
European Commission against Racism and Intolerance	ECRI
Itinerant Settlement Committees	ISC
Irish Traveller Movement	ITM
Irish Traveller Movement in Britain	ITMB
Local Traveller Accommodation Consultative Committee	LTACC
Pavee Point	PP
National Association of Travellers' Centres	NATC
National Consultative Committee on Racism & Interculturalism	NCCRI
National Health Service (Health Service Executive)	HSE
National Traveller Accommodation Consultative Committee	NTACC
National Traveller Monitoring Advisory Committee	NTMAC
National Traveller Women's Forum	NTWF
Traveller Accommodation Unit	TAU

DECLARATION OF ACADEMIC ACHIEVEMENT

This research project is unique in that it locates representatives of urban Aboriginal organizations in Canada and Traveller organizations in Ireland and isolates their activities in policy processes to determine whether they were instrumental in securing policy outcomes that align with the needs and interests of atypical minorities. The employment of these analytical tools for this project is unprecedented.

Comparative studies that address indigenous peoples often fail to include Irish Travellers because of their small numbers and unique situation as a minority in Ireland who are grouped with Roma within the European Union. Although Travellers are nomadic, including them with Roma fails to capture their history and indigeneity as confined to the island of Ireland.

Both groups remain understudied in the discipline of political science. Public policy research for urban Aboriginal peoples in Canada follows processes for specific policy areas, for example, housing policy in a particular urban centre. But it fails to locate the dynamics of inclusion of urban Aboriginal peoples specifically in policy processes. And research for Travellers in Ireland primarily focuses on their marginalization and othering by mainstream society. Their inclusion in policy processes also remains understudied. Inclusion is crucial in policy processes to secure outcomes that align with needs and interests that are unique to these groups.

To determine the extent of voluntary organizations inclusion or exclusion in policy processes beyond official documentation, this research project conducted interviews with policy actors that included voluntary organization representatives and government officials. Interviews with voluntary organization representations elicited their account of their organization's operations, their staffing role and the extent of their strategies, successes and setbacks in inclusion in policy processes. Interviews with government officials elicited their department's role in programs and services for urban Aboriginal peoples or Travellers and their relationship with representatives of atypical groups.

This research located disparities in policy processes and government deliberations from which prescriptions were made regarding standards of advocacy that, if implemented, would allow substantive participation of members of atypical communities and the organizations that represent them in policy processes that would achieve beneficial outcomes. One major prescription for Traveller success in advocating for their community would be to implement guidelines of acceptable behaviour for government and the voluntary sector. A proposed 'Standards of Advocacy' would include guidelines for government, Travellers and the organizations that represent them that would ensure their equal participation in policy processes.

1 INTRODUCTION

Why do Aboriginal peoples in Canada and Travellers in Ireland experience struggles in accessing resources to achieve their needs and interests in comparison to the general population of their respective nations? Although both groups are indigenous to their respective countries, they were historically set apart from mainstream society by characteristics that include, but are not confined to, nomadism, languages and distinctive cultural lifeways preserved by oral traditions. Their contributions have been excluded from, or downplayed in, national stories. As these groups transitioned to urban centres in increasing numbers after the middle of the twentieth century their marginalization was exacerbated and the state, although it acknowledged these groups, did not accommodate their cultural needs and interests. Despite the dominance of mainstream society, othering these groups while simultaneously attempting to assimilate them, there are four significant aspects to these groups. First, atypical groups represent the fastest growing populations in each country and as such they have proportionally larger youth populations. Second, these groups are communities in crisis as most members have low educational and employment achievement and higher rates of addictions and suicides when compared to the general population. Third, they increasingly identify with their group in censuses. And finally, they continue to advocate for their cultural needs and interests within political systems that provide limited opportunities for their participation in policy and political processes.

This introductory chapter will lay out the background for this research project. It will state the research puzzle followed by an introduction to the voluntary sector as

advocates for atypical groups. It will be followed by a brief background of the two selected atypical groups, urban Aboriginal peoples in Canada and Travellers in Ireland. The chapter will proceed to a presentation of the research design which discusses the comparative method and presents the rationale for case selection for this research project. It will then introduce and explain the scalar approach that had been selected as a method of analysis of the research findings. Following an explanation of the terminology used for this research project, the chapter will end by outlining the subsequent seven chapters of the dissertation.

The puzzle that frames this research project is: why are decisions crucial to the needs and interests of atypical groups still reflected in a legacy of domination in liberal democracies in the twenty-first century? And why are members of atypical groups denied choices regarding their needs and interests? These choices are crucial because they provide members of atypical groups with options to pursue their traditional ways or those of mainstream society, or both. Although most members of these groups may decide to adhere to their unique lifeways, it is not the specific decision they make that matters so much, but the availability of *choice*. In an era of neoliberalism where responsibility for welfare has been increasingly downloaded from the state to the voluntary sector, marginalized groups depend on the voluntary sector not only to provide programs and services to assist these communities in crisis, but also to represent them in policy processes and advocate for their needs and interests. These multiple responsibilities of voluntary organizations contribute to their complex roles as service provider, advocate and policy actor within constraints of a new order of governance whose boundaries are

not always clearly demarcated. This may prove to undermine the success of voluntary organizations to secure resources to facilitate programs and services crucial to provide choices for atypical groups.

The failure to address the specific needs and interests of atypical minorities has severe long term implications for these specific groups and for society as a whole. These implications are both specific and broad. Specific implications include disproportionate allocations of scarce health and social welfare resources to these communities in crisis. As a result there are significant health costs due to the nature of assistance required for addictions, shelters, and disproportionately higher health risks, such as diabetes. Moreover, the significant youth population of these groups means that there is a crucial need to assist them now rather than later especially in areas of education and employment. And then there are broad moral implications: how can liberal democratic countries tolerate the marginalization of their own citizens within their borders? This research project is significant for the following disciplines and policy issues: public policy, social justice, federalism and multi-level governance, indigenous, minority, youth, marginalized groups and urban specialists.

Public policy shapes the experience of atypical groups in significant ways. Urban Aboriginal peoples and Travellers both face stresses from urban transition as well as discrimination from mainstream society (Cook and Belanger 2006; Silver 2006; Lawrence and Dua 2005; Helleiner 2003). Aboriginal peoples may lack connection with their traditional languages and communities because Canadian Aboriginal policy is primarily focused on First Nation communities (Proulx 2003; Peters 2002). Irish

Travellers are prevented from a life of nomadism due to laws that favour mainstream society (Hoare 2005; Norris and Winston 2005). Even the implementation of supposedly supportive policies can create problems, as government services for both groups are delegated away from the national level, to local governments whose mandate may prioritize scarce resources away from these groups (Norris and Winston 2005; Newhouse and Peters 2003). Addressing the challenges faced by urban Aboriginal peoples in Canada and Travellers in Ireland as marginalized groups is a complicated policy issue that spans a large number of government departments and voluntary organizations and exposes the intricacies of federalism in Canada and multilevel governance (MLG) in the European model. As marginalized groups, urban Aboriginal peoples and Travellers in Ireland rely on voluntary organizations to represent them and advocate for their life ways. Advocacy group participation in democracies provides a liaison between citizens and the state in three significant ways. When representative institutions such as political parties or legislatures fail to fully articulate the interests of a community, advocacy groups mobilize in order to make their voices heard. Second, representative institutions may systematically underrepresent segments of the population, which increases the importance of advocacy. Third, advocacy group expertise can facilitate the formulation of better public policy (Young and Everitt 2004, 16-17). Cairns reminds us that these institutional arrangements are influenced by broader factors: "The declining isolation of state and society from each other means that each is now caught in a network of subtle moves and countermoves in a never-ending game of shifting competition and collaboration" (1986, 79) While there is a great deal of research focusing on the

marginalized status of these groups, much less work has been done to examine the potential for the policy development process itself to create adverse outcomes, including its tendency to compound difficulties for minorities that choose non-typical lifestyles.

This dissertation is a comparison of the engagement of atypical groups, namely urban Aboriginal peoples in Canada and Travellers in Ireland, in policy processes that make decisions regarding their needs and interests. Emphasis is on their ability to access choices regarding pursuing their lifeways. The higher the inclusion of atypical minorities in policy processes the greater the likelihood that members of these groups will be able to make choices. These choices range from pursuing their traditional needs and interests to engaging with mainstream society. Background research strongly indicates that if they are provided with choices, members of atypical groups tend to adhere to their traditional life ways. Yet domination by mainstream society and its public policy preferences, curtails the availability of choices by members of atypical groups to pursue their needs and interests. The first step then is to determine the extent to which atypical groups are included in policy processes that make decisions regarding their needs and interests. The second step monitors the ability of voluntary organizations to advocate for their group. These groups have been recognized by their respective countries as distinctive groups with needs and interests that do not align with mainstream society. While minority rights (Kymlicka 1995; Mill 1978) are an admittedly contested aspect of liberal democratic principles, providing equal access to resources to groups with disproportionately higher social needs, specifically in the areas of education, health and housing policies, becomes a moral obligation for society and the state. Their needs and interests require spaces and

places within governing institutions to carry out their goals. While these goals are key policy objectives that are formulated and belong to these groups, research for these groups indicate that these goals include, but are not confined to, self-determination for urban Aboriginal peoples and ethnic minority status for Travellers.

This chapter will proceed by providing background information on urban Aboriginal peoples in Canada and Travellers in Ireland, followed by the research design for this project.

Urban Aboriginal Peoples in Canada

'Urban Aboriginal peoples' is the term used to describe all Aboriginal peoples (First Nation, status and non-status, Métis and Inuit) who identify as such and live in urban centres. According to the Canada Census (2006) (Census 2011 data for Aboriginal peoples will be released later in 2012) nearly 1.2 million individuals or 3.8 percent of Canada's population, identify as Aboriginal over half of which live in an urban centre. And the Aboriginal population is growing faster than the non-Aboriginal population over time. For example, between 1996 and 2006 the Aboriginal population grew by 45 percent compared to 8 percent for the non-Aboriginal population in Canada. As a group, urban Aboriginal peoples fare lower on indicators for longevity, and education, and have higher rates of suicide (Kirmayer et al 2007), addictions, poverty and incarceration (Cardinal 2005; 2006) than the general population. Aboriginal children represent the fastest growing segment of Canada's youth population (Jenson 2004; Census 2006). They lag

behind the Canadian average on socio-economic indicators of wellness, such as infant mortality and disability rates. Aboriginal peoples are at more risk than other groups experiencing poverty because they are subject to racism and social exclusion due to their ethnicity (Quebec, 2008).

Most major Canadian cities developed in locations used by Aboriginal people as gathering places. However, the absence of Aboriginal peoples in cities before the middle of the twentieth century resulted from policies that dislocated them from urban centres. These policies included the creation of reservations located considerable distances from urban centres and practices that confined First Nations to them. The Métis were dispossessed from their settlements near urban centres due to expropriation to accommodate spreading urban boundaries (Newhouse and Peters 2003, 6). Having been segregated from urban centres the notion of an urban Aboriginal person became incompatible with images of Aboriginal peoples. Those who did move to cities became regarded as individuals "who had turned their backs on their culture" (Newhouse and Peters 2003, 6) even though they were traveling within their traditional territories. In accordance with the *Indian Act 1876* First Nations were sequestered on Reserves, almost all of which were located a distance from urban centres (Peters 2001, 58).

> It is difficult to document with any precision, the movement of First Nations peoples to cities and to relate urban population numbers to the growing public interest in their situation. ….Available statistics also suggest that the number of First Nations people in major cities remained low, both in terms of absolute numbers and as a percentage of the total population (Peters 2001, 63).

The urban Aboriginal experience (Willis 1973; Johnson 1998; King 2003; Lawrence 2004; Silver 2006) is as varied as the urban centres themselves, but they do

share commonalities that are attributable to the marginalization of most Aboriginal residents. First, status and benefits for First Nation living on reserve are applicable to each reserve only and are not transferable to other reserves or urban centres. Second, urban centres present challenges to traditional sources of Aboriginal culture which includes contact with the land, contact with elders, Aboriginal languages, and spiritual ceremonies (Peters 2002, 62). Third, the overall urban Aboriginal population is not highly concentrated in any one neighbourhood in any urban centre in Canada (Peters 2005, 70). Fourth, geographic variation creates different population subgroups in different cities. For example, a First Nation from a remote reserve may face greater cultural challenges than someone who may move from a reserve adjacent to an urban centre (Senate 2003, 11).

Since a majority of people who identify as Aboriginal live in urban centres the extent to which they can maintain a strong cultural identity will "significantly affect the survival of Aboriginal peoples as distinct peoples" (RCAPv4 1996, 522). Historically, Aboriginal identity has been compromised because of the *Indian Act* and its subsequent policies that resulted in the intergenerational effects of assimilationist policies, residential schools, forced adoptions, economic marginalization, social exclusion (Proulx 2003, 128; Warry 2007, 117) and policies regarding Indian status that disenfranchised women who married non-Aboriginal men (Lawrence 2004, 56). Maintaining an identity is more difficult in urban centres because "many of the sources of traditional Aboriginal culture, including contact with the land, elders, Aboriginal languages and spiritual ceremonies, are not easily accessible" (RCAP v41996, 522). Also Aboriginal cultural identity is not a

single element. It is a composed of various features that together shape how a person thinks about herself or himself as an Aboriginal person rooted in Aboriginal experiences. Etah, an Aboriginal youth describes cultural identity as:

> There is something my uncle said, you know, "You're not a true Indian unless you … follow the culture, then you are an Indian." It's not a status thing. It's not a piece of paper. It's a spiritual thing, an emotional thing, a mental thing, a physical thing" (RCAPv4 1996, 524).

Racism and discrimination directed against Aboriginal people also had a negative impact on their cultural identification (RCAPv4 1996, 527) to the extent that one of the most difficult aspects of urban life for Aboriginal peoples is dealing with racism (RCAPv4 1996, 526). Aboriginal women and the children they care for are especially vulnerable when they seek refuge in urban centres due to family abuse, separations and deaths (RCAPv4 1996, 570; Census 2006). Aboriginal youth make up almost half of the urban Aboriginal population (Census 2006) and many face the same circumstances as older Aboriginal people which include cultural confusion, high unemployment, violence, racism and substance abuse. Aboriginal youth also experience higher rates of pregnancy and sexually transmitted diseases than other young Canadians (RCAPv4 1996, 561).

Travellers in Ireland

The Government of Ireland has defined Travellers as follows:

> Traveller community means the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions, including historically, a nomadic way of life on the island of Ireland (Ireland Equal Status Act, 2002).

Travellers are a historically nomadic group, indigenous to Ireland, officially numbering slightly under 30,000 or approximately slightly less than one percent of Ireland's population of almost five million (Census 2011). The Traveller population, however, may be under estimated as the Traveller Health Study placed the Traveller population at closer to 40,000 (AITHS 2010). Their culture, values, language, customs, family economy, oral traditions and nomadism separated them from mainstream society (Maher 1972; Bewley 1974; Gmelch 1975; Joyce 1985; Gmelch 1986; Binchy 1995; O Floinn 1995). Although they comprise less than one percent of the Irish population they rely disproportionately on state resources due to their status as a vulnerable group, ranking high in terms of health risk factors that includes a suicide rate three times that of the national rate (Royall 2010, 154) and low on educational attainment and employment.

> Travellers' separateness, partly by choice, enables them to retain their identity as an ethnic group in the face of much opposition and pressure to conform to sedentary society. Their experience of low social status and exclusion – which prevents them from participating as equals in society – is mostly due to the widespread hostility of settled people towards them. This hostility is based on prejudice, which in turn gives rise to discrimination and affects Travellers in all aspects of their lives (Fay 2001, 99-100).

Historically a group of Travellers on the road consisted of nuclear families, for example, parents, married sons and their families. Extended families would gather together for weddings, funerals, or fairs (McDonagh 1994). Up until the mid-twentieth century Travellers were associated with work that featured adaptability, seasonality, and geographical mobility (Wilson and Donnan 2006, 75). Although they occupied an inferior role, they subsisted by "filling gaps in the system of economic supply and demand throughout the Irish countryside" (Kearns 1977, 539) and as such "they played

an important role in the economic and social life of rural Ireland" (Kearns 1977, 538). In addition to their main occupation of tinsmithing, they were horse traders, chimney sweeps, sold swag, worked as farm hands and shared news and gossip in rural communities (Kearns 1977, 539). In the years following the Second World War, wider social and economic forces led to a dramatic change for Travellers' way of life. The mass production of plastics, increasing mechanisation of agriculture, rural depopulation and the increasing mobility of the remaining rural community meant that the demand for the craft skills and services provided by Travellers entered into rapid decline. To make up for employment losses in tinsmithing and harvesting Travellers started dealing in scrap metal, tarmacing and carpet selling which brought them closer to cities (Gmelch 1975; Noonan 1998, 154). For example, in 1945 there were approximately 15 travelling families living in Dublin. By 1961 there were 46 and by 1971 there were 248 families (Gmelch 1975, 44). Only a minority was able to achieve economic independence, and social security benefits became the main or only source of income for the majority of Travellers (Noonan 1998, 154). As a result Travellers became more sedentary and began to travel less, or they travelled for shorter periods of time over shorter routes. The reluctance of Travellers to work for wages is attributable to an identity that does not associate with mainstream economic values and practices: "To wage labour would be to cease to be a Traveller" (Wilson and Donnan 2006, 76).

Travellers seek housing that accommodates their preference for either living on the road or living in close proximity to their extended families, or both. Living on the road has become increasingly difficult since the passing of the Trespass Law in 2002

which severely curtails parking on private and public property. Currently, twelve percent of Travellers live in caravans and mobile homes while the majority of Travellers reside in group or standard housing schemes (Census 2011). Standard housing (single family units in multiple storied buildings) is the accommodation most readily accessible for Travellers because it is available to the general public. Standard housing, however, runs counter to the preferences many Travellers have for living in group housing (Kenny and Binchy 2009, 118). Group housing consists of six detached single story housing units adjacent to each other which are designated exclusively for Travellers. In a group housing arrangement each housing unit would accommodate one family that is closely related to the families in the remaining housing units (NTACC 2009, 13).

The relationship between the Traveller and settled communities in Ireland is complex:

> It is influenced by a number of factors including: lack of contact and knowledge on the part of each community about the other; social exclusion of Travellers by the 'Settled' community; lack of provision of appropriate accommodation facilities for the Traveller community; illegal parking of caravans on public and private land; incidents of inappropriate behaviour" (Task Force 1995, 60).
>
> Incidents of social exclusion and discrimination against Travellers include: refusal of service in hotels, public houses and other establishments; reluctance to share facilities with Travellers; hostility and aggression against Travellers; segregation of Travellers in the provision of facilities …when efforts are made to improve their social and living conditions, through the provision of improved accommodation, the same people within the 'Settled' community make strenuous efforts to frustrate and delay those very endeavours which will remove the unsightly and insanitary conditions" (Task Force 1995, 61).

Traveller women especially suffer the consequences of marginalization as victims of domestic violence, and within gendered domestic roles. For example, as homemakers

Traveller women "are most acutely affected by the lack of accommodation, sanitary and water facilities" (Crickley 2001, 91).

At the transnational level, the provision of services to Travellers is monitored within the High Level Group of Council of Europe under the auspices of the Cabinet Committee on Social Inclusion (EU Committee of Ministers 2007). In addition to the monitoring of Travellers' affairs at the European Union level, ethnic recognition for Travellers is supported by the United Nations International Convention on the Elimination of all Forms of Racial Discrimination (CERD) even though the government of Ireland refuses to recognize Travellers as an ethnic minority (NCCRI 2005).

Research Design and Case Selection

This project sets out to compare how two atypical minorities in liberal democratic states are included in policy processes. From a comparativist perspective, the selection of urban Aboriginal peoples in Canada and Travellers in Ireland as comparators both forecloses and allows comparative possibilities. This project forecloses comparing Aboriginal people in urban centres in Canada with other settler countries such as the United States, Australia or New Zealand. And in the case of Ireland, it forecloses comparing Travellers with other nomadic peoples, such as Roma that inhabit most member countries of the European Union. What this method does allow is the comparison of the engagement in public policy of two urban marginalized groups who are indigenous to their respective countries. Despite relatively recent changes in their traditional lifestyles in the past fifty

years these groups retain their cultural identity and policies of the state, to varying degrees, acknowledges these groups as separate from mainstream society. Significantly, the parallel historical framework of both cases pushes the research agenda beyond settler countries into a larger forum of liberal-democratic countries and the accompanying marginalization issues of their indigenous groups.

This research project is a qualitative two country case comparison. The qualitative research design starts with selecting cases where the "outcome of interest occurs" which is referred to as "positive" cases (Mahoney and Goertz 2006, 239). The comparison of these two countries involves two levels of comparisons. The first level is a meta level comparison of Canada and Ireland and the second level is within country cases. At the meta level comparing urban Aboriginal peoples in Canada and Travellers in Ireland lean closer to the ideographic end rather than the nomothetic end of the case study ideal (Gerring 2004, 352). At the ideographic end cases possess qualities that render each one unique which prevents learning about one item by studying another. At the nomothetic end all items are ideally comparable so that choosing any one item is irrelevant (Ragin 2004, 35). This project leans closer to the ideographic end because the level of complexity of the two cases prohibits the addition of more cases. Regarding the complexity of cases, these two cases are chosen because of public policy that has been influenced by history, events, and the recognition of lifestyle choices for atypical groups.

The second level of the comparison involves within country cases. Within each country these cases are chosen because of their access to government as capital cities as well as the national headquarters for voluntary organizations. Selecting more than one

case in each country acknowledges variation within country which acknowledges the complexity of the cases and the exploration of more than one case renders the findings of the project more insightful. Additional sites were chosen within each country with significant atypical populations with the rationalization that these locations would provide strongest evidence of policy coordination between the groups, voluntary organizations and the state. Specifically the extent to which voluntary organizations for atypical groups are involved in policy development in addition to policy delivery and the implications these differences may have. This increases the potential for multiple case replications for future consideration (Yin 2009, 53).

In addition to the two levels of the comparison a third component of the comparative method is an explanation of the anticipated positive outcome of the comparison of the two cases. "At a very general level, comparativists are interested in identifying the similarities and differences among macrosocial units. This knowledge provides the key to understanding, explaining, and interpreting diverse historical outcomes and processes and their significance for current institutional arrangements" (Ragin 1987, 6). The project will map policy development in both country cases. The anticipation of outcomes that are not universally causal reflects the new wave in comparative literature. Mahoney and Goertz instruct us that "in the qualitative tradition, one often focuses primarily on the impact of combinations of variables and only occasionally focuses on the effects of individual variables" (2006, 234). In regards to Canada and Ireland assumptions are not made whether these countries are similar or different, for example Canada is a federal state while Ireland is unitary. Newer wave

approaches critically question whether cases are similar or different because this may not be known at the outset. In this sense it would seem that Canada and Ireland are different countries as comparators. For example, their indigenous populations are different. Aboriginal peoples in Canada inhabited North America before the arrival of white society. While Travellers and Settlers are not able to distinguish their specific location in Irish history, Travellers historically were conspicuously separated from mainstream society (Bhreatnach 2006). Canada is a constitutional monarchy with a federal system of government. Ireland is a republic with a unitary system of government and is a member of the European Union. However, both countries share similarities in that they are liberal democracies with British constitutional traditions and a colonial legacy. And they have minority marginalized indigenous populations, whose urban transition over the past half century, have accentuated their marginalization. Also within each country this project will compare the local response to the engagement of atypical minorities in policy processes. These within country comparisons acknowledge that the complexity of the project require the research to sort out the similarities and differences of the comparators.

This project combines qualitative case-study research of atypical minorities in urban centres with an analysis of the capacity for voluntary sector policy formulation and implementation in these settings. A case study is "an empirical inquiry that investigates a contemporary phenomenon in depth and within its real-life context, especially when the boundaries between phenomenon and context are not clearly stated" (Yin 2008, 18). This approach is suited to the research question under examination in the sense that this research attempts to locate the dynamics between atypical groups and the voluntary

sector by interviewing the actors engaged in these processes. This information is crucial to trace the extent that voluntary organizations are instrumental in policy processes where policy that addresses atypical needs and interests is actually implemented over time and any possible variations in policy processes. The questions posed in this project require qualitative research to carefully sort out the similarities and differences between cases. The study of public policy for Aboriginal Peoples in Canada and Travellers in Ireland does not involve comparing the two groups that are indigenous to their respective country. Rather it involves comparing the engagement of atypical minorities with their respective governments and with the efficacy of the voluntary sector in defining and achieving their policy needs. The comparison of two cases enriches the understanding of the core questions in a way that a single case study cannot. The comparison of two specific cases broadens our ability to consider certain phenomena in each instance, specifically, the accommodation of the needs and interests of urban Aboriginal peoples and Travellers and the ability of these groups to make choices to pursue their lifeways. Case selection involves choosing two types of urban centres within each country. One "nexus" urban centre is chosen because it provides access to government as a national or provincial capital as well as access to the headquarters of voluntary sector organizations. It is also selected because there are significant atypical minority populations in these centres. A second "satellite" urban centre is chosen for three reasons. First, despite the relatively small size of these minorities in comparison to the general population, these urban centres have significant atypical minority populations of their own, which increases the likelihood of the presence of voluntary organizations that serve these groups. Second,

a satellite location tests whether the balance of advocacy, service delivery and specialization of services may vary from one urban centre to another. Third, from a scalar perspective, a satellite location is also helpful in assessing the extent to which opportunities for action exist for voluntary organizations to engage in policy processes or whether these opportunities are isolated by locale.

Toronto (nexus) and Thunder Bay (satellite) were the two urban centres selected as a case for urban Aboriginal peoples in Canada for several reasons. First, their Aboriginal populations are comparable to other large urban centres in Canada (Canada INAC 2009) which allows access to Aboriginal voluntary organizations. They are also two of the eleven major urban centres in Canada with significant Aboriginal populations (Vancouver, Edmonton, Calgary, Regina, Saskatoon, Winnipeg, Thunder Bay, Montreal, Toronto, Halifax and Ottawa) (UAPS 2010). Second, as the result of the devolution of responsibility from the federal government, each province now has unique public policy processes for urban Aboriginal peoples. Toronto (with an Aboriginal population of 26,575) is the capital of Ontario which provides a concentration of contact nodes that include provincial ministries, and provincial Aboriginal organizations. And at the municipal level Aboriginal advisory coordinators are active on indigenous issues within Toronto City Hall and local voluntary organizations. Thunder Bay, located 1400 kilometers from Toronto in Ontario's more sparsely populated northern region, was selected as a satellite case because its Aboriginal population of 10,055 is the next largest in Ontario after Toronto. With a total population of 121,055, Aboriginal peoples comprise 8 per cent of Thunder Bay's population (UAPS 2010).

Dublin and Galway were the two urban centres selected as a case for Travellers in Ireland. As the capital city of Ireland, Dublin (with a Traveller population of 5,935) provides a concentration of access to policy actors at both national and local levels of government and their respective departments. Two of the three national Traveller organizations have headquarters in Dublin. As an urban centre with a significant Travellers population, Dublin (Census 2011, 95-97) also provides access to local Traveller organizations. Galway, located 200 kilometres from Dublin, on the west coast of Ireland, was selected as a satellite case for Travellers in Ireland. Historically it has a long association with Travellers (Helleiner 2003). With a Traveller population of 1,667 it is second to Dublin's. Of all the cities in Ireland, Galway has the highest proportion of Travellers per 1,000 total population at 22.0 per cent (Census 2011, 95).

Forty-nine interviews were conducted in the four selected cities (Toronto and Thunder Bay, Ontario, Canada and Dublin and Galway, Ireland) from September 2010 to June 2011, with scholars, voluntary organizations representatives and government officials whose mandate includes Aboriginal peoples in urban centres and Travellers respectively. Organizations contacted included national, provincial and/or local organizations, which also included women's organizations. While not all local organizations were interviewed, key organizations in areas of health, justice, housing (which included shelter for the homeless) and children's and family services were contacted (Appendix A). This research focused mainly on education, health, and housing programs and services that align with the needs of marginalized members of communities in crises. What these selection criteria excluded were organizations affiliated: with

correctional services even though members of these groups have higher incarceration rates; and employment services, despite high unemployment rates for members both communities. The aim was to identify the points of negotiation for these groups when it comes to impacting policy development in order to more fully understand the setting for advocacy activities in the two cases, including, the role of advocacy groups, the voluntary sector, and systems of government representation. A triangulation approach - the notion that analysis from multiple sources improves accuracy (Neuman 2006) - was employed for this research. Qualitative research to analyze program, service delivery and advocacy activities of Aboriginal and Traveller organizations relied on semi-structured interviews that posed open-ended questions (Dexter 1970) (Appendix B) with key informants in Aboriginal and Traveller organizations and government officials. These interviews gathered information regarding the engagement of atypical groups in policy processes that define and achieve their policy needs. The key themes included the following:

- The identity and political capacity challenges facing these groups.
- The extent to which the devolution of responsibility from national government to local government impacts on policy processes for atypical groups.
- The cultural component of programs and services provided by voluntary organizations as well as their advocacy activities for atypical groups.
- The nature of the relationship between voluntary organizations representing atypical groups and government and the inclusion or exclusion of these groups by government in policy processes.

- And the extent to which voluntary organization inclusion in policy processes recognizes them as a sector with opportunities for action to secure the needs and interests unique to atypical groups.

To ensure the confidentiality of the participants interviewed, the information obtained from each interview was coded by date and month and, if required, sub-coded alphabetically for subsequent interviews held on the same day, for example, a second interview on November 27th would be coded 27NA.

The information gathered from the interviews were analyzed using a scalar approach that examined the opportunities available to voluntary organizations to secure policy that aligns with the needs and interests of the atypical groups they represent. Rather than adhering to a method of analysis that isolates analysis of policy activities at each level of government, this constructivist approach defines the overall scope of the space in which voluntary organizations manoeuvre. While the scalar approach is useful in illuminating various policy processes within multi-governance frameworks, it is also flexible as an analytical tool that has been adapted for this comparison of the inclusion in policy processes of urban Aboriginal peoples in Canada and Travellers in Ireland.

Understanding the importance of scale in politics is challenged by a pre-existing scalar vocabulary that spans from the smallest to the largest, namely local, regional, national and transnational levels of government. Masson suggests that a practical way of understanding scale is

> to see it, first and foremost, as a spatial property of social relations. Social relations are not only deployed "in" space; the different economic and political processes that organize social relations and social life *extend and stretch over*

> *different (and variable) expanses of space.* The extent of such stretching is their "scale" (Masson 2006, 3, author's italics).

In this context scale should be considered as a dimension of social processes rather than as a fixed unit (Masson 2006, 3). Masson's application of scale to social movements reveals that they organize and mobilize at different geographical scales, therefore, they "actively make and remake the scales of collective action" (Masson 2006, 4). These scales of action represent its scope, which is the result of relationships within social movements and institutions (Dufour 2009, 321).

The concept of scale can also assist in tracing political opportunities that in turn create the concept of scales of action. Laforest uses the concept of scale to recognize new governance relations that take place at different levels of analysis that range from the micro to the macro in processes that construct social relations. Due to varying governance relations for the voluntary sector more emphasis is placed on scales of human life as the spatial construction of social groupings, such as gender, race and voluntary associations. "The emergence of a new collective based around the voluntary sector identity reflects a new scale of organizing and mobilizing for voluntary organizations. This spatial dimension of mobilization cannot be overlooked" (Laforest 2011, 21).

The theoretical framework for this analysis is informed by a model that assesses the various scales of social action in terms of the micro scale, the meso scale and the macro scale. These scales are applied where policy for atypical groups takes place, and is used to evaluate the extent of their inclusion in these processes. The micro scale focuses on organizations and the processes that are unique to their organizational design. The meso scale locates the dynamics of organizational participation within the policy

community, defined as "a localized setting (defined by particular norms and a specific history that shapes the political environment)" (Laforest 2011, 22). Evans adds the meso-level assists with addressing relationships and the factors that shape and affect policy at the macro and micro levels. Meso-level analysis acknowledges that present day policy-making takes place within "multi-layered, self-organizing networks" (2001, 542).

> Meso-level concepts such as policy networks help us to map out the paths through which political subsystems develop, they enable us to identify junctions at which we can focus analytically while preserving the maximum range of choice as to where to move to next (Evans 2001, 542).

The macro scale embodies the broader interaction between the state and the voluntary sector. Laforest explains that at the macro scale organizations often identify themselves as a sector:

> the notional concept of a sector is critical because it implies that organizations are devising strategies for representing themselves to the state and articulating their common interests. Out of these collective actions emerges a particular representation of the sector (Laforest 2011, 22-23).

In other words, Laforest instructs us that voluntary organizations devise strategies for issues that are important to them. This influences the dynamics within the policy field, which in turn impacts on the sector. These interactions and processes are unique to the policy issue, the actors, and the sector.

In addition there are nuances of governance and place that contribute to scale that are not confined to the micro, meso and macro structure but may influence this model. The struggles that governance arrangements place on voluntary organizations are not isolated from each other. The governance process influences the structure for collaboration between the state and the voluntary sector. Actors make decisions regarding

policy issues in relation to their unique experiences and also in relation to their locational understanding of governance processes within their policy field or their organization. "Strategies are constructed around issues that are important to the organization, to dynamics within its policy field, and to dynamics across the sector as a whole. These interwoven and mutually constitutive dynamics are critical" (Laforest 2011, 23). Laforest adds that dynamics at one scale may influence political struggle at another and even isolated events may have an impact on the capabilities of the voluntary sector (Laforest 2011, 23-24). Another aspect to understanding scale is that place matters. This means that the nature of relationships and their outcomes have different results that are unique to each locale. Scales of action may diverge not only across policy fields, but across geographic space, for example, from one city to another. For example, challenges at the meso scale may span across spatial scales, to provincial and local networks. "Thus, the governance process is a scalar phenomenon, both domain specific and context specific" (Laforest 2011, 24). Masson adds that place "should be theorized as a locus and a moment where economic, political and cultural relations, each full of power and with internal structures of domination and constructed at various scales intersect in a distinct *mixture* of wider and more local social relations" (Masson 2006, 4, author's italics).

In summary, a scalar approach facilitates an analysis that assesses the inclusion of atypical groups in policy processes. Scale is employed to identify three levels of action that locate the dynamics of opportunities in policy processes and are identified as micro, meso and macro. At the micro level, it examines the role and function of voluntary organizations that serve atypical groups, and can identify the structure and nature of the

program and advocacy activities that these organizations engage in. The meso level locates the nexus of activity of representatives of voluntary organizations as actors in a policy field or policy community, and can reveal their inclusion or exclusion in these processes, and the extent to which policy actors avail themselves to opportunities of action. And the macro level examines how broad state and societal forces not only impact on the capacity of these organizations but also impinges on relationships at the meso and micro levels. And place matters. Relationships and their outcomes are unique to each locale. Scales of action may diverge across policy fields as well from one location to another.

A scalar approach is also different from a multi-level governance (MLG) approach. A MLG approach focuses on levels of government and locates laws and power and decision making, based on territory and level of government, for example, local, regional and national. In contrast a scalar approach looks inside these territorial boundaries and addresses where social movement actors actually operate. In contrast to how MLG boundaries of local regional and national may be demarcated with a black marker on a map and their mandate is located within the confines of the black lines, boundaries in a scalar approach are not as readily demarcated territorially. Rather a scalar approach focuses on people and movements and their dynamics. These processes cross political boundaries and they may be constantly changing. Tracing the dynamics of opportunities for action with an emphasis on *what* is happening rather than *where* it is happening is easier under a scalar approach.

A scalar approach was chosen for this analysis because it captures the dynamics of voluntary organizations for atypical groups. While much of this analysis will focus on a comparison of the differences between the two groups, it is important to discuss the similarities between the two groups. These similarities are also instructive in informing us of their spatial attributes. When these groups transitioned to urban centres historic othering and control transformed into policies designed to assimilate them into mainstream society. Devolution of responsibility from national governments placed new responsibility for programs and services on multiple departments at various levels of government. In the present day members of these groups are more transient when compared to the general population. This provides challenges to their ability to generate political capacity. Therefore, spatial location in a demographic of increasing urbanization is crucial to political issues that include a small minority, with non-settled characteristics. And it poses the question, how do groups generate political capacity when they do not readily align with the existing political system? A scalar approach frames the analysis that follows and informs us of whether and where voluntary organizations have the capacity to actively construct and reconstruct the scales of collective action to generate outcomes that address the needs and interests of the groups they represent in policy processes.

Terminology

For the purpose of this dissertation ‘atypical’ minorities are defined as indigenous groups whose lifeways are recognized by the state, yet the needs and interests to maintain these

lifeways are not always accommodated due to domination by mainstream society. 'Atypical' is not a pejorative term. It acknowledges that these groups are indigenous to their respective countries, yet their capacity to make choices to pursue their life ways is contested. It is only when members of these groups have access to the resources of mainstream society in addition to having the needs and interests of their atypical group met will they be able to make *choices* as to the lifeways they wish to pursue. This project uses the Royal Commission on Aboriginal Peoples (RCAP) definition of 'Aboriginal':

> The Commission uses the term Aboriginal peoples to refer to the indigenous inhabitants of Canada when we want to refer in a general manner to the Inuit and to First Nations and Métis people, without regard to their separate origins and identities. The term Aboriginal peoples refers to organic political and cultural entities that stem historically from the original peoples of North America, not to collections of individuals, united by so-called 'racial' characteristics. The term includes the Indian, Inuit and Métis peoples of Canada (RCAPv4 1996, xiv).

The *Constitution Act 1982* refers to: "'aboriginal peoples of Canada' includes the Indian, Inuit and Metis peoples of Canada" (Canada 1982, 35(2)). Regarding the term 'Indian':

> it should be noted that the area now known as 'India' was still called 'Hindustan' in the fifteenth century; the term 'Indian' as applied to indigenous Americans is derived from Columbus's original name for the Taino people he first encountered, 'una gente in Dios', or 'Indios', meaning 'a people of God'; 'Indian' is also a legal term, and in common use among indigenous people in North America (Alfred 1999, xxvi).

And:

> Indian is also a term that is used by Native people themselves, often with a special political meaning, so we should not reject it out of hand. In common conversation we still refer to reserve land as Indian country and to Indian time or Indian summer. However, we should recognize that the word sometimes is used pejoratively by mainstream writers... Because Indian is used by some Canadians in a derogatory way, it is often considered offensive by native Canadians when used by non-Natives. In sum, Indian is a word that is easily avoided by using the more politically correct word Aboriginal (Warry 2007, 9).

Informed by RCAP, Alfred and Warry, I use the term Aboriginal peoples: Aboriginal referring to first inhabitants to Canada; and peoples acknowledges that they are not a culturally homogenous group and are representative of multiple nations. References I make to "Indian" are within the context of the reference, for example, when discussing Indians as written in the *Indian Act 1876*.

The term 'self-determination' appears at several points in the discussion, and it is admittedly a contested concept. It is used in this dissertation to identify the aspirations of Aboriginal peoples to make autonomous decisions regarding their needs and interests. This is elaborated on in Chapter Two.

Travellers have been identified derogatorily as 'gypsies', 'gypos', 'tinkers' and 'knackers' and are also referred to as 'itinerants' and 'traders'. Even though in their traditional trade as tinsmiths they were referred to as tinkers, that term is considered derogatory when referring to Travellers in the present day. They identify themselves as Pavee in their own distinct dialect known as Cant (also Gammon or Shelta) (Gmelch 1995) or "Irish Travellers" in English. I use the term Travellers spelled with a capital 't'. When the words 'itinerant' and 'tinker' are stated they are in direct quotations and it is not my intention to use these terms derogatorily to refer to Travellers.

I use the concept 'ethnic minority' in the context of the goal of the Travelling Community to be able to determine their needs and interests as a distinct group with a distinct history and heritage. In the past the term 'nomadism' may have been a more suitable concept, but there are concerns with capturing the essence of the community with this term. First, over time fewer members of the Travelling Community are nomadic.

This has to do with the decline of being on the road, due to enforced legislation and changes in family economies over time (Royall 2010, 155). Royall captures the argument for ethnic minority status for Travellers as follows:

> Although Irish Travellers have nationality, race, language, and religion in common with the rest of the majority Irish population, they form a relatively mobile, indigenous, minority ethnic community bounded by kinship and a distinctive subculture … nomadic tradition and its associated lifestyles, culture and values (Royall 2010, 155).

When referring to those who are not urban Aboriginal peoples I use the term non-Aboriginal people. I also use the terms mainstream society and general population to refer to non-Aboriginals. This is not to infer that Aboriginal peoples are not part of society, rather it acknowledges that mainstream society may not recognize or take into consideration Aboriginal traditions. People in Ireland who are not Travellers may be referred to as 'settled' by Travellers and by themselves. Travellers may also use the term 'country', or 'buffer' to refer to people who are not Travellers. Also the terms mainstream society and general population are used for Ireland in a similar manner as it is in Canada, to acknowledge a separation from Traveller needs and interests.

I generally use the term 'voluntary organizations' when referring to nongovernment organizations (NGO). In public policy voluntary organizations may be referred to as the "third sector", to distinguish it from the private and public sectors or the non-profit sector (Laforest 2011, 144). In Ireland voluntary organizations are included under the umbrella of "social partnership" (a wage and social policy process that takes place between government and partners that includes trade unions, employers, farmers, environmental organizations, and the community and voluntary sector (Kirby 2002a)).

Another term that requires an explanation is ‘urban’. This project involved research regarding two groups whose epistemology informed by nomadism may not distinguish urban in a manner that the standard Western orientation does. Aboriginal peoples may refer to their territories whose boundaries do not neatly align with geographical urban boundaries and therefore may not distinguish between “urban” and “rural” in the manner that a non-Aboriginal person would. For Travellers there are two factors that distinguish their whereabouts. The first is that economic activities required a nomadic life. And second “the community location is the family network, not place” (Kenny and Binchy 2009, 121). I use the term urban centres for two reasons. The first is because they are the fora where mainstream society comes into contact with atypical groups as they seek to pursue their needs and interests. And second, voluntary organizations that support these groups are structured by a political geography that places the residences of most members of atypical groups in urban centres.

My spelling preferences are informed by Canadian English (Oxford 2004). This differs very slightly from Irish English and is detected in the spelling of words such as organizations and programs (Canada) and organisations and programmes (Ireland), but becomes apparent in direct quotations from Irish sources.

Dissertation Outline

This dissertation consists of seven chapters. After this first introductory Chapter, Chapters Two and Three provide a historical institutional analysis of the development of

public policy for Urban Aboriginal Peoples in Canada and Travellers in Ireland, respectively as well as the creation of the voluntary sector as representatives of these groups. Chapter Four addresses how the distancing of these groups affected their social rights, contributed to their marginalization, and reduced their capacity to pursue atypical lifestyles within systems of domination by mainstream society. This chapter then conceptualizes and introduces the voluntary sector as organizations that provide programs and services as well as representing and advocating for these groups. Using scale as a method of analysis Chapters Five, Six and Seven determine the scope of its mandate and degree of social action undertaken by voluntary organizations. Chapter Five reports on the micro scale of the operations of voluntary organizations, including the scope and nature of programs and services provided. Chapter Six reports on the meso scale by looking at the extent to which government and the voluntary sector are able to facilitate the needs and interests of atypical groups. Chapter Seven reports on the macro scale by looking at levels of inclusion in policy processes, and the factors that facilitate or impede these processes. Finally, the Conclusion focuses on the engagement of atypical minorities in government and the role of the voluntary sector in facilitating their needs and interests. In particular it aims to consider the factors that enhance the capacity of the voluntary sector to represent atypical groups in the policy process. The Conclusion will also address the opportunities and limitations of the voluntary sector for advancing broad-based goals involving self-determination for Aboriginal peoples and recognition of Travellers as an ethnic minority by the Irish government.

2 HISTORICAL DEVELOPMENTS IN URBAN ABORIGINAL POLICY

The following two chapters trace policy developments for Aboriginal peoples (Chapter Two) and Travellers (Chapter Three) that contributed to their atypical status and also impacted on their marginalization. What is interesting to this project is the parallel between Canada and Ireland (Stevenson 2006) in regards to the stages in the development in public policy regarding urban Aboriginal peoples and Travellers respectively. Historically, public policy for these groups separated them from mainstream society. In Canada, Aboriginal Peoples were governed by legislation that isolated them to and controlled them on reserves. In Ireland, laws that might have applied to Travellers were, for the most part, not enforced. It was when these groups started transitioning to urban centres starting in the mid twentieth century that cultural and socio-economic differences between these groups and mainstream society were accentuated as urban centres did not readily accommodate their needs and interests. To aid in their urban transition charitable organizations were formed starting in the 1960s for both groups. In reaction to the tension of their urban transition governments in both countries followed remarkably parallel developments. Starting in the 1960s policies for urban Aboriginal peoples and Travellers were similarly assimilationist. An ideological turn moved away from assimilation starting in the 1970s and in the 1990s national commissions of inquiry for Aboriginal peoples in Canada and Travellers in Ireland recommended more consciously accommodationist measures. As it is crucial for understanding the historical events that informed policy these two chapters extend the analysis beyond the 1990s. Rather than a broad historical analysis however, the chapters isolate the specific events and decisions that informed and

shaped policy relationships between government and each group in this period (1960 to the present). These chapters also trace the development of the voluntary sector and its relationship with atypical groups and the state. Starting with Canada (in Chapter Two), then Ireland (in Chapter Three), the analysis will begin with national historical overviews that informed public policy followed by an analysis of the impact selected events and policies had on urban Aboriginal peoples and Travellers respectively. The chronological division of these two chapters are not identical. Rather it reflects the events, policies and actors that are unique to each country and each atypical minority. Chapter Three will end with a summary of the impact these policies have on the needs and interests of members of both groups.

Aboriginal Public Policy

Beginning with first contact between Aboriginal peoples and Europeans, this section will trace the events that informed Aboriginal policy up to the nineteenth century, then address urban Aboriginal policy specifically from the mid-twentieth century. It will demonstrate how policy for Aboriginal peoples did not equip them for eventual urbanization due to factors that vary from restrictions in the *Indian Act* regarding status and policies that attempted to assimilate Aboriginal peoples. Despite these policies the extent to which they can maintain a positive cultural identity in urban centres will "significantly affect the survival of Aboriginal peoples as distinct peoples" (RCAPv4 1996, 522).

Canada (Bothwell 2007; Morton 2006) has been described as a country with too much geography. Yet the scarcity of arable land is counter-balanced by staple resources of fish and forest, and the desire for control of this immense, almost year-round frozen frontier, shaped the creation of Canada so that, ironically, it never seemed to have enough resources to share amongst explorer nations. Seeking a route to the orient on behalf of the French king, Jacques Cartier landed in the Gaspe Peninsula in 1534, but successful attempts at a permanent settlement were not realized until Champlain settled in what is now Quebec City in 1608. Having established settlements in what eventually would become the thirteen colonies, the English started to encroach on the French territory known as New France. The wars for domination of North America between Britain and France were won by the British in 1759 on the Plains of Abraham. But the defeat of the French did not suppress their French language or the practice of Roman Catholicism in British North America, the protection of which was entrenched in law in 1774. Throughout its history, immigration to Canada occurred in temporal waves by culturally identifiable groups. Loyalists (those loyal to the British Crown) migrated to British North America after the American War of Independence in 1776. Advertisements for land first attracted British immigration starting in the early nineteenth century, while continental European immigration generally commenced toward the later half of that century.

First contact between Europeans and Aboriginal peoples were generally amenable between the two groups and commenced as sporadic encounters with North American coastal exploration as early as the tenth century and extended to the fifteenth century. It was driven by resource extraction of furs, fish and timber mainly by England, France and

Spain. The physical and cultural distance between Europeans and Aboriginal societies narrowed when Europeans began to establish permanent settlements in North America in the seventeenth century. From the sixteenth to the end of the eighteenth century the tone of encounters with Europeans varied, sometimes emphasizing benefits of mutual cooperation, other times negatively emphasizing racial and religious prejudice, or the spread of European-borne diseases among Aboriginal peoples (RCAPv1 1996, 102). It was during this stage that the Royal Proclamation of 1763 established the relationship between the British Crown and Canada's Aboriginal peoples (which remains a key source of Aboriginal rights in Canada to the present day). This relationship between the Crown and Aboriginal peoples was based on two fundamental principles. First, Aboriginal peoples were recognized as autonomous political units capable of treaty relations with the Crown. Second, emerging from British practice, Aboriginal nations were considered to be entitled to the territories in their possession unless, or until, they ceded them away (RCAPv1 1996, 114). Treaties made after 1763 were not uniform in nature. Only the Crown's version of treaty negotiations and agreements was recorded and no consideration was given to the extent that Aboriginal leaders may have comprehended these undertakings (RCAPv1 1996, 176).

Western Canadian nation building was instrumental in displacing Aboriginal peoples from their traditional lands and eventually confining them to reserves. The union of the four colonies of New Brunswick, Nova Scotia, Quebec and Ontario created the nation of Canada on July 1, 1867. It rapidly expanded to include Manitoba in 1870 and Prince Edward Island in 1873. Sir John A Macdonald, Canada's first Prime Minister,

secured British Columbia's union in 1871 the promise of a railway linking Canada from the west to east coasts. The settlement of the west by Europeans proved contentious to the Métis (Aboriginal peoples of mixed European and First Nations parentage) the initial inhabitants of Red River (present day Winnipeg), the new settlers, Anglo-Canadians in Ontario and French Canadians in Quebec. The Métis were evicted by the authority of the newly arrived Canadians in the late 1860s. The execution of Thomas Scott, a resident of the Red River colony, under the leadership of French Catholic Métis Louis Riel incited Anglo-Protestant reactions from Ontario against Riel that resulted in the Red River rebellion. Returning to Canada from exile in the United States fifteen years later, Riel would be instrumental in leading the military confrontation known as the North-West Rebellion at Duck Lake, Saskatchewan, for which he was tried for treason and hanged in 1885. Despite Métis protests, the desire for sustained net increase in the Canadian population required reallocation of land for settlement in the west. To that end Aboriginal peoples were removed from their traditional territories. Treaties were made between the Canadian government and First Nations to establish reservations which were considerably smaller identifiable parcels of land compared to their traditional lands that they relied on for their survival. The remaining tracts of land were surveyed and parcelled into Homestead allotments of 160 acres and were transferred free of charge to European immigrants when they successfully established farms on them.

In the nineteenth century government relationships with Aboriginal peoples were driven largely by the *Indian Act* and the allocation of Aboriginal affairs in the federal domain. Section 91 (24) of the Constitution Act 1867 conferred on Parliament legislative

jurisdiction over “Indians and Lands reserved for the Indians” which has been interpreted to authorize Parliament to pass laws directly in relation to Aboriginal peoples. The *Indian Act* passed in 1876 as part of Parliament’s constitutional responsibility for “Indians” and “Indian lands”, is based on policies developed in the nineteenth century. The *Indian Act* empowered government to administer the affairs of “Indians” to the extent that they could not manage their own lands on reserves, or their money. Each reserve was under the supervision of federally-appointed “Indian agents” who carried out policies developed in Ottawa (RCAPv1 1996, 278). It was not until 1960, along with the passage of the Canadian Bill of Rights, that Aboriginal peoples were given the right to vote (Warry 2007, 33-34).

In keeping with government policies of control residential schools were a tragic attempt to forcibly assimilate Aboriginal children. Established in 1870 by the federal government and assisted by various denominations of Christian churches, residential schools were established to assimilate Aboriginal children. They were forcibly removed from their traditional ways and languages, dislocating them from their families and familiar surroundings and placed in an education system that emphasized learning English or French, as well as prevailing domestic and industrial skills, in an effort to re-socialize Aboriginal children. “The 'savage' was to be made 'civilized', made fit to take up the privileges and responsibilities of citizenship” (RCAPv1 1996, 335). These practices were compounded by the failure to provide adequate food, clothing, and medical services and to keep children safe from teachers and staff who abused them physically, sexually and emotionally (RCAPv1 1996, 379).

Since Confederation in 1867 public policy for Aboriginal peoples has been divided by the federalist design of the Canadian state. The "Crown" side of the relationship split when the *Constitution Act 1867* gave the federal government responsibility for "Indians and the Lands reserved for the Indians" (section 91(24)) while giving the provinces responsibilities for public lands, health, welfare, education and municipal institutions (section 92). Graham and Peters (2002) provide a concise explanation of the impact that the *Constitution Act 1867* and the *Indian Act 1876* had on the division of responsibilities as well as on the legislated status of Aboriginal peoples in Canada:

> This division of responsibilities and the establishment of all municipalities as creations of provincial statute put in place major elements of the urban Aboriginal public policy maze. This maze was made significantly more difficult to navigate by the federal government's Indian Act and by its interpretation of section 91(24). Passage of the first *Indian Act* in 1876 put in place a regime of distinctions among Aboriginal Peoples that politically, administratively and viscerally divide Aboriginal people to this day (Gibbons, 1997: 21-22). As federal policy developed, Métis were separated from "Indians" and their rights were extinguished through the issuing of scrip (certificates that could be exchanged for land or money). For "Indians" the key distinction was between "Status" and "non-Status" Indians. The source of "Status" is membership or very specified historical connection to an Indian band, an administratively defined collective for the delivery of services. Typically, the band was tied to a reserve. The federal government has historically taken the policy position that its section 91(24) responsibilities relate to Indians *on* land reserved for Indians, rather than all Status Indians on or off reserve and, after 1939, to Inuit. Furthermore, it has been loath to extend its reach of action to non-Status Indians or Métis (Graham and Peters 2002, 5-6).

To summarize, although the Constitution Act 1867 delegated responsibility for Indians to the federal government, over time they abandoned this responsibility, leaving Métis, non-Status Indians, the Inuit and Aboriginal peoples residing off reserve in legal limbo.

Urbanization and Assimilation

The post World War Two period marks a pivotal point that witnessed the emergence of the welfare state for Canadians and, within federalism, new provincial policies of assimilation for Aboriginal peoples. After the war the federal government shifted its war-related expenditures by contributing to veterans' benefits that included housing, education, and vocational training. The welfare state proceeded to broaden its scope to the general population in the form of old age pensions, family allowances and government-sponsored health care insuring Canadians with "cradle to grave security" (Bothwell 2007, 369). For Aboriginal peoples this period witnessed increased state intervention as the child welfare system accelerated the assimilation of Aboriginal children after the 1940s. While residential schools boarded most children for ten months of the year, most eventually went back to their homes and communities. The foster and adoptive care system, however, has been criticised for the permanent placement of children in non-Aboriginal homes "where their cultural identity, their legal Indian status, their knowledge of their own First Nation and even their birth names were erased, often forever" (Fournier and Crey 1997, 81). While Ottawa remained financially responsible for status Indians, it delegated responsibility for Aboriginal health, welfare and educational services to the provinces, negotiating separately with each province the amount it would pay for services delivered to Indians. Once the provinces were guaranteed payment for each child under their care, the number of children made legal wards of the state increased significantly. In 1959 one per cent of all children in care

were Aboriginal but by the late 1960s up to forty per cent of all legal wards were Aboriginal children, even though they made up less than four per cent of the national population (Fournier and Crey 1997, 83). Patrick Johnston from the Canadian Council on Social Development labelled the accelerated removal of Aboriginal children beginning in 1959 as the 'Sixties' Scoop' (Fournier and Crey 1997, 88) even though the practise continued past that decade. By the end of the 1970s, it is estimated that one in four status Indian children were separated from their parents for all or part of their youth (Fournier and Crey 1997, 88). The repercussions of residential schools and child welfare policies for urban Aboriginal peoples are discussed further in Chapter Four.

In 1969 the Canadian government published its policy paper, *Statement of the Government of Canada on Indian Policy,* more commonly know as the White Paper. It argued for the elimination of the *Indian Act* and proposed equal participation of Aboriginal peoples in the cultural, social, economic and political life of Canada in exchange for their special status or rights. The White Paper was rejected by Aboriginal organizations as assimilationist (Warry 2007, 35) and was retracted by the federal government (Russell 2003, 77).What the White Paper did was stimulate dialogue among Aboriginal peoples as to where they stood in relationship to government and to themselves (Obonsawin and Howard-Bobiwash, 1997, 37).

The Emergence of Aboriginal Organizations

When most Aboriginal peoples migrated to urban centres they not only left their families, traditions and languages behind, but they also left the government controlled environment of the reservation. Friendship centres were established to assist newcomers with their urban transition. In addition to assisting Aboriginal individuals Friendship Centres were instrumental in providing some of them with opportunities to acquire the knowledge and skills required to become program and service delivery administrators (Graham and Kinmond 2008). When the Canadian Indian Centre of Toronto (CICT) was formed in 1962, it became the third friendship centre in Canada after Winnipeg in 1958 and Vancouver in 1963 (formerly the Vancouver Indian Centre Society which originated in 1954). Toronto's centre was originally funded by the federal Department of Citizenship, City of Toronto, churches, organizations such as the Order of the Daughters of the Empire, and individuals that included members of the Eaton and Sheppard families. The United Way of Toronto commenced ongoing funding in 1967 (Obonsawin and Howard-Bobiwash 1997, 35). While some of the members of the original Board were influential residents of Toronto, half of board members identified as being Aboriginal (Obonsawin and Howard-Bobiwash 1997, 30-31). CICT services originally included hospital visitation, court services, alcohol abuse counselling, housing assistance, Ojibway language classes, youth sports and recreation programs, and assisting newcomers orient themselves to Toronto (Obonsawin and Howard-Bobiwash 1997, 34). Over time these services evolved into separate Aboriginal organizations in Toronto: Wigwamen Housing

Corporation; Ahbenoojeyug Native Children's Program; Native Inmate Visitation Program; Pedahbun Lodge; and the Legal Advice Centre in conjunction with Union of Ontario Indians. In 1972 the implementation of the federal government's Migrating Native Peoples Program formally recognized Friendship Centres (NAFC 2012, 1) and the National Association of Friendship Centres (NAFC) was established as a unifying link for the Friendship Centre Movement and to advocate the concerns of Aboriginal peoples (Hanselmann et al 2005, 7). At the provincial level the representatives of CICT were involved in forming the Ontario Federation of Indian Friendship Centres (OFIFC) in 1975 ((Obonsawin and Howard-Bobiwash 1997, 36- 37).

Acknowledgement

Increased recognition of Aboriginal peoples by the Canadian government is highlighted by four events that took place in the 1980s and 1990s that include: repatriation of the *Constitution Act 1982* that made provision for Aboriginal peoples in Sections 25 and 35 of the *Charter of Rights and Freedoms*; Bill C-31 amendments to the *Indian Act* in 1985; the reversal of the exclusion of Aboriginal peoples in Meech Lake Accord by their involvement in negotiations for the Charlottetown Accord in 1992; and the influential report of the RCAP in 1996. While changes in the Constitution Act 1982 affirmed provincial responsibility for urban Aboriginal peoples, only RCAP recognized and made substantial recommendations for urban Aboriginal peoples.

There are two aspects to the repatriation of the Canadian constitution that resulted in the *Constitution Act 1982* and the *Charter of Rights and Freedoms* that are relevant to urban Aboriginal peoples specifically. The first significant aspect of Section 35 of the *Constitution Act 1982* acknowledges "the existing aboriginal and treaty rights of the aboriginal peoples of Canada" (Canada 1982) but does not state that this is a federal responsibility. What RCAP did was clarify that Section 35 also applies to provinces. Since municipal governments are created from provincial governments, Section 35 may be interpreted as being applicable to them as well (RCAPv2Part1.1996, 85-86), which means that all levels of government in Canada have some constitutional responsibility for Aboriginal peoples. The second significance of Section 35 was that the inclusion of Aboriginal peoples in the constitution fell short of Aboriginal self-government, despite subsequent constitutional conferences with the prime minister and provincial premiers. Aboriginal organizations had rejected previous revisions because they lacked reference to Aboriginal self-government and failed to include Aboriginal organizations in the constitutional process (Behiels 2007, 268). Aboriginal leaders expressed their dissatisfaction with the *Constitution Act 1982* by boycotting the final patriation ceremony on 17 April 1982 (Behiels 2007, 272). Section 37 of the *Constitution Act 1982* did, however, make provision for a constitutional conference chaired by the Prime Minister and including provincial premiers to be held within the year that the Constitution Act came into force (Canada 1982). The first conference was held 15-16 March 1983 chaired by Pierre Trudeau and the last conference chaired by Brian Mulroney was held 26-27 March 1987. These conferences failed to clarify "existing Aboriginal treaty rights" in

Section 35 (Behiels 2007, 279-281). In summary, the negotiations between prime ministers and provincial premiers that ended in 1987 failed to secure any further constitutional arrangements for Aboriginal peoples. However, Aboriginal peoples were recognized in Sections 25 and 35 of the *Constitution Act 1982* and the responsibility of all levels of government for Aboriginal peoples in Canada was clarified.

An increase in the number of individuals who identified as Aboriginal peoples in Canada resulted from the 1985 amendment to the *Indian Act*, commonly referred to as Bill C-31. And the recent *Gender Equity in Indian Registration Act*, commonly referred to as Bill C-3 has the potential to further increase the non-status Indian population. Bill C-31 attempted to correct gender bias that retained status for Indian men who married non-Aboriginals, yet disenfranchised Indian women if they married non-Aboriginal men (Howe 2006, 10). There were adjustments to the terms of registration for "status" yet the Bill continued to exclude women who married non-Aboriginals (Lawrence 2004). The passing of Bill C-31 therefore failed to enfranchise all applicants and in some cases limited status to current generations while disfranchising future generations. Yet, it had a substantial impact on the Aboriginal population due to an estimated increase of 35 percent in the number of Registered Indians that occurred as a result of reinstatements and registrations. Much of this growth increased the size of the off-reserve population (Clatworthy 2003, 86). What is significant about Bill C-3 is its attempt to eliminate section 6(2) (the one Indian parent stipulation) from Bill C-31. As much as Bill C-3 seeks to eliminate gender bias against women it actually continues to entrench gender bias against Aboriginal women because Bill C-3 failed to correct the gender discrepancies of

Bill C-35 and Bill C-3 extends Indian status for one generation only (Palmater 2011, 47). The implications for this are that as future generations lose their First Nation status they will be ineligible to live on reserves and will increase the non-reserve population that have a tendency to migrate to urban centres.

The negotiations for the Meech Lake Accord later in 1987 involved further attempts for constitutional reform which included Aboriginal leaders' advocacy for the right to self-government. These demands were overshadowed by other demands including Quebec's constitutional demands for a "distinct society" (Behiels 2007, 280). An Aboriginal legislator, Elijah Harper, was a pivotal actor in the demise of the Meech Lake Accord. Harper refused to give his assent to the Accord in the Manitoba legislature where an unanimous vote was required for its ratification. Then Prime Minister Brian Mulroney offered Harper a royal commission of inquiry on aboriginal issues to persuade him to reconsider his veto (Valpy, 1990). Harper still vetoed the measure but the momentum for more focus on Aboriginal concerns persisted.

Recognition

The Royal Commission on Aboriginal Peoples (RCAP) was commissioned in 1991 to "investigate the evolution of the relationship among Aboriginal peoples…, the Canadian government, and Canadian society as a whole" (1996 vol.1, 669). The Commission was co-chaired by Mr Justice Rene Dussault of the Quebec Court of Appeal and Georges Erasmus, former leader of the Assembly of First Nations. RCAP was the largest and at a

cost of $60m the most expensive public inquiry carried out in Canadian history. RCAP published *Aboriginal Peoples in Urban Centres* in 1993, a ninety-nine page discussion document that reported on the National Round Tables held in June 1992. The conclusion of the report stated:

> Aboriginal participants in the round table identified the problems they face in urban centres across Canada. They described the programs they have devised to serve the needs of Aboriginal urban people. They isolated many of the specific conditions that hamper these efforts. Participants described the social problems as a combination of ills: poverty, powerlessness, racism, joblessness, poor housing, family violence, abuse, AIDS, lack of child care, and low education and literacy levels. These problems are widespread and severe. Aboriginal urban people have developed programs aimed at alleviating these conditions and bettering the lives of Aboriginal urban people (Report 1993, 62).

The RCAP Report condensed hundreds of interviews and scholarly submissions into five concentrated volumes (Andersen and Denis 2003, 379). RCAP published its report in 1996. Of the five volume RCAP *Report*, the chapter, "Urban Perspectives" in Chapter Four reported on Aboriginal peoples in urban centres.

RCAP identified three main problems urban Aboriginal people encounter due to jurisdictional disputes. First, they receive a lower level of service compared to First Nations on-reserve. Second, they have difficulty accessing provincial programs available to Canadian citizens because provincial governments will not accept responsibility for providing services. And third, they lack access to culturally appropriate programs and services delivered in Aboriginal languages (Graham and Peters 2002, 18; Warry 2007, 19; Hanselmann and Gibbins 2005, 80). RCAP noted that the disparities in services for Aboriginal peoples living in urban centres were in part due to the extent public policies had been over-looked as a result of disagreements over jurisdiction (Canada House of

Commons 2003, 6). This resulted in: a lack of program coordination; the exclusion of municipal governments and Aboriginal organizations from policy discussions; and confusion about the political representation of Aboriginal peoples in urban centres. These factors have negatively impacted on the ability of Aboriginal people to access appropriate services in urban centres (RCAPv4 1996, 551).

RCAP also identified four critical issues for Aboriginal peoples in urban centres. The first critical issue involved "challenges to their cultural identity" (RCAPv4 1996, 520). Maintaining an identity is more difficult in urban centres because "many of the sources of traditional Aboriginal culture, including contact with the land, elders, Aboriginal languages and spiritual ceremonies, are not easily accessible" (RCAPv4 1996, 522). Also Aboriginal cultural identity is not a single element. Submissions to RCAP explained that cultural identity is composed of various features that together shape how a person thinks about herself or himself as an Aboriginal person rooted in Aboriginal experiences. For example, in Chapter One Etah described cultural identity as spiritual, emotional, mental and physical things (RCAPv4 1996, 524). Other essential aspects of cultural identity for urban Aboriginal people include the role of elders, the effects of discrimination, inaccurate perceptions by mainstream society, and healing. Elders, for example, "are seen as forces in urban Aboriginal peoples' lives that enabled them to endure or see beyond the pain and the turmoil they experience in their families, communities and within themselves regarding their Aboriginal identity"(RCAPv4 1996, 525). At the same time RCAP explained that most Canadians do not understand the practice of traditional Aboriginal cultures in cities because they have been taught to

'understand' narrow and inaccurate stereotypes of Aboriginal culture. Images of Aboriginal culture for many people may consist of totem poles, stone carvings, moccasins and feather head-dress, so that culture is viewed as no more than a collection of objects and rituals, observed in isolation from their meaning within its appropriate cultural context (RCAPv4 1996, 523). Submissions to the Commission stated that Aboriginal children in urban centres have little opportunity to learn, or play with classmates in Aboriginal languages. Also school curricula rarely include the history of Aboriginal peoples (RCAPv4 1996, 529). Submissions made to RCAP stressed the importance of a strong cultural foundation for the healing of the urban Aboriginal community.

> Throughout our work in addressing family violence we strive to return our people to a time where everyone had a place in the circle and was valued. Recovering our identity will contribute to healing ourselves. Our healing will require us to rediscover who we are. We cannot look outside for our self-image, we need to rededicate ourselves to understanding our traditional ways. In our songs, ceremony, language and relationships lie the instructions and directions for recovery. (Harold Orton for Janet Yorke, Director Barrie Community Care Centre for Substance Abuse) (RCAPv4 1996, 533).

Within RCAP's findings on healing is a comprehensive summary for cultural identity:

> The key to the healing process lies in protecting and supporting all elements that urban Aboriginal people consider an integral part of their cultural identity: spirituality, language, a land base, elders, values and traditions, family and ceremonial life"(RCAPv4 1996, 533).

The second critical issue RCAP identified for urban Aboriginals concerns "exclusion from opportunities for self-determination" (RCAPv4 1996, 520). Several proposed governing arrangements were submitted to RCAP, and RCAP reported that a large-scale survey found that "virtually all respondents (92 per cent) either strongly (66

per cent) or somewhat (26 per cent) support this effort to have Aboriginal people in urban areas run their own affairs" (RCAPv4 1996, 584). Significantly, the proposed systems for urban self-determination include Aboriginal peoples in decision-making processes at a local level especially in those areas that are relevant to the acknowledgement, maintenance and preservation of Aboriginal cultural identity. Two proposals for urban self-determination submitted to RCAP included co-management and community of interest arrangements. In the co-management governing system institutions and services are established by a provincial, territorial, federal and in some cases local government to serve the general population, with specific provisions for Aboriginal participation established in most cases through enabling legislation or negotiated agreements. Although they pertain to local services co-management arrangements would be implemented by federal, provincial or territorial legislation because local government authority is delegated by provincial and territorial governments. Exceptions to this would be in fields such as culture and recreation, where local agreements could participate in co-management. This approach may not represent self-government as such for urban Aboriginal people, but it does involve Aboriginal peoples working within the legislative, policy and administrative frameworks of mainstream Canadian governments. While this reality may afford urban Aboriginal peoples only limited opportunity to influence governance in urban centres, there are still important benefits that include having a voice in local government decision making and promoting greater understanding and relations between non-Aboriginal and Aboriginal peoples in urban centres (RCAPv4 1996, 583). Under the community of interest model the urban community would establish a city-wide

body with political and administrative functions that would exercise self-government in various sectors and institutions bound by its urban boundaries. Existing urban Aboriginal organizations would be recruited for their experience to develop this new form of governance. This model facilitates community of interest governments to enter into agreements with other Aboriginal governments and other urban governments, to co-operate in the efficient delivery of services to urban Aboriginal peoples (RCAPv4 1996, 585).

The third critical issue for urban Aboriginal peoples RCAP identified was discrimination (RCAPv4 1996, 520). Presenters and participants in learning circles reported they felt that racism and discrimination directed against them as Aboriginal people had a negative impact on their cultural identification (RCAPv4 1996, 527). This indicates that one of the most difficult aspects of urban life for Aboriginal peoples is dealing with racism (RCAPv4 1996, 526).

> Racism is experienced through discrimination, bias, exclusion, stereotypes, lack of support and recognition, negative attitudes, alienation in the workplace and lack of role models in management positions. Racism is exclusion…racism is manifested in many ways. It is unconscious, direct, individual, systemic and institutional (Louise Chippeway Chairperson, Aboriginal Advisory Council) (527).

Aboriginal women and the children they care for are especially vulnerable in urban centres. RCAP reported that the roles of women in formal and informal institutions are crucial to the day-to-day survival of urban Aboriginal people, but the needs of urban Aboriginal women are not adequately met and the reality of their lives often remains unvalidated (RCAPv4 1996, 570). Many Aboriginal women, along with their children become urbanized due to family abuse, separations and deaths. The testimonials below

attest to the discrimination confronted by Aboriginal women within their communities and in mainstream society. Joyce Courchene, President of Nongom Ikkwe Indigenous Women's Collective explained:

> Presently the women in our communities are suffering from dictatorship governments that have been imposed on us by the Indian Act. We are oppressed in our communities. Our women have no voice, nowhere to go for appeal processes. If we are being discriminated against within our community or when we are being abused in our communities, where do the women go?...The Royal Commission to date has not heard the true story of Aboriginal women's oppression. The women are afraid to come out and speak in a public forum such as this. We are penalized if we say anything about the oppression that we have to undergo in our community (RCAPv4 1996, 574).

Darlene Hall Ikwe Widdjiitiwin made the following submission to the Commission:

> Our women face racism and systemic stereotyping at every turn. For Aboriginal women, this racism and stereotyping is rampant right through the system, from the police to the courts, child welfare agencies to income security. Although the law is supposed to treat everyone equally, we all know this is not an Aboriginal reality (RCAPv4 1996, 576).

Also of significance is that the Aboriginal youth population makes up almost half of the urban Aboriginal population. According to RCAP many youths face the same circumstances as older Aboriginal people which include cultural confusion, high unemployment, violence, racism and substance abuse. Also, urban youth experience higher rates of pregnancy and sexually transmitted disease than other young Canadians (RCAPv4 1996, 561).

The fourth critical issue that RCAP found was "the difficulty of finding culturally appropriate services" (RCAPv4 1996, 520). The Commission not only recommended that Aboriginal people need, and should have, culturally appropriate services, but in addition, they stated that Aboriginal people should be involved in the design of these services that

promote a holistic approach to the healing of individuals and communities (RCAPv4 1996, 554). The Commission reported that some mainstream agencies and municipal governments are relying more on Aboriginal agencies to provide services because they cannot address the needs of urban Aboriginal people. This poses problems for Aboriginal organizations that not only are underfunded, but operate on an ad hoc or short-term project-funding. These funding arrangements fail to accommodate the planning and delivery of services. In addition, challenges to staffing include programs that are understaffed, dependency on unpaid and untrained volunteers, staff and volunteer burn-out, and administrators who spend more time seeking funding instead of delivering services (RCAPv4 1996, 555). RCAP recommended that "Changes are urgently required to improve access, to involve Aboriginal people in the design, development and delivery of services, and to establish or enhance cross-cultural training" (RCAPv4 1996, 557).

The immediate reaction to RCAP quickly centred on the $30 billion price tag for implementing the reforms it recommended. Annual allocations of $2 billion would be required for building health centres, stimulating the Aboriginal economy, upgrading housing and building community centres. RCAP envisioned the training of 10,000 Aboriginal people for careers in health, social services, and leadership roles "within a self-government framework" (Feschuk 22NOV96). "[W]hile public inquiries are often extremely expensive to conduct and usually received with much fanfare, most often very little is done about the recommendations contained in the final report. The RCAP Report

is hardly an exception on this count: since its release in 1996 very few (if any) of its recommendations have been implemented" (Andersen and Denis 2003, 381).

The federal response to RCAP recommendations for urban Aboriginal peoples was brief. Published in 1997 by the federal Cabinet, *Gathering Strength: Canada's Aboriginal Action Plan* devoted two paragraphs of the thirty-six page document to respond to urban Aboriginal issues. It stated the need to "strengthen partnerships with provincial governments and Aboriginal groups to develop practical approaches for improving the delivery of programs and services to urban Aboriginal people" (Abele and Graham 2011, 43).

In summary, RCAP emerged out of increasing agitation regarding the relationship of Aboriginal peoples with Canadians. The recommendations for urban Aboriginal peoples made up a relatively small component of the five volume report, but they addressed the critical issues that included challenges to cultural identity, exclusion from opportunities of self-determination, discrimination and difficulties of finding culturally appropriate services. As Abele and Graham noted: "If RCAP devoted comparatively little ink to urban issues, so too did the formal federal policy response" (Abele and Graham 2011, 44). Despite this observation, what they identified as "the partnership paradigm" is a crucial aspect to present urban Aboriginal policy as embodied in the Urban Aboriginal Strategy, discussed next.

The Twenty-First Century

One successful initiative that emerged from RCAP and supported by the Sgro Task Force on Urban Issues (Abele and Graham 2011, 46) was the Urban Aboriginal Strategy (UAS). Even though the federal government sees its mandate to First Nation as primarily focused on reserves, it does provide for Aboriginal peoples off- reserve through the Office of the Federal Interlocutor for Métis and Non-Status Indians (OFI). OFI works toward improving federal programs and services for Métis, Non-Status Indians and urban Aboriginal peoples. The (UAS) is a major project created by OFI in 1997 to partner with other governments and community organizations in response to the needs of urban Aboriginal peoples in three project priority areas: improving life skills; promoting job training, skills and entrepreneurship; and supporting Aboriginal women, children and families (AAND 2011). The UAS operates in thirteen cities whose combined Aboriginal population represents more than 25 percent of Canada's total Aboriginal population (Vancouver, Prince George, Lethbridge, Calgary, Edmonton, Prince Albert, Regina, Saskatoon, Winnipeg, Thompson, Thunder Bay, Toronto, and Ottawa). What is significant about this project is that while the federal government has devolved its responsibility for urban Aboriginal peoples to provincial governments, the UAS has taken on the role of coordinator to bring the Aboriginal community together via voluntary organizations at provincial and local levels. Using a collaborative approach with representatives from Aboriginal organizations, the UAS was designed to recommend and

develop pilot projects that would enable greater alignment with federal, provincial and local programs:

> The UAS strives to better address issues facing urban Aboriginal Canadians. Through sustainable partnership policy development, program coordination at the federal level and with different levels of provincial, municipal, Aboriginal governments and private sector partners, the UAS is meant to address local priorities, develop innovative solutions to set priorities, involve partners and reduce the level of disparity that urban Aboriginal people face (AAND 2011).

In 2007 the federal government committed $68.5 million over five years to thirteen urban centres (AAND 2011). And in Budget 2012 Government of Canada renewed the strategy for 27 million dollars for two years ending in 2014 (AAND 2012). According to Abele and Graham the strengths of the UAS approach includes: "its ability to adapt to local circumstances, its community-based approach, its allowance for federal information sharing and coordination, and its receiving strong provincial support" (Abele and Graham 2011, 48). And the difficulties to the approach include:

> the reality of project funding pressures, weak communications with the Aboriginal community at large, a lack of clear terms of reference for the steering committees, a lack of ongoing strategic direction, a lack of direction from senior managers in participating federal departments, and lack of a commonly understood longer-term vision for the UAS (Abele and Graham 2011, 49).

The *Urban Aboriginal Peoples Study* (UAPS) by Environics is useful in assessing the extent to which its findings align with the critical issues as identified by RCAP for urban Aboriginal peoples. This assessment asks whether critical issues identified almost 15 years ago when RCAP was published are relevant for Aboriginal peoples living in urban centres today, by analyzing selected survey findings concerning Aboriginal identity, residential schools, the criminal justice system, health, political identity, and experiences of discrimination as reported by UAPS. The UAPS went beyond the

indicators that measure marginalization to inquire about the "values, experiences, identities and aspirations of urban Aboriginal peoples" with a focus on the future rather than the past (2010, 6). Surveying Aboriginal peoples from all socio-economic strata in Canada's largest urban centres the study inquired: "Which factors are leading them toward greater success, autonomy and cultural confidence?" (UAPS 2010, 6).

According to UAPS urban Aboriginal peoples are more positive about their Aboriginal identity than at any time in the past (UAPS 2010, 42-48). Of significance to urban Aboriginal identity is the impact of the residential schools issue. Two-thirds of those surveyed indicated that they themselves or a family member were a student at a residential school or a provincial day school and half indicated that the residential school experience has had some impact in shaping their lives today (UAPS 2010, 55). A majority of those interviewed had contact with the Canadian criminal system either as a witness to or a victim of a crime, or have been arrested or charged with a crime (UAPS 2010, 97). To this extent they strongly support alternative justice approaches because many feel they would reduce Aboriginal crime rates, improve their confidence in the justice and improve community safety (UAPS 102). Support of traditional healing practices (which includes spirituality, relation to the land and strength of Aboriginal identity) were felt to be more important than access to mainstream health care for the majority of Aboriginal participants (UAPS 116). Aboriginal peoples still have negative experiences with non-Aboriginal services (financial institutions, health system, schools, social assistance programs, employment services, social housing and child welfare system) that include racism or discrimination, disrespect, judgmental staff, rudeness and

lack of empathy. A large majority of Aboriginal peoples believe that it is very important to have Aboriginal services regardless of whether they are users or non-users of non-Aboriginal services and that this is considered to be most important for addiction programs, child and family services and housing services (UAPS 2010, 81- 85). On the topic of political engagement the UAPS asked two questions. The first asked about perceptions of Aboriginal political organizations with fewer than half of the respondents indicating that Aboriginal organizations represent them well. The second asked whether Aboriginal political organizations or Canadian political parties best represents them with just over one-quarter indicated that national Aboriginal organizations represent them best, just over one-quarter indicated that national political parties best represent them and, just over one-quarter indicated that no one political organization best represents them (UAPS 95).

The UAPS findings indicate that cultural identity is highly positive for Aboriginal peoples living in urban centres with a strong majority expressing pride in being indigenous. The study indicates that Aboriginal peoples in urban centres are represented by Aboriginal organizations and Canadian political parties. In this sense Aboriginal peoples are politically active but the UAPS does not inform us of actual Aboriginal political participation, which is crucial for assessing attitudes of Aboriginal self-determination. In summary, even though the UAPS downplayed political representation of urban Aboriginal peoples that may impact on self-determination, it highlighted their desire to incorporate their Aboriginal cultural values in their control of justice, health and family services.

Urban Aboriginal Organizations Today

The growth of the urban Aboriginal population in Canada coupled with paradigm shifts in governance further challenges the role and capacity of urban Aboriginal organizations. From 1991 to 2006 the urban Aboriginal population in Canada doubled from 320,000 to 623,920 (Peters 2011, 11). Neoliberal reforms starting in the 1980s significantly downloaded service delivery to the third sector. In the absence of a specific government department for urban Aboriginal peoples, program and service implementation requires contact with multiple departments at various levels of government. Wotherspoon succinctly describes the scope of services required by Aboriginal peoples:

> There is growing consensus…that Aboriginal people have distinct experiences and needs due to their historical circumstances and to ongoing processes of social exclusion and differentiation. Many Aboriginal people require a wide range to resources and services over and above those available to Canadians as a whole. Job creation, employment equity, mentorship arrangements, income support, and training programs oriented to youth and adults with prior levels of skills and qualifications are important, but basic programs to support healing, early childhood and family services, healthy communities, language and identity, and life skills are also essential. Moreover, policy development must take into account formal recognition of Aboriginal 'special status; and rights…These realities suggest the need to maintain the coexistence of programs and service delivery arrangements tailored specifically to Aboriginal people even as Aboriginal people are encompassed within more general federal and provincial programs (Wotherspoon 2003, 192).

Urban Aboriginal organizations are actively involved in policy processes that not only address programs and service delivery but they also represent and advocate for the cultural needs of their communities. This is further elaborated in Chapter Five.

3 HISTORICAL DEVELOPMENTS IN TRAVELLER POLICY

Starting from ancient times this chapter will locate Travellers as a group distanced from the national story of Irish culture and history. This section will then proceed to outline policy in the twentieth century that progressed through acknowledgement, assimilation, integration, and interculturalism towards the Travelling community. And it will also outline the evolution and development of voluntary organizations for Travellers.

Travellers Up to the Twentieth Century

Ireland's (Foster 1988; Moody and Martin 2001; Brown 2004) geographical location in relation to Europe failed to protect her from cultural and political invasion. One significant aspect of the political geography of Ireland has been the position of Great Britain as a barrier between Ireland and Europe. Yet this British barrier has served to dominate the language, education, popular tastes and common law in Ireland. Ireland's earliest history is one of sporadic settlements up until the invasion of the Gaels during the first century BCE. Their conquest lasted until the fifth century CE with the arrival of Christian missionaries and Saint Patrick who is credited with firmly establishing Christianity in Ireland (Beckett 1979). After the Norman invasion of 1171 Ireland was under the partial control from Norman lords and the King of England. This invasion resulted in the building of walled towns, numerous castles and churches, the importing of tenants and an increase in agriculture and commerce. The Normans were credited with

creating towns, starting with Dublin in 1192 and the system of counties was introduced in 1297. Ireland has been under some form of English control since the twelfth century, but the Protestant domination of Ireland dates from Henry VIII's break with Papal authority in 1536 to 1691 when Irish Jacobites surrendered at Limerick. This established two central themes in Irish history: the subordination of the country to London based governments, and sectarian animosity between Catholics and Protestants. This period also saw the transformation of Irish society from a clan based Gaelic structure to a state-governed society.

Extracting Travellers from Irish history is not as much a question of 'where' they are from, as much as it is a question of 'when' and 'why' they emerged as a distinct group (Helleiner 2003, 30). Pre-conquest Gaelic Ireland was based on a pastoral mode of subsistence, rather than agriculture, and was divided into many small political units called *tuaths*, or lordships, within which lords, chieftains, freemen, and serfs were linked to each other through ties of clientage (Quinn 1966, 15). The movement of clients between lordships, joined by itinerant occupational groups such as bards, doctors, gamblers, musicians, merchants, and craftsmen, constituted a mobile society. Achieving control of Ireland as an English colony from the second half of the sixteenth century equated 'civilizing' the Irish by suppressing their mobility (Helleiner 2003, 31). Irish wanderers were met with apprehension by English administrators whom they suspected as members of the armies of lords challenging their domination. Even though these wanderers were treated harshly by the colonial administration, there remained a significant number of them. This mobile population not only represented a continuation of the Gaelic way of

life, but was the result of the displacement of Irish landowners with Protestant newcomers (Helleiner 2003, 32). Having traced the history of wandering people in pre-colonial and colonial Ireland Helleiner observes that "it is difficult to come to any conclusion regarding the relationship between these wanderers and the 'tinkers' who would attract scholarly study by the end of the nineteenth-century" and that "the available evidence suggests that 'tinkers' were not particularly visible (at least to the élite) within the larger itinerant population prior to the nineteenth century" (Helleiner 2003: 32-33).

The name 'tinker' comes from the sound of hammer striking metal and metal working. Described as one of the oldest traditions on the road, it probably predates the Common Era (Gmelch 1975, 8). The words "tinkler" and "tynkere" began appearing in written records as trade or surnames in 1175 (Gmelch 1975, 10). The ethnogenesis of Travellers is concealed by a lack of historical documentation and Traveller illiteracy (Kearns 1977, 539). Helleiner observes that even though tinkers may be located in history as a trade or as a surname, "the extent to which the term referred to a distinct category of people is, however, unclear" (Helleiner 2003, 34). Linguistic studies have been helpful in determining Traveller origins. The Traveller language is referred to as Shelta in Gypsiology literature, and has also been referred to as Gammon or Cant. Gypsiologists attribute the discovery of Travellers' Cant to Charles Leland who claimed to have first recognized it in 1876 (Helleiner 2003, 37). Even the use of Shelta and the status of its speakers were contested by Gypsiologists, when they "concurred that Shelta was of Irish origin and added that it was a secret language of great antiquity, probably formed prior to the eleventh century" (Helleiner 2003, 38). "The dating of the 'tinker's' cant to a period

prior to the eleventh century, however, did not ensure a similar dating of 'tinker' origins. This was because….it was assumed that Shelta could not have been fashioned by illiterate 'tinkers'" (Helleiner 2003, 38). Shelta's link to an ancient Irish past allowed 'tinkers' a status in scholarly circles witnessed by their incorporation in the literature of the Celtic Literary Revival in the late nineteenth century in works by Lady Gregory, Douglas Hyde and J. M. Synge. In this literature, Irish wanderers including 'tinkers' would "be portrayed, not as degenerates, but rather as symbols of nationalist aspirations" (Helleiner 2003, 40). Constructions of Travellers have been "dominated by outsiders who have attempted to 'explain' Travellers in terms of various origin stories" while there has been a consensus on the Irishness of Travellers, "attributions of degraded origin …have served to naturalize and inferiorize Traveller identity and have justified anti-Traveller action in racist ways" (Helleiner 2003, 50). Fanning notes that several histories of Ireland even those that examine the role of ethnicity and social diversity in Ireland, fail to mention Travellers (2009, 17-18). In summary, Helleiner's extensive research locating Travellers in Ireland's history and ethnography reveals the penchant among scholars for finding *the* event that created Travellers as a distinct group, rather than tracing the evolution of Travellers within, or apart from, Irish society.

In the twentieth century Irish politics were radicalized behind a movement to re-establish an independent legislature that was dissolved by the British in the *Act of Union 1800*. When the Irish constitutional movement failed to yield results, the revolutionary tradition in Ireland led to the Easter Rising in 1916. Struggles for independence from Great Britain in the Easter Rising of 1916 and the acceptance of the Anglo-Irish Treaty in

1921 established Ireland's Dominion status within the British Empire. The new state emerged led by a new Catholic bourgeoisie class that dominated socialist, labour, and feminist sectors.

In newly independent Ireland the identification of Travellers provided a way to uphold Gaelic society and culture and downplay the role of the Anglo-Irish in Irish cultural development (Helleiner 2003, 47). Although Travellers made gains in cultural notoriety, they were increasingly othered and separated from mainstream society. MacGréine was the first folklorist to collect information directly from 'tinkers' and became the first to refer to them as 'travellers' (Helleiner 2003, 47). He credited Travellers for the spread of folk tales as "important repositories of Irish tradition" (Helleiner 2003, 48). In response to anti-Traveller sentiments in the 1920s and 1930s MacGréine wrote:

> To those people who would seek to 'civilise' [the tinkers] … who refer to them as a 'national problem'; 'a nuisance to farmers'; and so on, I would say: Leave us our wandering tinkers. House them and they pine; they have no outlet for their restlessness. Why cage a bird? Why civilise a tinker? (MacGréine 1931: 177) (Helleiner 2003, 48).

Since Irish independence in the 1920s increasing state regulation and economic modernisation contributed to making Travellers, what Bhreatnach describes as problematically 'conspicuous.' Travellers were never subject to sustained legislative control because the central government had difficulty categorising them and the problems they created as the responsibility of any one government department. Removed from legislative authority Travellers remained outside of society and if legislation did apply to Travellers, its implementation was for the most part not enforced. Even though the

School Attendance and *Street Trading Acts* of 1926, the *Road Traffic Act* 1933 pertained to Travellers, the regulations flowing from these laws were not enforced in their case (Bhreatnach 2006, 90).

Up until the end of the 1950s, despite their notoriety as contributing to the folklore of Ireland, they continued to be ignored even when policies and legislation directly pertained to them. Government departments whose responsibilities extended to Travellers' affairs included: the Department of Education for administering school attendance; the Department of Health for infectious diseases and sanitation, which affected unauthorised campsites; and the Department of Local Government for town planning which included housing. The nature of Traveller nomadism, accommodation patterns and lifestyle could be affected by many departments but no one department was specifically responsible for Travellers. Even as the Department of Local Government and Public Health extended its powers over citizens, ostensibly including nomads, Travellers were ignored (Bhreatnanch 2006, 89-90). From 1925 to 1960 most Dáil deputies addressed their complaints against Travellers to the Minister of Justice demanding legislation for trespassing animals, campsites, begging and public disorder. In 1950 the Minister for Justice explained that his department did not believe a solution existed: "6,000 of these persons whose people have been on the roads for centuries and that they have a prescriptive right to be on the roads" (Bhreatnach 2006, 92).

The National Folklore Commission (NFC) described 'tinkers' as 'one of the oldest classes of Irish society.' As probable repositories of Irish tradition the NFC issued a 'tinker questionnaire' in the early 1950s to compile documentation of the 'tinkers' way

of life 'before it is too late' (Helleiner 2003, 48). Under the heading of 'Tinkers' the Questionnaire instructed information collectors not to collect information about tramps and beggars, but only from "tinkers who move about in family or other groups and ply a trade or calling, such as tin-smithwork or horse-dealing" (NFC 1952).

Assimilation

A shift in national policy from an anti-interventionist (Helleiner 2003, 76) supported by the Catholic Church toward increased state involvement in the provision of social welfare in the 1960s had a profound impact on the Travelling Community. Traditionally dependent on the Society of St Vincent de Paul and the Legion of Mary[1] for their charity, Travellers were eligible for newly instated universal welfare entitlements in the 1960s (Royall 2010, 159). By this time Travellers were no longer required in rural areas because their traditional economic activities of tinsmithing, horse trading and farm labour became obsolete due to the mechanization on farms and the availability of mass-produced goods. Their increasing employment in scrap metal coupled with their dependency on social welfare meant that Travellers moved closer to urban centres. At the end of the World War Two there were approximately 15 travelling families living in Dublin. By 1961 there were 46 and by 1971 there were 248 families (Gmelch1975, 44). In reaction to the increasing encroachment of Travellers on urban centres starting in the 1960s the first

[1] St Vincent de Paul is an international Catholic lay voluntary organization that assists the poor by visiting their homes and the Legion of Mary was established in Ireland in 1921 by Frank Duff to practice Catholic values in its charitable work (McDonagh 2006, 87).

national inquiry regarding Travellers addressed the situation by recommending they be assimilated into mainstream society. The Commission on Itinerancy was established by the government of Ireland in June 1960 and published its report in August 1963 (Report 1963, 11). The terms of reference set out to inquire into, "the problem arising from the presence in the country of itinerants in considerable numbers" and to consider steps that might be taken "to promote their absorption in the general community" (Report 1963, 11) The commission was chaired by the Hon. Justice Brian Walsh of the High Court. The nine Commissioners included the Chief Medical Officer and representatives from the Farmers Association, Garda Síochána (national police), the Catholic church, health and education authorities. Of the 15 voluntary organizations and associations invited to submit memoranda for the Commission no Traveller organizations were listed (as none were formally established), but submissions were made on their behalf by the Legion of Mary and the Society of St Vincent de Paul. Even though the Commission admitted "travellers as they prefer themselves to be called" (Report 1963, 37) it referred to them as itinerants throughout the report. The commission held 51 formal meetings across the country before it published its 166 page document that reported on the travel habits, health, education, economic aspects, accommodation, social and ethical behaviour, and criminal offences of itinerants and the attitude of the settled population toward them. The commission portrayed the Traveller issue as involving the amelioration of low socio-economic status by means of assimilation. The Terms of Reference referred to "the problem arising from the presence in the country of itinerants in considerable numbers" and set out "to examine the economic, educational, health and social problems inherent in

their way of life." It then set out "to consider what steps might be taken…to promote their absorption into the general community" and "pending such absorption, to reduce to a minimum the disadvantages to themselves and to the community resulting from their itinerant habits (Ireland 1963, 11)" (O'Connell 1997). The Commission reported that "almost all itinerants are completely illiterate" (Report 1963, 64). Even though school attendance became compulsory in 1926, no real effort was made to see that Traveller children went to school (Gmelch 1975, 105). As the Commission on Itinerancy noted:

> The majority of itinerants with school-going children do not remain in any particular area for a protracted period. When questioned by the gardai [police], parents usually put forward a plea that attempts to secure houses have been invariably unsuccessful. To a great extent this is true as local authorities for various reasons are not desirous of tenants of this type (Report 1963, 66).

The report went on to say:

> It is urgently necessary, both as a means of providing opportunities for a better way of life and of promoting their absorption into the settled community, to make such arrangements which ... may be practicable to ensure that as many itinerant children as possible may from now on receive an adequate elementary education (Report 1963, 67).

Despite its general thrust to absorb Travellers into mainstream society the Commission was valuable in providing information on the general state of Travellers in Ireland. As such it dispelled some myths about Travellers. For example, it stated that the notion of leadership of Travellers headed by 'kings', was an untruth perpetuated by newspapers (Report 1963, 37-38). In summary, in its first policy report on Travellers, the Commission defined the Travelling community as an 'itinerant problem' which it sought to remedy by absorbing Travellers into mainstream society (Helleiner 2003, 76).

In addition to the increasing urbanization of Travellers due to the obsolescence of tinsmithing and farm labour and the availability of social welfare starting in the 1960s, the other factors impacted on Travellers during the 1970s. The sudden increase in the urban Traveller population contributed to a rise in anti-Traveller prejudice and racism mainly in new housing estates built on the periphery of Dublin. Dubliners who could afford to move to these suburban areas were appalled by the close proximity of their new homes to unsightly Traveller camps (Gmelch 1987, 307). Travellers became aware of their deprivation compared to their new neighbours and "also more conscious of the systematic official neglect and harassment to which they were subjected" And non-Traveller professionals became more active in Traveller affairs (Royall 2010, 162).

Traveller Organizations

The rapid increase of the urbanization of Travellers led to a rise in Traveller prejudice and racism in social discourse. Travellers were regarded as a 'problem' that the state and the voluntary sector worked in partnership to solve starting in the 1960s (Fay 1992, 37; Royall 2010, 158). This was undertaken on the premise that what the state wanted to provide for Travellers would not conflict with Travellers' interests. Stigmatized by mainstream society, Travellers as a group were not equipped at this time to counter emerging settlement and assimilation policies (Royall 2010, 158). The voluntary sector involved with Travellers issues was composed almost exclusively of settled people, and Travellers were rarely represented (Fay 1992, 37). While most organizations that

mobilized for Travellers fell into a category of supporting assimilationist policies there were organizations that supported Traveller lifeways. For example, in the 1960s the anti-settlement Itinerant Action Committee/Campaign (IAC) organized marches mainly in Dublin to raise awareness for Travellers' struggles and to protest against Traveller evictions (Royall 2010, 158). In 1969 the Irish Council for Itinerant Settlement was formed to link other similar committees that had been formed across Ireland. By 1974 there were committees in most counties (McDonagh 2006, 91) and their name was changed to The National Council for Travelling People (Bewley 1974, 17). Other organizations were created to support assimilationist policies. One year after the Commission on Itinerancy reported in 1964 the Dublin Itinerant Settlement Committee (DISC) was created because their founders, some of whom were affiliated with the Society of Friends (Quakers), felt that no new measures had come out of the Commission. The purpose of DISC "was not to undertake settlement itself, but rather to seek ways and means to so change public opinion that it would be possible for Local Authorities to implement the new Government policy" (Fehily 1974, 7). However, the DISC took it upon itself to locate small plots of land in the Dublin area with access to water to park trailers "and in this way quite a number of families began on the path to settlement" (Fehily 1974, 7). In 1972 the Association of Teachers of the Travelling People (ATTP) was created with a membership of over 200 on the agreement that "unless the travelling people have some basic education, they will never really be free to make a choice between the life of the open road and the life of the settled community" (Dwyer 1974, 92).

In summary, national policies for Travellers were addressed as a problem to be fixed. Non-Traveller voluntary involvement in Traveller affairs was polarized. At one end it sought ways to change public opinion to accept Travellers. At the other end it carried out assimilationist goals as articulated by the Commission on Itinerancy. Travellers themselves were not well mobilized as a group at this time and they were not represented in voluntary organizations.

Integration

Despite the increasing migration of Travellers into urban centres and their economic dependency on the state, most Travellers rejected government settlement and assimilation objectives (Royall 2010, 161). Also, increased conflicts between Travellers, non-Traveller residents and local officials in Galway City and elsewhere brought about the establishment of a review of current policies and services regarding Travellers by government (Helleiner 2003, 99) Twenty years after the Commission on Itinerancy, the Travelling People Review Body (Review Body) was established by the Ministers for the Environment and for Health and Social Welfare and reported in 1983 (Task Force 1995, 54). Whereas the previous Commission referred to Travellers as "itinerants", this 133 page document acknowledged (lower case 't') 'travellers' in its report. Walter MacEvilly, former Chief Executive Officer of the Southern Health Board was Chairman of the Review Body. Three Travellers were included as part of the five-member National Council for Travelling People that joined the 23-member Commission. The Commission

also included representatives from the Departments of Health, Labour, Education and the Environment, the Garda Síochána, Society of St Vincent de Paul and County Councils (Report 1983, 1-2). The Review Body acknowledged that the concept of Traveller absorption into society was unacceptable due to the loss of Traveller identity and "suggested that it is better to think in terms of integration between the traveller and the settled community" (Report 1983, 6). The Review Body set out six objectives. The first was to improve the well-being of Travellers. The second was to provide halting sites for Travellers: "Nevertheless, the wishes of those Travellers who choose to remain on the road must be respected and serviced sites must be provided to allow them to continue that form of life with such dignity and comfort as it allows" (Report 1983, 15). The third, fourth and fifth objectives were to ensure the availability of education and training; the provision of health care; and special welfare needs. The sixth objective was to reduce hostility to Travellers by the settled population by identifying the causes of hostility and by "public education designed to give the settled population a better understanding of travellers and their problems and to give the travellers an understanding of, and the reasons for, the settled person's attitude" (Report 1983, 15-16). The Review Body traced the progress made since the Report on Itinerancy by reproducing sections of the 1963 report and commenting on its current status. Education and accommodation were given more scrutiny compared to health issues. Regarding accommodation the Review Body reported that the majority of Travellers desire standard housing and that 957 families were settled in standard housing in 1980 , "but this desire for a permanent home does not imply that all want to lose their identity as a group" (Report 1983, 37). It also reported

that Travellers experience difficulties in making the transition to settled living: "inability to cope with financial and other commitments of settled living; claustrophobia and restlessness; loneliness; unsuitable location; subtle ostracisation or frank intimidation from neighbours" (Report 1983, 38). Despite efforts to provide Travellers with standard housing, the number of Traveller families on the roadside stayed constant at 1,142 families in 1960 and 1,149 in 1980. One reason given for the lack of Traveller accommodation by local authorities was the attitude that "if they do too much, travellers from other counties will come 'flocking in'" (Report 1983, 39). The Review Body dismissed this notion:

> They are *not* attracted to an area because of the accommodation and facilities existing therein. It has been fairly well established by now that families remain in, or move into, areas or towns for their own good reasons, but never because of the facilities offered. They are loyal to the family ties of either the husband or the wife. They like to be in familiar territory and among people they know (Report 1983, 40).

The final recommendation of the Review Body was for the creation of a corporate body that would: promote the welfare of Travellers; work toward the elimination of discrimination; monitor the effectiveness of programs to assist Travellers; coordinate services carried out by government departments; and "promote a greater appreciation between traveller and settled people of each others rights and concerns" (Report 1983, 109). Despite its recommendations, a corporate body responsible for Traveller Affairs was never established.

In summary, twenty years after the Commission on Itinerancy, the Review Body sought the find common ground in an intercultural approach to assisting Travellers. According to Helleiner:

> An increasingly reified Traveller / non-Traveller boundary was, by the end of the 1970s, beginning to be culturalized in ways that 'explained' the apparent failure of the Travellers to be rapidly 'absorbed,' and supported proposals for the provision of segregated and differentiated services. The 1983 Review Body's references to Traveller identity and tradition exemplified this shift while retaining a commitment to Traveller settlement as necessary to Irish modernization. (Helleiner 2003, 100).

Traveller Organizations

It was at the time of the Review Body report that Traveller organizations increased in number and scope. A major change that occurred starting the 1980s was that Travellers were included in management and staffing positions of Traveller organizations (Royall 2010, 161). The first inclusive efforts by Traveller organizations involved the National Council for Travelling People, which participated in the Review Body that reported in the early 1980s. At that time the Committee of the Rights of Travellers (CRT) was formed in 1982 and Minceir Misli (Travellers' Movement) was formed out of it in 1984. These groups were formed to counter the domination of Itinerant Settlement Committees (ISCs) by non-Travellers and their assimilationist ideology that emphasized "philanthropy as a form of social control" (Fay 1992, 39). Instead they advocated for the cultural identity and rights of Travellers. To illustrate, in 1982 the first issue of *the Pavee*, a Travellers' newsletter, called for:

> an end to discrimination, full legal rights for Travellers and a public campaign to end negative stereotypes and help improve Traveller-non-Traveller relations,

> consultation in any government programme, and more housing as well as more camping sites for those families who wish to remain nomadic (Gmelch 1987, 315)

The CRT was formed by Travellers and a social worker in reaction to protests and threats of being burned out in attempts to evict Travellers from the Dublin suburb of Tallaght (Gmelch 1987, 311). The CRT also supported the first Traveller to run for Dáil (Parliament) election in 1982. Coming out of the CRT Minceir Misli was a Traveller-only advocacy group that used tactics of protest and confrontation but failed to attract a wider Traveller following (Fay 1992, 39). Although these rights-based organizations were short lived, they were active in marches, media publicity and resistance to evictions (Noonan 1998, 162). The rights-based nature of these groups was influential in the formation of the Dublin Travellers' Education and Development Group (DTEDG) in 1984. The social worker who assisted in the formation of the CRT, was instrumental in building Traveller identity through literacy classes and communications workshops at the DTEDG:

> In an ambitious project in 1985 twenty-four Dublin Travellers completed a six-month training course in communication skills, self-esteem and personal development, literacy, modern political history (focusing on Ireland and the Third World) and the basics of community organizing and recruiting. Under the Irish Department of Labour scheme called 'teamwork' some of these newly trained community workers have now begun working to educate and organize other Travellers on several of Dublin's official campsites (Gmelch 1987, 312).

According to Noonan: "these new groups sought to resource and motivate the Traveller community to build a national movement for self-determination, which located the recognition of Travellers' distinct ethnic identity as central to their campaign" (Noonan 1998, 162). The DTEDG changed its name to Pavee Point in 1993 and has since become

a national Traveller organization. The National Traveller Women's Forum (NTWF) was created in 1988 (Fay 1992, 50) and is still in existence in the present day.

In summary, since the 1980s agitation for Travellers became rights-based and non-Traveller involvement took on a more supportive role. Travellers became actively involved as staff in these organizations.

Recognition

The 1990s Irish policy regarding Travellers was influenced by external economic and social factors. Increasing Europeanization and globalization included new forms of governance and policy-making in Ireland. Socially, European NGO networks were concerned with racism against Travellers and Roma (Helleiner 2003, 228). Moving from integration, government policies transitioned to recognition with a new commission on Travellers in the 1990s. The Task Force on the Travelling Community was established in July 1993 by the Minister for Equality and Law Reform to "examine, advise and make recommendations on the needs of Travellers and on Government policy generally in relation to the Traveller community" (Task Force 1995, 55). Senator Mary Kelly chaired the 18-member Task Force comprised of representatives of the major political parties, the Conference of Religious of Ireland, the Departments of Education, Environment, Health and Social Welfare, the Minister for Equality and Law Reform, and Dublin County Council. Five members represented the following Traveller organizations: Pavee Point; National Federation of Travelling People; Irish Traveller Movement; and National Association of Traveller Training Centres. The 300 page *Report of the Task Force on the*

Travelling Community was published in July 1995. Recommendations were made under three principal areas. First, it addressed, "key policy issues of relevance to Travellers namely accommodation, health, education and training, and economic development including the co-ordination of policy approaches by the relevant statutory agencies." Second, it addressed, "relationships between Travellers and 'Settled' people." And third, it focused on, "the experience of Travellers with a particular focus on culture and on discrimination" (Task Force 1995, 57). Within these three principal areas the Task Force recommended:

> …strategies to tackle the problems of social exclusion and social disadvantage which are faced by the Traveller community today. The main elements of these strategies include: the need to provide 3,100 units of additional accommodation by the year 2000…; the introduction of measures to improve the health status of Traveller community and to remove the obstacles to Traveller access to the health services; the re-organisation and development of the education services in order to provide for increased participation by Travellers; … new initiatives to support the development of the Traveller economy and increased levels of Traveller participation in the mainstream labour force; the adoption of measures which address the problem of discrimination faced by the Traveller community; …the improvement of mechanisms in order to ensure that statutory agencies which provide services that impact on Travellers do so in a co-ordinated manner; the need to increase participation by Travellers and Traveller organisations in the decision making process in areas which affect Travellers' lifestyle and environment; the need to recognise and take into account the distinct culture and identity of the Traveller community in policy making and service delivery (Task Force 1995, 58).

Of the seven Terms of Reference in the Task Force Report, four are especially significant to this research because they concern the inclusion of Travellers in policy processes. Briefly, these terms include: 1) the clarification and coordination of national and local government responsibilities; 2) the provision of halting sites; 3) consultation and participation in government decision-making; and 4) the development of mutual

understanding between the Traveller community and the Settled community (Task Force 1995, 10). These items are elaborated on below.

First, the coordination of local and national responsibilities addressed the lack of cohesion among statutory departments when it comes to policy development and implementation as well as addressing the issue of discrimination. The central government Departments of Social Welfare, Environment, Health, Education and Equality and Law Reform are responsible for policy issues which impact on Travellers (Task Force 1995, 281). The Task Force recommended measures for coordination of the services that national and local statutory agencies provide and stated:

> At a policy level, it is important that the views of service providers on the ground such as local authority social workers, public health nurses, visiting teachers and housing welfare officers are taken into account in the framing of policies which may impact on Travellers through the administration and delivery of services; [and] In all statutory agencies it is essential that information and feedback on Travellers' needs is available to all relevant sections in those agencies (Task Force 1995, 281).

The Task Force found, however, that few formal mechanisms were in place for coordination between statutory agencies. The informal arrangements for coordination that exist were found in health policy between the health boards and the Department of Health also took place on an ad hoc basis between the health boards and the Departments of Education, Environment and Justice. The Task Force recommendations were primarily aimed at introducing and/or strengthening coordination within and between statutory agencies especially in the areas of accommodation, health and education. But they also included a measure aimed at combating discrimination. The report recommended:

> That an Equality Authority /Commission be established based on a restructured Employment Equality Agency. The Equality Authority/Commission is comprised

> of an Employment Board and a non-Employment Board. The non-Employment Board in turn would establish a distinct Traveller Unit which would ensure cohesive action on Traveller issues, which would encompass officers in the following areas; legal, enforcement, information, legislation, positive action and research, and which would have adequate clerical and financial support (Task Force 1995, 283).

A second item involved the provision of halting sites. The Task Force recommended an increase in the number of halting sites for Travellers to rectify former policies that underserviced Traveller accommodation. The Task Force found delegation of responsibility for halting sites to localities had been ineffective and may have exacerbated the situation (Task Force 1995 95-98). Based on current legislation and the increase in population projections for Travellers the Task Force recommended 3,100 units[2] of additional accommodation by year 2000 (Task Force 1995, 101). It also noted that Travellers and Traveller organizations should be involved in the design of Traveller accommodation (Task Force 1995, 110) through a Traveller Accommodation Agency (Task Force 1995, 117-119) to network the transient sites provided by each local authority and to develop guidelines for future transient sites (Task Force 1995, 111).

The third relevant item on the Task Force agenda involved inclusion. The report focused on the involvement of Traveller organizations in strengthening the relationship between Travellers and the settled community, their role in critical "social partnership" agreements and media programming regarding Travellers (Task Force 1995, 60). The Task Force stated that the media should adopt a pro-active stance on Traveller issues in consultation with Traveller organizations. This would include television and radio

[2] 1,000 transient units and 2,100 units of accommodation, either permanent units of housing (single, group and standard housing) (Task Force 1995, 104).

programming and print features on "Traveller culture, lifestyles and achievements" (Task Force 1995, 68). It also encouraged education programs which challenge intolerance and discrimination "which provide a voice for communities experiencing exclusion such as Travellers" (Task Force 1995, 69). The Task Force recommended an "Equal Status" policy, that included measures in education and health promotion. Critically important is that in each case the Task Force called for direct representation from Traveller organizations on these initiatives (Task Force 1995, 27-29). Overall the Task Force recommended Traveller inclusion to rectify misconceptions held by the settled community in the media, relying on Travellers for health promotion and educational reform. Overall, it recommended input from Traveller organizations, more so than input from Travellers themselves.

A fourth relevant item addressed by the Task Force involved Traveller culture. The report stated that "[t]he Traveller culture lies in the values, meanings and identity that the Traveller community shares" (Task Force 1995, 71), while 'Visible Manifestations' of Traveller culture included: "Traveller nomadism, the importance of the extended family, the Traveller language, and the organization of the Traveller economy" (Task Force 1995, 72). The Task Force tended to underplay nomadism by not addressing it as specific to Traveller culture. Nomadic issues did arise in its hearings but rarely became the focus of recommendations. For example, the Task Force was informed that the Electoral Act of 1992 states that residence within a constituency is a prerequisite for registration so that nomadism can disenfranchise Travellers (Task Force 1995, 93). Nomadism was specifically addressed in two recommendations: concerning nationwide

access to patient records for improving continuity of care for nomadic Travellers (Task Force 1995, 147); and a text book exchange system for primary school children who change schools because of the nomadic way of life (Task Force 1995, 179). This indicates that the Task Force was reluctant to build a strong ideological base that recognized nomadism as a facet of Traveller culture. By downplaying its importance the Task Force effectively upheld local government responsibility for the building and maintenance of halting sites.

Not all members of the 1995 Task Force were in agreement with the content of the Report. A minority report was issued by four of its eighteen members, all from local governments. The minority report stated that as members of the Task Force they endorsed the recommendations, but were unsatisfied with the lack of significant change in the nomadic way of life. The report also wrote of the "failure of travellers and traveller organisations to recognise that today's society finds it difficult to accept a lower standard of conduct from a section of the community who consciously pursue a way of life which sets its members apart from ordinary citizens" (Task Force 1995, 290). It stated that:

> the formulation of Government policy to the year 2000 and beyond should include consideration of alternatives to the nomadic way of life in view of: the disadvantages of the current life-style of the traveller community; the changing pattern of work opportunities available to the traveller community; the increasing conflict with the settled community which arises mainly from the consequences of the nomadic lifestyle; the inordinate cost to the exchequer of catering for this way of life" (Task Force 1995, 289).

While the Task Force recommendations were significant, reality lagged behind these aspirations. Regarding the coordination of jurisdictional authority, even though a defining feature of Irish government is centralization (Norris and Winston 2005, 818) the

national government was unwilling to centralize Traveller accommodation despite advocacy for a national agency to oversee the implementation of Traveller accommodation (O'Connell 2006). Likewise, only 89 families were allocated places on halting sites between 1995 and 2000, despite the Task Force recommendations that 2,200 permanent units be provided (Norris and Winston 2005, 809). In fact by 2000 the number of families on the roadside had increased since 1996 and one in four Travellers did not have access to toilet facilities or running water (Garner 2004, 144).

The 1995 Task Force on the Travelling Community played a significant role because it sought to come to terms with health and education issues as well as accommodating Travellers in proposed halting sites. The Minority Report indicated that not all of its members were supportive of considerations for the Traveller community. As a consequence of Task Force the Travelling community would be recognized in equality legislation, and Traveller representation would be entrenched in Local Traveller Accommodation Consultative Committees. Yet, despite some references to nomadism and recommendations for increased halting sites, trespass legislation passed after the Task Force report drastically curtailed nomadism. These outcomes are elaborated on below.

Two reports were completed as part of the formal follow up of the Task Force. The First published its report in 2000 and the Second published its report in 2005. Ten years after the Task Force first examined fundamental differences between the Travellers and mainstream society, the Second Progress report found:

> Denial of Travellers' cultural identity exacerbates Travellers' daily experience of exclusion. Travellers' nomadic tradition is equated with vagrancy by some settled

> people; Traveller crafts and Traveller language is not recognised; Travellers' values, beliefs and customs are dismissed or ignored; the Traveller economy and work patterns are not acknowledged and, if they are, are denigrated. Accordingly, without respect for Traveller culture, progress in areas such as health, accommodation or education could be undermined. Respect for Traveller culture is also essential to nurture the development of Traveller children (Second Task Force Report 2005, 12).

Further monitoring of the Task Force on the Travelling Community was transferred to the National Traveller Monitoring Advisory Committee (NTMAC) in 2007.

In the area of accommodation, the Traveller situation remained problematic. 'Traveller sites' were established by County Councils to meet the legal requirements of the *Housing (Traveller Accommodation) Act 1998* for accommodation for sedentarized Travellers. Sites are awarded under licence agreements to groups of Traveller families, represented by a senior male figure, following negotiations over the type of accommodation to be provided and the conditions of occupancy. According to Hoare, "Travellers are at a considerable disadvantage in these processes, and are frequently forced to accept terms, locations or built structures they find repugnant" (Hoare 2005, 73-74). In addition, Travellers are subjected to control and restriction which extend beyond that imposed on non-Travellers. To this extent Traveller sites represent places of exclusion as well as of containment in that they are bounded by barriers to inhibit expansion and they are provided with a single entrance to facilitate monitoring by commercial security (Hoare 2005, 74).

It appeared that a step forward was taken on the anti-discrimination issue when the Travelling community was recognized as one of groups protected by discriminatory practices by Equality Authority legislation. Replacing the Employment Equality Act

1998 the Equality Authority was established as an independent body in October 1999. Its mandate was to outlaw

> discrimination in employment, vocational training, advertising, collective agreements, the provision of goods and services and other opportunities to which the public generally have access on nine distinct grounds. These are: gender; civil status; family status; age; disability; race; sexual orientation; religious belief; and membership of the Traveller Community (Equality Authority 2012).

Annual reports for the first five years of the Equality Authority indicated that 'Travellers' reported the highest number of cases of discrimination (Garner 2004, 64). But the success was to be short-lived. In an effort to curtail generally successful Traveller complaints regarding refusals to enter pubs, the Vintners' Federation of Ireland (VFI) campaigned to change legislation regarding the complaint procedure. As a result the Equality Authority lost its powers to investigate allegations of discrimination against Travellers by owner of hotels and pubs. This meant that any complaints filed by Travellers regarding refusal of service in a pub would no longer be heard before the Equality Authority tribunal and would now come under Vintners legislation, and heard in the district courts where legal representation is required (Fanning 2009, 44).

In terms of consultation and inclusion in policy development, the National Traveller Accommodation Consultative Committee (NTACC) was established in April 1999 under sections 19 and 20 of the *Housing (Traveller Accommodation) Act 1998* on a limited but renewable mandate. The latest NTACC will run until 2013. The terms of reference for the NTACC include: any general matter concerning accommodation for Travellers; any matter referred to it by the Minister; the most appropriate measures for improving, at local level, consultation with, and participation of, Travellers in the

provision and management of accommodation; and general matters concerning the preparation, adequacy, implementation and co-ordination of Traveller accommodation programmes (Ireland Housing Act 1998). Local Traveller Advisory Consultative Committees (LTACC) were also established at the municipal level which included Traveller representation in the allocation of Traveller housing including halting sites and social housing. Yet despite these new measures, in 2001 the Irish Traveller Movement revealed that most authorities failed to canvass Travellers' opinions regarding the option of transient halting sites as required by the 1998 Act. Forty percent of the local authorities did not offer any type of options for halting site accommodation, and 34 percent of the programs failed to make any provision for transient halting sites. An evaluation of LTACC operations stated that members felt they had less input and were not satisfied with the content of accommodation programmes (Norris and Winston 2005, 814).

Restrictions on Recognition: Travellers in the Twenty-First Century

While policy for Travellers at the beginning of the new millennium attempted to protect them from discrimination by means of *The Equality Act*, and include them in accommodation policy processes through their representation in LTACCs, nomadism was still severely curtailed against a backdrop of anti-Traveller discourse in the period following the Task Force report. According to Fanning (2009) mainstream parties openly expressed anti-Traveller opinions in the run-up to the 2002 election. A Teachta Dála (TD) (Member of Parliament) brought forth a bill to curtail halting on unofficial sites that was

endorsed by government as The *2002 Housing (Miscellaneous Provisions) Act*. The act makes it a criminal offence to trespass on and occupy public or private property. The amendments of the act authorizes police to impound caravans parked on unofficial sites, confiscate property and penalties of €3,000, imprisonment of one month or both (Housing (Miscellaneous Provisions) Act 2002, 21-28). The Act "was passed with unseemly haste by an overwhelming cross-party majority and without any evaluation of the adequacy of current Traveller Accommodation plans, discussion of the needs of Travellers or consultation with Traveller organisations" (Fanning 2009, 66). Many Traveller representatives subsequently withdrew from their LTACCs in protest against the Act (Norris and Winston 2005, 814).

These issues eventually drew international attention and accompanying questions. What authority does the Council of Europe have to protect minority rights within the member states? Does the FCNM have a real impact on policy and on life conditions for Travellers in Ireland? Monitoring of Traveller issues by the EU is however, relatively weak in upholding gains made by the Travelling Community. A High Level Group on Traveller Issues operates under the auspices of the EU Cabinet Committee on Social Inclusion charged with the responsibility to review the provision of services to Travellers. In 2007 the EU Committee of Ministers adopted a Resolution calling for the implementation of the EU Framework Convention for the Protection of National Minorities (FCNM) in Ireland (Framework Convention). The Framework Convention called for progress on issues of discrimination, social inclusion, and recommended new and better resourced monitoring and advisory bodies (EU Committee of Ministers 2007).

The National Traveller Monitoring Advisory Committee (NTMAC) was established by the Irish government in 2007 to complement the High Level Group on Traveller Issues under the terms of the FCNM. It is composed of representatives from government departments, national Traveller organizations, individual Travellers and social partners. The mandate for the NTMAC is to report every two years on Travellers' issues of ongoing concern (NTMAC 2009).

Despite race and non-discrimination directives and legislation coming from the European level and incorporated into national law in Ireland this has not resulted in significant advancement of the position of Irish Travellers. The Advisory Committee of the FCNM and the European Commission against Racism and Intolerance (ECRI) stated in their 2006 reports that Travellers have been "subjected to discrimination and racism in the fields of education, employment, housing, health care, media reporting and participation in decision making" (ITMB 2010, 3). The EU Commissioner for Human Rights

> highlighted the need for the protection of Travellers against discrimination and racism under national and international law. Connected with this, it was recommended that Travellers should also benefit from non-discrimination provisions under the 'race' ground at national, European and international levels. In relation to ethnic minority status, the UN Convention on the Elimination of Racial Discrimination (CERD) (2005) and the UN Human Rights Committee Report (July 24 2008), has encouraged Ireland to work more concretely towards recognising the Traveller community as an ethnic group (ITMB 2010, 4).

At present Ireland defines the Traveller community as a 'social group' which falls short of ethnic group status. Not having ethnic group status limits the protection available to Travellers under Irish, European and International law. According to the Irish Human Rights Commission:

> the refusal to recognise Travellers as an ethnic minority for the purposes of CERD suggests a lack of understanding of the importance to Travellers of recognition of their culture and identity. It also, in the view of the Commission, raises concerns that sufficient weight may not be given in policy making to the need to respect and promote that culture, while the lack of recognition may place obstacles in the way of Travellers accessing all the protections of CERD and other international human rights conventions. The Commission also believes that this lack of recognition may have implications for the application to Travellers of the EU Directive of June 2000 on equal treatment between Persons Irrespective of Racial or Ethnic Origin (the Race Directive) (Human Rights Commission 2004).

In addition to difficulties created by not being recognized as an ethnic minority in Ireland, non-discrimination measures by the EU groups Travellers with Roma. Yet, it is argued that by this grouping Travellers are rendered even more invisible in the policy process. Although both groups share similarities in their nomadism and discrimination by mainstream society because of their cultural differences, grouping Travellers under Roma is detrimental to them for three reasons. The first is that Travellers are indigenous to Ireland and are advocating to be recognized as an ethnic minority in Ireland. Second, Traveller issues do not always align with those of Roma. For example, housing segregation is an issue for Roma, but not for Travellers. And third, the government of Ireland disassociates itself from joining Roma initiatives, such as, the Decade of Roma Inclusion 2005-2015 because Ireland is geographically removed from the other participating members located in Eastern Europe (ITMB 2010).

While this research project is focused on Travellers in Ireland, it should be noted that in Northern Ireland, with a population of approximately two million, there are approximately four thousand Travellers (AITHS 2011) constituting less than 0.2 percent of its population. The significant difference is that in Northern Ireland, The Race Relations (NI) Order 1997 recognizes Irish Travellers as a racial group, even though both

countries use an identical definition for Travellers as: "A community of people…who are identified (by themselves and others) as people with a shared history, culture and traditions, including, historically, a nomadic way of life on the island of Ireland (Race Relations Order 1997, Article 5)" (Lewis and Williams 2007, 60).

Traveller Organizations Today

By 2009, there were over fifty Traveller organizations in Ireland including three national organizations (one of which is a women's organization), along with regional and local organizations distributed throughout Ireland (Royall 2010, 162). Traveller organizations contribute to major policy areas such as housing, health and education. In addition to their contribution to policy, Travellers organizations are also involved in rights-based advocacy. Specifically, Travellers have been making claims that they should be given status as an ethnic group. Even though few Travellers are on the road and many are sedentary, advocates for distinct ethnic status argue that Traveller identity and culture should be allowed "to preserve and develop our way of life" (Collins 1992, 82). As Traveller Martin Collins explains:

> There is little understanding of ethnicity here. It is about difference and the lack of respect for difference. An ethnic group is a group that sees itself as different and is seen by others as different on the basis of a number of characteristics. These include our language, the Gammon, and the fact that you have to be born a Traveller, you can't just decide to become one. Then we also share customs and traditions which are distinctive, many of which are related to nomadism. We also have a long shared history which has still to be fully researched but research into

> the language indicates the length of our history. We also have the experience of oppression (Collins 1992, 82).

Travellers in Ireland are attracting international attention. Jesse Jackson visited Pavee Point, a national Traveller Organization, to mark International Day Against Racism in March 2011. In his speech he called on the Irish government to recognize Travellers as a distinct ethnic group. He also emphasized the critical importance of education for minority groups such as Travellers (Smyth 2011).

Summary

The previous two chapters set out to highlight how policy contributed to the atypical status of both groups and distanced them from attaining social rights enjoyed by the general population. Although both groups have distinct separate characteristics and histories, public policy followed similar paths in both countries up to the beginning of the twenty-first century. Aboriginal peoples on reservations were controlled by government legislation namely the *Indian Act*, administrated by the Department of Indians Affairs which awarded or denied full Indian "status." The state continued to directly interfere with Aboriginal peoples by removing them from their communities by sending them to residential schools and later adopting them to non-Aboriginal families. When Aboriginal peoples migrated from reservations to urban centres they were left on their own. Their native languages and skills did not sufficiently compensate for their lack of educational attainment creating difficulties in the urban transition. Travellers, in comparison, were

not directly controlled by a specific act or a statutory department. Instead, most of the legislative acts and regulations that also pertained to Travellers, the education of children for example, were not enforced. Any legislation that was enforced generally involved trespassing and the parking of caravans.

In the middle of the twentieth century both countries regarded the marginalization and increasing urbanization of urban Aboriginal peoples and Travellers as a problem to be solved by assimilating them into mainstream society. These policies were abandoned in the 1970s and realigned in the 1980s by a Commission for Travellers that favoured interculturalism. In the same period in Canada, the Constitution Act 1982 formally acknowledged Aboriginal peoples, but further constitutional talks failed to make any further accommodation for them. Voluntary organizations emerged at this time in response to the increasing urbanizations of both groups. These nascent organizations were divided into two groups. Some charitable organizations assisted with carrying out prevailing assimilationist mandates. While other organizations were created to assist these groups with cultural resources to ease their urban transition, for example, Friendship Centres for Aboriginal peoples and the NCTP for Travellers. These organizations increased in size and scope and collaborated at provincial and federal levels for urban Aboriginal peoples and at a national level for Travellers. Over time these organizations were increasingly led and staffed by members of their community.

In the 1990s both national governments commissioned inquiries. The outcomes of both Commissions (RCAP in Canada and the Task Force in Ireland) were significant in that they made recommendations for the recognition of both groups and their needs and

interests. Yet, in response, both governments did little at the national level to implement the recommendations that came out of the initiatives. RCAP did clarify the responsibility of federal and provincial governments for Aboriginal peoples in urban centres, however. While in Ireland, local responsibility for Traveller accommodation remained significant. In addition, both national Commissions recommended moving toward accommodating indigenous and nomadic life ways. In light of this major shift in policy both governments simultaneously adopted a strategy of delegating responsibility for Aboriginal peoples in urban centres and Travellers to provincial or local government which remains, for the most part, to the present day.

The new millennium witnessed a divergence from the parallel path previously followed by Canada and Ireland. While urban Aboriginal policy remained a provincial and local responsibility, the UAS worked at collaborating with all levels of government and voluntary organizations to provide comprehensive programming at the local level. In Ireland voluntary organizations that had provided programs and services for Traveller were instead curtailed by budget cuts in response to the country's economic downturn. Traveller nomadism was severely penalized under new legislation. And monitoring at the EU level by the Framework Convention proved ineffective in influencing new national legislation that restricted nomadism for Travellers, and made it more difficult for Travellers to file discrimination complaints with the Equality Authority which further undermined the Traveller position in Ireland.

4 CITIZENSHIP, VOLUNTARY ORGANIZATIONS AND ADVOCACY

Marginalized groups experience greater difficulties representing themselves politically, attaining social rights, and advocating for their diverse needs and interests in the contemporary world. Revisiting their encounters with mainstream society we can trace why, how and when atypical groups, even those indigenous to their respective countries, were excluded from social rights. We can also examine how this impacts on their collective capacity to sustain their lifestyle choices. For Aboriginal peoples, colonization and government intervention had consequences regarding their marginalization. For Travellers, their nomadism set them apart from mainstream society. The increasing urbanization of both groups in the second half of the twentieth century highlighted their exclusion from social rights, their marginalization and their difficulties in adhering to their traditional lifeways. Deficient of rights, distanced socially with differing cultural needs and interests, these groups depend heavily on the voluntary sector, not only as social service providers, but as a voice to advocate on behalf of their communities. These interests include, but are not confined to, the choice to pursue lifestyles that they identify with and that often have been recognized by the state.

This chapter will lay out the advocacy settings within which urban Aboriginal peoples and Travellers operate. This chapter is divided into two sections. The first section is designed to cast a broad theoretical net to explore the implications of the treatment of atypical groups over time and how this has impacted on their capacity to represent themselves and advocate for their needs, interests and choices. It will specifically address

the factors that have contributed to the marginalization of urban Aboriginal peoples and Travellers and how this marginalization impacts on their ability to achieve their needs and interests in the present day. Once this theoretical framework on social rights and capabilities is in place, the second section introduces the concept of the voluntary sector as the liaison between atypical groups and mainstream society. It assesses the potential and limitations of the voluntary sector in representing and advocating for these groups within frameworks that simultaneously operates *against* prevailing systems of domination, while working *within* various structures of multi-level governance.

Social Rights, Citizenship, Capacity and Domination

This section starts with T.H.Marshall's theory of citizenship to explain why groups experience difficulty when they are excluded from social rights. Building on Marshall's theory, Jane Jenson demonstrates how a well-structured citizenship regime is capable of providing citizens with choices in an era of neoliberalism. Next, Amartya Sen's theory of capacity is used to explain why marginalization impacts on group capacity to attain quality of life and make choices regarding lifestyle preferences. Philip Pettit's theory of domination is instructive in assessing the kind of challenges atypical groups, and the organizations that represent them, face when they choose to adhere to lifeways that run counter to mainstream society.

Marshall's (1950) theory of citizenship and inequality provides a framework to comprehend how the early exclusion of groups impacts on their long-term

marginalization. Marshall claimed that a full citizen is recognized via civil, political and social rights (i.e. labour rights, education and security of income), and that the possession of rights is linked to social class, which is a system of inequality (Marshall 1998, 102). When Marshall claims that "[s]ocial rights were at a minimum and were not woven into the fabric of citizenship" (Marshall 1998, 107) he means that citizenship did not always guarantee social rights. Some level of social inequality is necessary because it "designs the distribution of power. But there is no overall pattern of inequality, in which an appropriate value is attached, a priori, to each social level. Inequality therefore, though necessary, may become excessive" (Marshall 1998, 103). In addition to explaining why some groups are initially excluded from social rights, Marshall demonstrates how later attempts to access social rights are exacerbated by their former exclusion (Marshall 1998, 105-106). In other words, marginalized groups experience greater difficulties in catching up to the social rights of mainstream society when it comes to meeting the demands of living in the modern world. It was only when external forces altered the traditional lifestyles of these groups that their exclusion from social rights became apparent. Compounding the problem of exclusion was the realization that as social rights expanded, those who were excluded ended up further behind and experienced even greater challenges in catching up and attaining their social rights. For example, education and its emphasis on occupational training enabled citizenship[3] to operate as a means of social

[3] Marshall explains that citizenship is composed of three elements: the civil element which enables individual freedom through liberties such as freedom of speech, the right to own property and the right to justice; the political element which is the right to participate in political institutions; and the social element which ranges from the right to economic welfare and security to the right to live as a civilized being according to

stratification. The consequence of this structure is that the occupational status acquired by education becomes legitimized, because it has been facilitated by institutions created to grant citizens their rights (Marshall 1998, 109). In summary, groups who were left behind in terms of education and economic opportunity suffered in terms of social rights and continue to struggle to catch up in attaining them.

Jenson (1997) builds on Marshall's theories of citizenship to argue that a citizenship regime is empowered to accept difference in society despite inequalities of class. Jenson explains:

> Citizenship is dynamic, changing through time and varying widely in space. One way to interpret its history is to describe it as the institutionalization of a set of practices by which states use public power to shape and regulate markets and communities. The rights of citizenship limit behaviour in markets and communities as well as set limits on state action. They also determine access to political power and shape the distribution of economic and social power. As such, they designate who is a member in full, entitled to equal treatment (Jenson 1997, 628).

Marshall provides three lessons for Jenson regarding social and political relations in an era of neoliberalism. The first is that institutions are social constructions and as such they vary in space and in time: "This means choices exist" (Jenson 1997, 630). The second lesson is that politics matters. State institutions not only shape civil society, but they reflect social relations. This triangle of state, market and community are organized,

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prevailing norms of society (Marshall 1998, 94). In early times the civil, political and social elements were blended together but they eventually separated to such an extent that the formative period of each element took place in different centuries: civil rights in the eighteenth century; political in the nineteenth century; and social in the twentieth century (Marshall 1998, 96). Even though these elements remerged, social institutions did not necessarily use political equality of citizens to fully balance the inequality of the classes (Marshall 1998, 94).

"through struggles for new rights and for the protection of acquired rights" (Jenson 1997, 630). The third lesson is that the idea of citizenship has a history as an outcome of the invention of the national state. Jenson incorporates these three lessons to conceptualize the citizenship regime that includes: "the institutional arrangements, rule and understandings that guide and shape state policy; problem definition employed by states and citizens; and the range of claims recognized as legitimate" (Jenson 1997, 631).

> The representations of identities and social relations encoded in citizenship regimes are the foundation for claims-making. It is only by naming themselves that groups and individuals can identify themselves and their interests and hope to gain recognition from others. The state has a role, too. It has the power to recognize citizens, both in general and as particular categories. The state uses this power of acknowledgment to make sense of the claims addressed to it, with those of citizens being treated differently than those of non-citizens or second-class citizens" (Jenson 1997, 632).

Jenson reminds us that as a regime, citizenship does not change quickly or easily, but can be influenced by economic and political fluctuations. From a historical institutionalist perspective these regimes are interested in the manner that ideas constitute institutions which means that fundamental change is possible. "This means real choices confront citizens as they participate in the construction of their futures" (Jenson 1997, 633). Future citizenship regimes depend on political choices to break with historic understandings of community or to "choose to recognize, accept and even celebrate difference and collective projects that require the exercise of public power" (Jenson 1997, 644). To summarize, the state has the capability to determine the extent to which it chooses to accommodate the needs and interests of atypical groups within its governing mandate.

Why are some groups marginalized when compared to other groups within a national population? Amartya Sen informs us of how inadequacies in capability feed into

marginalization which challenges the ability to build capacity that is crucial to the general welfare of the group. Sen's argument regarding quality of life includes the measure of a person's "functionings," which are the various things that a person manages to do or be in leading a life. Of importance are the "capabilities" of people, and the extent of their ability to choose from among a set of their functionings to create a life they value (Sen 1993, 31-33). Even though the range of functionings and capabilities required for any specific quality of life measure is a value judgment, it is reasonable to assume that in a modern liberal society quality of life depends on people's health and education, their everyday activities (which include the right to a decent job and housing), their participation in the political process, the social and natural environment in which they live, and the factors shaping their personal and economic security (Stiglitz and Sen 2008, 15). The capabilities approach goes beyond how individuals actually function to emphasize the ability to make practical choices among real options. The ability to make these choices increases proportionately to capability. Individuals and groups can be deprived of capabilities by government oppression, ignorance, or lack of resources, for example.

The marginalization of urban Aboriginal peoples and Travellers impacts on their collective capacity to have a voice in public policy deliberations that specifically support their lifestyle choices. Political and societal domination can hamper the success of advocacy organizations especially when they interfere with the lifestyle choices that individuals in atypical groups may make. Up to this point an assessment has been made of how Aboriginal peoples and Travellers have been marginalized and how this impairs

their ability to build the capacity essential to make lifestyle choices. With the case of atypical groups, domination by mainstream society is a factor in the effectiveness of advocacy for atypical groups. Pettit (1997) assists us in understanding what happens when groups are dominated.

According to Pettit dominating power over another may often be targeted on a group or individuals in a collective identity to the extent that choices that are made by the individual or by the group are dominated decisions and restrictions in accessing resources that achieve their needs and interests do not fall into the range of the expectations of the dominator. Non-domination is the position that someone enjoys when they live in the presence of other people and no other has the capacity to interfere on an arbitrary basis in their choices (Pettit 1997, 67). Dominating behaviours are intended to worsen the agent's choice by altering the range of options available, changing the expected payoffs assigned to those options, or by controlling the results from the options and the actual outcomes that will occur (Pettit 1997, 53). The strength in domination is its arbitrariness. It becomes so pervasive that the dominated may not be fully aware of the extent of the domination. When Pettit demonstrates how subtly an individual or a group can be dominated we can understand the difficulty in identifying and controlling power. Secondly, we can also understand why groups dominated by arbitrary power fail to speak out or make their causes known. Pettit allows us to see the problem of dominance of atypical groups. What creates freedom as non-domination is the knowledge of the nature of arbitrary power. Pettit is instructing us to figure out our systems of domination. So when we look at marginalized groups or the organizations that advocate for them we can

ask whether they are in a model that gives voice to these groups and allows them to pursue their needs and interests, or are they working within a framework of domination by mainstream society.

Informed by Marshall, Jenson, Sen and Pettit this section was designed to explore the implications of the treatment of atypical groups over time and how this has impacted on their capacity to represent themselves within systems of domination that may restrict access to resources to meet their needs, interests and choices. The next part of this section will apply these theories to Aboriginal peoples then to Travellers to assist in the understanding of how these groups came to be marginalized and how they have come to rely on voluntary organizations to advocate for their needs and interests.

Beginning with Aboriginal peoples in Canada, these groups were left outside of citizenship[4] in the nineteenth century. Although Indians were disfranchised by varying degrees in various acts in the British North American colonies, the Franchise Act of 1885 disfranchised Indians in Canada who chose to retain their status as Indians. Although the franchise refers to the right to vote it is directly related to citizenship because the right to vote in Canada was bundled with other rights and privileges that align with citizenship, for example, property rights. Indians were the only group that were singled out in the act

[4] Native-born or naturalized Canadians were legal subjects, rather than citizens *per se*, of the British Crown in the Dominion. But, as Alfred Howell pointed out in … (1884), the rights of subjects "under a monarchy with free representative institutions and responsible government: were effectively no different from those of the citizens of a republic. Canadian citizens nonetheless did not exist as such until the first Citizenship Act in 1947" (Strong-Boag 2002, 70). Although the term 'legal subject' is the actual term that would apply to Canadians in the nineteenth and first half of the twentieth century, and due to its interchangeability with the concept of citizen, the term 'citizens' will proceed to be used to refer to both legal subjects and citizens.

and they were not entitled to the privileges of British subjects unless they were enfranchised, "a status that depended on holding property in *fee simple*, in other words the abandonment of the collective landholding of the tribal community" (Strong-Boag 2002, 71). Attempts by the state to bring Aboriginal peoples into citizenship were generally attempts at assimilation into mainstream society. One major attempt to assimilate Aboriginal peoples was residential schools (see Chapter Two). By the mid-1980s, it was publicly recognized that the residential school experience, not only undermined, but continues to undermine Aboriginal peoples. Many adult residential school survivors possess the tragic symptoms of the 'silent tortures' that continued in the communities to which they returned. The legacy has been described by its victims:

> In 1990 a chief of the Albany First Nation reported: "Loneliness, knowing that elders and family were far away. Loathing from learning to hate oneself, because of repeated physical, verbal or sexual abuse suffered at the hands of various adult caretakers. This is only a small part of the story" (Milloy 1999, 295).
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> Spallumcheen Chief Cinderina Williams wrote of her community's residential school experiences: Perhaps the greatest tragedy was…[by] not being brought up in a loving, caring, sharing, nurturing environment, they did not have these skills; as they are learned through observation, participation and interaction. Consequently when these children became parents, and most did at an early age, they had no parenting skills. They did not have the capability to show affection. They sired and bred children but were unable to relate to them on any level (Fournier and Crey 1997, 82-83).

Residential schools were among the most damaging of the attempts at educating Aboriginal children into mainstream society the consequences of which still affect their lives today (Milloy 1999, xiv). The residential school experience directly affected those who were educated through its system and those who were indirectly affected through the collective loss of parenting skills.

Aboriginal peoples were not able to achieve educational attainment dictated by mainstream society due to several factors. First the residential school experience that sought to educate younger generations into mainstream society was considered a failure (Kirmayer et al 2007). Second, educational institutions and mainstream society failed to acknowledge the traditional skills acquired by Aboriginal peoples to sustain their culture and ensure their survival. This includes the importance placed on oral traditions and storytelling. Third, the urban transition made education more of a contentious problem because employment in cities required formal educational standards that Aboriginal peoples had not attained and these standards failed to recognize Aboriginal traditions and skills.

Attempts to bring Aboriginal peoples into mainstream society through education actually undermined their access to social rights. As much as the residential school experience sought to educate a younger generation (and Marshall considers education key to acquiring social rights) Aboriginal children were left further behind. Most children returned to their families lacking the traditional skills and languages needed to function in their home communities. Residential school survivors had some potential to acquire social rights but were left in communities where such rights were not recognized. Following Marshall, we can see how the further distancing of Aboriginal peoples from mainstream society and citizenship placed them at further disadvantage to acquire social rights essential to participate in society.

Just as social rights presented problems, “capacity” issues for Aboriginal peoples were created by the intergenerational effects of assimilationist policies, forced adoptions,

residential schools, economic marginalization and social exclusion (Castellano et al 2008; Proulx 2003, 128; Warry 2007, 117). Maracle explains that Aboriginal peoples need to heal "from the effects of colonization, from dealing with the fact that we exist in an impoverished, violent, powerless environment" (1994, 114). Aboriginal people living in Winnipeg's inner city have referred to colonization as eroding their way of life: "The residential schools, the educational system, the police and legal systems, and child and family services stand out as institutions that played a central role in constructing them as the 'other'" (Silver 2006, 36). Residential schools and the irresponsible and dysfunctional parenting that resulted from these experiences are attributable to issues of alcohol, drug and sexual abuse, family violence and mental abuse confronting Aboriginal peoples (Castellano et al 2008; Proulx 2003; Schouls 2003; Warry 2007). Lawrence (2004) adds that exclusion from treaties and gender bias in disenfranchising women who married non-Aboriginals, likewise excluded Aboriginal peoples from making claims. This demonstrates how governing institutions interfered with Aboriginal peoples in attempts to 'civilize' them, which impacted on their collective ability to advocate not only for their traditional ways, but also for their self-determination.

High poverty rates, low levels of educational attainment, inadequate preparation for the job market and poor health contribute to the risk of social exclusion for urban Aboriginal people (Salée 2006, 5). These factors drastically curtail the ability of most Aboriginal people to attain levels of well-being expected by Canadians in general. Attaining quality of life for Aboriginal people is an important policy consideration because it is not only crucial for their well being, but it is essential to empower them to

engage in political processes. Although Canada has clear antidiscrimination policies mechanisms of social exclusion may still operate in unsuspected ways (Salée 2006, 26). Yet Salée argues that despite these hurdles Aboriginal people have formulated self-determining choices and quality of life issues with a view to exercise their own power outside of the boundaries of the Canadian state (2006, 28).

In summary, Aboriginal peoples were victims of colonization due to policies regarding their education that extracted them from their traditional lifeways and provided them with an education that failed to assist them when they returned to their homes or moved to urban centres. The moral impact of residential schools contributed to lifestyles that sought to cope with rampant abuse and neglect. Its affect on the lack of parenting skills by residential school survivors persists in the present day. Despite the barriers that Aboriginal peoples are confronted with, they seek to transcend colonization by becoming self-determining. Building capacity in terms of skills, engagement and opportunity are crucial to this process.

Turning to Travellers in Ireland, their culture, specifically nomadism, contributed to their separation from society. Over time, Travellers were consciously kept out of mainstream society which diminished their access to social rights. The urban transition of Travellers since the mid twentieth century not only accentuated their exclusion, but has undermined the social rights of Travellers and as such has exacerbated the tense relationship between Travellers and mainstream society. This has impacted on issues such as housing, welfare and education. This section will look at Travellers and

nomadism, selected legislation that impacted on the exclusion of Travellers from social rights and their urban transition.

Since Irish independence in the 1920s Travellers were largely ignored in policies and legislation which contributed to their separation from mainstream society. Travellers were not subjected to sustained state control because officials chose not to enforce legislation when it pertained to them. Government also had difficulty categorising them as a departmental responsibility. Travellers, whether they are on the road or residing in urban housing, remained 'othered.' Individuals who are recognised as Travellers regularly experience discrimination in daily life and face segregation in the provision of social welfare services (O'Connell 2002, 57).

The capacity of Travellers to make lifestyle choices from options offered by the state has been compromised by their othering from mainstream society. The housing arrangements of Travellers are popularly known as 'Traveller sites.' Sites are awarded under licence agreements to compatible groups of Traveller families, represented by a senior male figure, following negotiations over the type of accommodation to be provided and the conditions of occupancy. Hoare observes that Travellers are at a disadvantage in these processes, and are frequently forced to accept terms, locations or structures they find repugnant (2005, 73). The decision by a local authority to create a residential settlement for a group of related families sometimes only result after a court ruling in their favour, following attempts to eject them from an informal settlement where they have become established. Travellers provide their own living accommodations on some sites, in the form of trailers or chalets. In other cases local authorities construct

‘service units’, consisting of a small brick structure per family ‘bay,’ containing a kitchen and bathroom. In this arrangement each family uses one or two trailers for sleeping. Some sites have houses for each family where the keeping of trailers is strictly prohibited (Hoare 2005 74). In addition, Travellers are subjected to controls and restrictions that extend beyond those imposed on non-Travellers. To this extent Traveller sites represent places of exclusion as well as of containment in that they are bounded by barriers to inhibit expansion and they are provided with a single entrance to facilitate monitoring by commercial security (Hoare 2005, 74).

Accessibility to education problems for Travellers likewise illustrates their exclusion from society. Although the 1908 Children’s Act imposed penalties “on persons who habitually wander from place to place and thereby prevent children from receiving education” it does not appear that Traveller children were the object of any efforts to ensure they attend school before or after Irish independence (Helleiner 2003, 70). Traveller children did not fit into the protected childhood model characterized by sedentary residence and full-time schooling that was considered essential for Irish citizenship. Also the effort to enforce education for Travellers was limited by a minimalist state. Another factor discouraging education for Traveller children was the 1937 Irish Constitution which emphasized parental rights (Helleiner 2000, 70). In keeping with the convention of excluding Travellers from the rights of the state, the Irish state refrained from compelling Traveller parents to provide public education for their children. Later in the twentieth century when Traveller children increasingly attended school they were segregated into ‘special classes’ which did not adhere to the standard

curriculum. Some schools refused to accept Travellers using the pretext of being full and the school curriculum still ignores their identity as compared to other cultural groups (O'Connell 2002, 57). Education as a social right for Travellers accentuated their distancing from society and this impacted on poor educational attainment for Traveller children. Also, it demonstrates how - even at the end of the twentieth century - some Traveller children in the public education system continued to be segregated and taught a curriculum that does not meet national standards.

Discriminatory practices against Travellers were widespread in Irish society. Richardson studied Traveller discourse in mainstream society (2006, 5) and found that it can be used to control those who refuse to conform to societal norms, by promoting living in a permanent dwelling for example (2006, 1). Richardson relies on Foucault, who is referred to in modern discussions of power and control, especially on his explanations of discourse and the gaze. Foucault's 'gaze' is 'the eye of power and control': "the gaze is not faithful to truth, nor subject to it, without asserting, at the same time, a supreme mastery: the gaze that sees is a gaze that dominates" (Richardson 2006, 45). Richardson explains that even though the gaze is a metaphor, it provides an explanation of surveillance in society as an instrument of control (Richardson 2006, 46). Public discourse regarding Travellers reflects concerns with cost rather than any adverse mistreatment. After analyzing legislation and local policy Richardson found that 'mess' and 'cost' were core themes in public discourse about Travellers. Perpetuating the stereotype of Travellers as 'folk-devil' further enforces notions of cost (2006, 35). Also, the antagonism toward Travellers is not confined to any particular segment or strata of

society, but to society as a whole (Helleiner and Szuchewycz 1997, 112) Media analysis on Travellers portrays them and media events related to them as a 'cost' to the taxpayer, causing a 'mess' and being 'other' to the settled community (Richardson 2006, 76). These messages are more pervasive than before due to the proliferation of communications technology (Richardson 2006, 77). Overt discrimination in the media and the inadequacy of the justice system to prevail on behalf of Travellers poses challenges to their capacity to counter arbitrary claims made by mainstream society. A controversial headline,

> "Time to get tough on tinker terror 'culture'" (*Sunday Independent* 28/1/96) was found to be so unremarkable that the civil rights group attempting to have the journalist responsible prosecuted for incitement to hatred was told that it had no case. In 1999, a politician advocating that all Travellers be electronically tagged became the first person in the country to be tried for incitement, and acquitted (all national dailies, 2/3/99)(Ni Shuinéar 2002, 189).

And a Councillor at a County Council meeting said the following about Travellers: "The sooner the shotguns are at the ready and these travelling people are put out of our country the better. They are not our people (*The Sunday Independent*, 14April 1996)" (O'Connell 2002, 55). There were no consequences for the Councillor.

Richardson offers an analysis of the benefits involved in othering Travellers. Government benefits from othering Travellers because it contributes to a pattern of fear which is heightened by politicians without objection from the public. The settled community benefits from othering Travellers as the folk-devil because it makes them feel better about their circumstances when their problems are associated with the Traveller minority. The media benefit from Travellers because stories about them sell more newspapers. In this light there is no impetus to improve the understanding between

Travellers and the settled community because Travellers "would face less harassment and perhaps also benefit from an increased provision of new sites and an inclusion in mainstream welfare policies such as health, education and housing" (Richardson 2006, 135). MacLaughlin describes the impact this discourse has on Travellers:

> Recent evidence suggests that Travellers living in these large encampments may be internalizing feelings of inferiority and experiencing widespread social rejection in Irish society. Both these processes are exacerbated by life on the fringe of urban society. Internalization of such feelings of inferiority in turn may be robbing Traveller culture of its dynamism and replacing it with hesitancy, aggressiveness, family violence, alcohol abuse and petty crime.(MacLaughlin 1998, 430).

Other factors that challenge the capacity of Travellers include high rates of illiteracy and innumeracy (First Task Force Report 2000, 64). Although the emerging trend is that Travellers are staying in school and attaining secondary level qualifications and in some cases attending university, they still remain dependent to some degree on non-Travellers to represent them.

In summary, Travellers were subjected to social othering by: exclusion from government policies (for example, compulsory education for school aged children); a discourse of discrimination; and the recent curtailment of nomadism. These exclusionary practices against Travellers by mainstream society, by varying degrees, continue in the present day.

This discussion of citizenship, social rights and capacity demonstrates that both urban Aboriginal peoples and Travellers share similarities in that they were delayed in attaining social rights essential to meeting the needs of living in the modern world. And the obstacles they encountered in catching up were a reflection of the relationship

between these groups and mainstream society. The nature of this relationship impacted on their capacity to advocate for their needs and interests. The othering between mainstream society and both groups manifested itself in different ways: Aboriginal peoples were colonized and controlled by the state; Travellers on the other hand, were for the most part neglected by the state. Due to their marginalization these groups rely on the voluntary sector to assist them and advocate for their needs. This is explained in detail next.

The Voluntary Sector and Marginalized Groups

Advocacy for atypical groups is determined by systems of government and their arrangements with voluntary organizations. In Canada voluntary organizations work within a third sector model and in Ireland voluntary organizations operate within a social partnership arrangement. This section will start by explaining the third sector and its role in representing and providing programs and services for urban Aboriginal peoples. It will be followed by an explanation of voluntary sector arrangements in Ireland that include social partnership. It will then assess the impact that voluntary organizations have on advocacy for urban Aboriginal peoples and Travellers.

Third Sector and Urban Aboriginal Peoples

The third sector refers to voluntary organizations which provide non-profit service to the general public (the public and private sectors represent the other two). In the 1990s, due

to budgetary cutbacks, government recognized an increased need for the third sector to deliver services and programs that it had been responsible for in the past. In Canada, the voluntary sector reorganized during the late 1990s through the Voluntary Sector Roundtable (VSR), an informal network of voluntary sector leaders. The Voluntary Sector Initiative (VSI) acknowledged the collaboration of the voluntary sector and government spanning a range of policies that included increasing policy capacity, new regulations for charitable activities, and building partnerships between the voluntary sector and the government (Smith 2005, 142). Aboriginal peoples depend on the third sector for support for maintaining culture and identity in urban centres (Graham and Peters 2002). This support is essential to address the critical issues they face in urban centres which include: challenges to cultural identity; exclusion from opportunities for self-determination; discrimination; and difficulty in finding culturally appropriate services (RCAPv4 1996, 520). This section will look at approaches to the third sector, its limitations and its role in representing and advocating for urban Aboriginal peoples.

Policy scholars differ on their opinions of the impact of the third sector as a paradigm shift in service delivery and advocacy. For Smith the third sector as group politics has been restructured in response to the shift from the Keynesian welfare state to neoliberal globalization (2005, 14). In this recasting of civil society collective actors became charities rather than advocacy groups and citizens were redefined as volunteers rather than political participants (Smith 2005, 142). As a non-governmental organization the voluntary sector reflects the federal government's need for civil society actors such as interest groups and social movement organizations, but it wants these groups to play a

"depoliticized role" in service delivery and a "consultative role" to support government policies (Smith 2005, 190). Phillips, on the other hand, argues that government has become more complex and enlarged in the new millennium and has come to realize that it needs the voluntary sector, not only to partner in service delivery, but also to build social capital (Phillips 2003, 18). Informed by Putnam, Phillips defines a civil society model whereby individuals are represented in organizations, which in turn participate in society in ways that "build and bridge" communities, regardless of whether these participants are disadvantaged (Phillips 2003, 24). Phillips explains that the shift from a state-centred, hierarchically controlled model of governing to a networked and collaborative approach was the result of three main drivers. The first was an ideology of third sector governance that sought social inclusion and partnerships outside of government as part of reforms to public service. The second driver was the realization that government needed the voluntary sector for service delivery of policies and programs. The third driver was that voluntary organizations were already delivering services, regulating themselves and developing partnerships outside of government intervention and that this just required to be formalized as government policy (Phillips 2006, 13).

Despite the debate over the role of third sector, it remains restricted in its mandate. Canada has limited voluntary sector collaboration in the areas of accountability, capacity and participation in policy processes. The federal government's tightening of accountability requirements in public funding of the voluntary sector since 2000 reflects the dominance of the New Public Management (NPM) paradigm that informed this structure, rather than evolving into a relationship built on trust between government and

the voluntary sector. The Canadian government has not developed a legislative and regulatory framework to support the capacity of voluntary organizations to function effectively in governing. The expansion of the role of voluntary organizations as service providers inhibits their ability to build networks and participate in the policy process (Phillips 2006, 4). In response to the new approach Salamon (2002) cautions that this new governance approach has created a paradox in its response to the problem of reliance on third parties: "policymakers seem to be under increasing political pressures to select those tools of public action that are the most difficult to manage and the hardest to keep focused on their public objectives" (2002, 37).

Government restrictions present further challenges that impact on the policy capacity and advocacy role of the third sector (Graham and Peters 2002, 11). One factor is that organizations incorporated as charities are restricted in their advocacy activities by Canadian charities legislation. Canadian tax rules require that voluntary organizations provide service delivery rather than orient themselves toward public policy. Under common law, political purposes are not considered charitable, therefore an organization will not qualify for charitable registration if at least one of its purposes is political. Revenue Canada has interpreted this to mean "to persuade the public to adopt a particular view on a broad social question" or attempt "to bring about or oppose changes in the law or government policy." For example, while it is acceptable to create a charity devoted to relief of poverty through a food bank, it is not acceptable for a charity to be devoted to the relief of poverty through changes in the social welfare legal system (Pross and Webb 2003, 95). The federal government has ensured that "charities" will be prevented from

participating in advocacy, even as they are expected to deliver more services. Despite the recommendations that the law should be revised to allow political activity by registered charities, Canadian tax laws remain restrictive compared to the regulation of political activities by charities in the UK (Smith 2005, 143). The uncertainty of funding from provincial and federal governments presents another challenge. Securing project funding exacts a heavy toll on the time and energy of group leaders who are the same individuals who have the necessary background for advocacy work (Pross and Webb 2003, 110). A third challenge is the increase in work load of organizations due to reporting and accountability requirements. The *Lobbyists Registration Act* and the *Canada Elections Act* do not impose a regulatory burden on the advocacy activities of groups, but they have implications for the treatment of groups as registered charities and as recipients of government funds. A fourth challenge is the shift to evidence-based policy in the voluntary sector as a preferred instrument for government of accountability and consistency. The challenges to evidence-based policy are twofold. First, while organizations are engaged in policy-making the nature of this participation lies in "their capacity to generate empirical evidence and data, not in their ability to articulate the interests of their constituents" (Laforest and Orsini 2005, 482). And second, the emphasis on evidence-based policy discourages risk-taking behaviour which is considered an intrinsic component of innovation in the public sector.

A final challenge to third sector advocacy is acknowledging that advocacy for urban Aboriginal peoples create a fundamental challenge to the public service's standard practices of public administration. These public sector values include integrity,

accountability, neutrality, fairness and equity (Kernaghan et al 2005, 45) and they may impede the ability of public servants to advocate on behalf of their clients (Malloy 2003, 20). Social movements and bureaucratic norms are sometimes replicated in the public service. So while public servants adhere to the neutrality of public administration, social agencies may, on the other hand, orient themselves to the needs of Aboriginal peoples. Malloy explains: "This reveals a new dimension of the colliding worlds of public administration and social movements, demonstrating just how inherent role conflict and ambiguity are in special policy agencies" (Malloy 2003, 112). The shift from a Keynesian welfare state to a neoliberal one has not adequately equipped the third sector with the resources required to effectively advocate for urban Aboriginal peoples. But these restrictions do not take into account local advocacy networks (Silver 2006; Lawrence 2004) for Aboriginal peoples. Organizations that are funded through local governments may not face the third sector and tax limitations that have been discussed above.

In summary, the significance of the third sector is a recent development for program and service delivery for urban Aboriginal peoples in Canada. The scope of the third sector as a service provider is not clear due to the nature of the devolution of responsibility for government and the extent of its advocacy activities.

Voluntary Sector, Social Partnership and Travellers

Social partnership in Ireland refers to an economic and social policy process that takes place between government and partners with the aim of long term planning. It is based on

negotiations that include trade unions, employers, farmers, environmental organizations, and the community and voluntary sector (Kirby 2002a). The first social partnership agreement was the *Programme for National Recovery* in 1987. The most recent agreement is *Towards 2016: Ten Year Framework Social Partnership Agreement 2006 – 2015* (Ireland 2006). There are two aspects to the distributional effectiveness of social partnership. The first dimension is the extent to which national agreements between the social partners on economic and social measures have had positive distributional results in terms of income policy. The second dimension concerns objectives at the regional and local level to alleviate social exclusion and inequality (Kirby 2002a, 135). The social partnership model has been criticized for placing emphasis on its innovative potential for collaborative projects at the regional and local level rather than evaluating its actual impact (Kirby 2002a 136). Kirby observes that social services in Ireland did not undergo the same privatisation and restructuring that was characteristic of neoliberal reforms in other countries, but he does note that social policy was made subordinate to the needs of market competiveness nonetheless (Kirby 2002a, 152). Another observation is that social partnership has resulted in a shift in power from elected representatives to the civil service and partnership organizations. The exclusion of the electorate has contributed to their cynicism of this arrangement (Kirby 2002b, 32). To answer the question of why voluntary sector participants have remained in the corporatist confines of social partnership when they have minimal influence in its process, Hardiman explains that as a 'flexible network governance' issues move up or down in priority or move into a legislative agenda. In this framework social partnership

has created "networks for establishing and maintaining priorities that matter to those involved in the process" (Hardiman 2006, 343).

Having stated the importance of social partnership, Hardiman does admit that the "input of organisations representing the most disadvantaged is likely to be treated as a residual category" (Kirby 2010, 180). Partnership actors are included in a 'bargaining' process in which each party seeks to maximize its gains, but ultimately favour a process of negotiation that reshapes shared understanding and preferences. So rather than a strict bargaining process, the partnership actors engage in a problem-solving approach (O'Donnell 2001). The social partnership includes Travellers by means of including bodies established by government on a temporary basis to examine particular issues, for example, the Task Force on the Travelling Community included Traveller representation (Kirby 2002a, 41). Despite the representation of disadvantaged groups, power within social partnership is not evenly distributed: "The community and voluntary sector have frequently felt unable to assert their priorities effectively, unless government was already sympathetic to their position. They are not even physically present at the pay element of the talks" (Hardiman 2006, 362).

As a dominant means of policy engagement the control of social partnership has effectively curtailed deliberative democracy by shifting the role of social organizations from advocates to service providers (Kirby 2010, 178). Lentin (2006) observes three factors that impact on Traveller participation in social partnership: representation by non-Travellers; tokenism; and competition among groups that are discriminated against. First,

social partnership creates dependence upon 'settled' Irish people to act on their behalf. Lentin explains that partnership

> is based on the idea that, due to the discrimination suffered by Travellers, they have not benefited from the education and skills that would allow them to represent themselves. They are, therefore, assisted by 'settled' people, for example in the management of finances and public representation. This has led to the situation in which most Traveller organisations in Ireland are not, in fact, run by Travellers themselves, despite the long years of experience of many Travellers in the movement (Lentin 2006, 199).

Second, Lentin also notes that Travellers are aware of the tokenism of their representation when she quotes Martin Collins from Pavee Point:

> Having four Travellers at a table and having four settled people, it's dangerous to suggest that partnership is taking place there because there can be a huge power imbalance in terms of settled people having had all the opportunities re: education, training – they have a far superior vocabulary" (Lentin 2006, 199-200).

Third, the National Traveller Women's Forum (NTWF) observed that their claims of racism by society were no longer taken into consideration by new immigrant groups who see racism as a 'black-and-white issue'. The NTWF expressed fears that they were being exploited by the media and that "this leads both to the overlooking of Traveller concerns and to a neglect of the amount done by the Traveller movement to positively influence government policy" (Lentin 2006, 201).

Both the short term and long term impact of the downturn of the Irish economy since 2008 on social partnership is unclear at this time. But the factors of the downturn very much mirrored ongoing challenges to the Irish economy. "Social partnership has provided a means of adjustment to new macroeconomic challenges in a small open economy. But its contribution to addressing welfare gaps is much more limited" (Hardiman 2006, 369). The point is that as robust as the Celtic Tiger was for the Irish

economy, its wealth was not proportionately distributed to vulnerable groups (Kirby 2010). Travellers specifically, and the poor generally, did not benefit directly from the upswing of the Celtic Tiger which failed to prioritize wealth distribution.

In summary, advocacy for marginalized groups tends to fall to the third sector for urban Aboriginal peoples and under social partnership measures for Travellers. The third sector has increased in involvement with urban Aboriginal peoples due to the paradigmatic shifts in program and service provision from government to the voluntary sector starting in the 1990s. Although there are debates regarding the degree to which this shift empowers the third sector to build social capital and advocate on behalf of its clients, the third sector remains restricted in its mandate in areas of accountability, capacity and participation in policy processes. Social partnership was designed to bring stakeholders together to deliberate on the distribution of resources. Despite its intentions, Travellers and the organizations that represent them are struggling to participate in its processes that downplay advocacy activities. Even when Traveller issues are on the table the deliberations may prove challenging for Traveller representatives who may require non-Traveller expertise in some areas of negotiations. In addition, Traveller issues must compete with other groups who may not be sympathetic to their cause and downplay their concerns about racism, for example.

This chapter presented a theoretical framework of this research to illuminate the extent to which marginalization of urban Aboriginal peoples in Canada and Travellers in Ireland impacts on their ability to secure their needs and interests and the role of the voluntary sector in assisting atypical groups. The marginalization of urban Aboriginal

peoples and Travellers demonstrated how these indigenous peoples were treated differently by the state and denied social rights, including access to education. The urban transition of these groups since the mid-twentieth century further accentuated their marginalization and undermined their access to social rights which encroached on their capacity to represent themselves. A disconnect between indigenous groups and mainstream society accentuates their otherness and further disassociates them from society. As a result these groups are subject to discrimination, Travellers in Ireland more overtly than urban Aboriginal peoples in Canada. This limits their individual ability to make choices regarding the life they wish to pursue by undermining their "capacities." The paradigmatic shift in the welfare state from Keynesianism to neoliberalism since the 1990s altered their relations with the state. And while atypical groups may lack the capacity to effectively advocate for their needs, advocacy groups play a crucial role in negotiating a new order. However, this is carried out in political and societal systems where patterns of domination may interfere with the mandate of organizations that represent atypical groups.

In the next chapter this project reports on interviews with voluntary organizations and government officials to determine the extent to which voluntary organizations are included or excluded in policy processes and their strengths and weaknesses in meeting the needs and interests of urban Aboriginal peoples in Canada and Travellers in Ireland.

5 THE MICRO SCALE: VOLUNTARY ORGANIZATION OPERATIONS

This section analyzes the extent to which the inclusion of atypical groups in policy processes facilitates outcomes that address their individual and community needs and interests. This research project is based on the premise that providing choices in terms of adhering to traditional or to mainstream lifeways is crucial to individual wellbeing. Wellbeing in this sense means that members of these groups may freely move from positions of marginalization to participants in atypical and/or settler communities depending on their choices. And the facilitation of these choices rely on the relationship between voluntary organizations and various levels of government that make decisions for these groups and their inclusion or exclusion in these decision making processes. What is integral to this research project is locating where government policy provides leverage to the voluntary sector. And where the voluntary sector can in turn adjusts the levers so that policy accommodates these marginalized groups by a) articulating their specific needs and interests and b) designing programs and services that meet these criteria. In other words, in the process of providing programs and service delivery, the project asks how and to what extent does the voluntary sector advocate for the needs and interests of atypical groups?

The following three chapters address fieldwork discovery and analyses. First, similarities between urban centres within each country will be discussed in order to highlight differences in policy outcomes between urban Aboriginal peoples and Travellers. Informed by this comparison the following chapters elaborate on the findings

of interviews held with voluntary organizations and government officials who work in the policy areas addressing urban Aboriginal peoples in Canada and Travellers in Ireland. Using a scalar approach as outlined in Chapter One, these chapters will analyze the inclusion of voluntary organizations in policy processes by presenting: the operations and program design of voluntary organizations on the micro scale in this chapter; the degree of representation and inclusion in policy processes on the meso scale in Chapter Six; and current levels of engagement in countering broad state and societal influences including discrimination on the macro scale in Chapter Seven. It should be noted that while these scalar divisions start off as being relatively precise, the policy areas, issues and events may overlap, or be reported as located in more than one of these divisions. This should not distort the overall analyses or conclusions of this research project, however, as the summaries of each scalar section will be amalgamated into a comprehensive conclusion in Chapter Eight.

Nexus and Satellite Urban Centres

The selection of sites[5] for study sought to elicit whether there were differences in the engagement of voluntary organizations in policy processes between the urban centres in each country. Larger nexus centres with significant atypical populations such as the provincial capital of Toronto and the national capital of Dublin facilitate the collaboration of voluntary organization representatives from multiple levels of government. Satellite

[5] See Chapter One for details regarding site selection and scope of interviews.

centres such as Thunder Bay, Ontario and Galway, Ireland, were chosen because the significant size of their atypical population would increase the likelihood of voluntary organizations activity for these groups. Despite the differences in population and distance between the satellite and nexus sites, fieldwork research found more similarities than differences within each country. There are significant similarities in both Toronto and Thunder Bay in the programs and services they provide, their representation in the UAS and their collaboration with the Aboriginal Affairs Committee Coordinator in Toronto and the Aboriginal Liaison in Thunder Bay. In Ireland, both cities assist Travellers with programs and services. Perhaps due to the smaller geographical area of Ireland as a whole and the distance (four hour train commute) between Dublin and Galway there appears to be more contact regarding the daily transactions of representatives of national and local organizations. But this collegiality has not translated into an identifiable network of actors with the capacity to influence policy outcomes on behalf of the Travelling community.

The Micro Scale

The micro scale focuses on the nature and range of the actual programs and services undertaken by voluntary organizations for urban Aboriginal peoples and Travellers. This chapter elaborates on the structure of operations reported by voluntary organizations. When asked about types of programs and services they carried out, voluntary organizations reported significant efforts in the areas of housing, health, education,

justice, family (which includes domestic violence and services for women) and cultural awareness programs for urban Aboriginal peoples in Canada and Travellers in Ireland. This chapter details those findings and their significance.

Report

Beginning with the general context of activities, as previously mentioned Toronto and Thunder Bay provide similar programs to meet urban needs of Aboriginal peoples. As much as organizations in these cities work independently, their leaders are involved in networking with other Aboriginal organizations and the Aboriginal community. Since cutbacks in the 1990s, organizations and the number of programs they offer have, with minor exceptions, increased in size over time. In contrast, Traveller organizations in Dublin and Galway tend to be more fluid between national organizations and local organizations. For example, local organizations rely on national Traveller organizations to maintain Internet sites and provide policy documents (16M; 12A). And staff members from local Traveller organizations across Ireland are occasionally invited to national Traveller organizations in Dublin to participate for the day in a meeting or a special event (16M).

Most representatives for Aboriginal organizations iterated a no one is turned away approach to assisting their clients, saying, “they will be treated respectfully and made to feel welcome” (13JA). This means that while most organizations carry out programs and services for an overwhelming majority of Aboriginal peoples, they will not turn away

non-Aboriginal clients. Even though the urban Aboriginal population is composed of a diverse number of nations, their organizations are 'status blind' which means that they represent all Aboriginal peoples by speaking to issues rather than speaking on behalf of a particular nation of Aboriginal peoples (27O). A representative of an Aboriginal organization explained: "because we incorporate culture and spirituality a lot of Aboriginal people have moved forward in their lives" (13J) Cultural components may include, but are not confined to, sacred items (eagle feather), sacred rituals (smudge), medicines (13J), sharing circles, cultural teachings and symbolic items (feather carriers and tobacco bags) (12J). Although the topic of including non-Travellers in Traveller programs was not raised as frequently, representatives of Traveller organizations indicated that non-Travellers were included in programs as a means of building cultural awareness for Travellers (11MA; 11MB).

Housing

Homelessness and access to suitable housing is a major issue for both groups because accommodating marginalized groups in urban centres are areas of contestation between these groups and mainstream society. While some Aboriginal organizations assist clients in finding housing, a significant number of the programs and services provided by Aboriginal organizations in Toronto and Thunder Bay provide refuge from domestic violence for Aboriginal women and their children (27O; 12JA) and shelter for homeless Aboriginal men (21D). In addition to Aboriginal organizations, non-Aboriginal

community organizations provide shelter, food donations and counselling services to Aboriginal men, women and youth who comprise one-quarter of the residents of homeless shelters in Toronto (24S) and over three-quarters of the residents in a homeless shelter in Thunder Bay (13JB;30D). National Traveller organizations advocate for availability of halting sites and group housing for Travellers. They observe that there is a proliferation of addictions and suicides because Travellers feel abandoned by the state due to long waits for housing (3M). Local Traveller organizations assist Travellers in finding housing which may include accompanying them to City Council to complete the required paperwork to apply for group or standard housing (11MA).

Health

Urban Aboriginal peoples and Travellers experience shorter life expectancy, higher cases of disabilities and mental health related illnesses. Aboriginal health programs incorporate indigenous traditional practices that provide Aboriginal peoples with choices regarding their health and healing. Aboriginal health incorporates a holistic (includes mind, body, spirit, and emotion)(24N) approach to develop traditional programs and services dealing with all aspects of health issues, which may include for example, healing circles conducted by a traditional person and traditional “sweats”. Also, Aboriginal health organizations in Toronto work with Aboriginal cultural, family and homeless organizations to develop mental health programs (24N). While Travellers do not report requiring culturally specific health care, they experience challenges in accessing health

and addiction services. A national initiative by a national Traveller organization is designed to train and employ Travellers as health care workers in response to inequality of access to health care for Travellers. Primary Health Care workers conduct diagnostic testing such as diabetes assessments (16M). They also liaise with professional health care providers by visiting Travellers on halting sites to arrange for their appointments with hospitals and physicians. As a representative of a Traveller organization explained, not all Travellers have telephones, or postal services due to the reluctance of letter carriers to deliver mail to halting sites (12A).

Education

Education programs address low educational attainment and low literacy rates found in both groups. Education programs for urban Aboriginal peoples focus on assisting children in collaboration with school boards. In Thunder Bay, "Head Start" for younger children and the "Neighbourhood Capacity Building Program" (NCBP) for elementary school aged children provide food security (lunches and snacks) and an afterschool program that may include mentorship, drumming, singing, stories, literacy and a Roots of Empathy program where infant care is demonstrated to children. The NCBP afterschool program encourages non-Aboriginal children to participate as part of cross-cultural instruction (11JA). Traveller organizations likewise offer a range of education programs to adult Travellers and provide programs to keep adolescent learners in school. A national Traveller organization offers nationally accredited Adult Education programs which

attract Travellers of various ages. Courses range from teaching literacy to assisting learners access secondary school qualifications. Traveller organizations provide Stay in School programs in response to the disproportionate drop out rate of Traveller youth (11MB; 11M). The Youth Advocacy Service in Galway provides guidance for early school leavers aged 16 to 20 years, half of whom are Travellers (18M). Across Ireland there are 36 centres for education and training of Travellers operating in conjunction with the Department of Education. In keeping with the national policy of integrating Travellers in mainstream education these adult training centres are scheduled to close in 2012 and their responsibilities integrated within the Department of Education (11MB). This decision proved controversial for the Travelling community and its implications regarding the relationship between Travellers and government is discussed further in Chapter Six.

Justice

Marginalization encountered by both groups impedes their access to the justice system and is exacerbated by disproportionally higher incarceration rates compared to the general population. An Aboriginal legal organization in Toronto provides assistance to Aboriginal victims and offenders that include so-called “Gladue” services. Based on a Supreme Court decision the Gladue decision highlighted the need to provide judges with background factors leading to an offender coming before the court and placing the factors in the context of systemic discrimination Aboriginal peoples face in Canada. In addition

to facilitating Gladue Court Services Aboriginal legal services intervenes in cases before the Supreme Court and the Courts of Appeal and engages in inquests and inquiries (8D). In comparison to established Aboriginal legal services, Travellers are not represented by culturally specific legal services. Traveller organizations provide legal advocate services where staff will write letters or accompany a Traveller to court to assist in explaining the proceedings (24MA). Travellers are specifically included in Equality Authority legislation (3M; 9M) which is elaborated on below.

Women and Families

Voluntary organizations provide programs and services that help their clients cope with family crises, have a greater gendered impact on women. Both Toronto and Thunder Bay have Aboriginal women's shelters to accommodate victims of domestic abuse and their children (12JA). While domestic violence programs are geared to assisting women and children, because they are abused and victimized more than mainstream women, Aboriginal organizations found that Aboriginal men are victimized by society and that the Aboriginal approach to domestic violence is different than the mainstream approach. A representative of an Aboriginal organization explained that in response to the realization "that we have to heal men" the I Am A Kind Man program was formalized (28O). Another representative added that not all women's shelters have the capacity to facilitate this program even though they recognize that "domestic violence is family violence" (12JA). As an alternative they facilitate a "Caring Dads" program and a group

for children who have experienced violence (12JA). Aboriginal children and their families are assisted by an Aboriginal organization that has authority over Aboriginal child protection in Toronto. One out of ten children in care in Toronto is Aboriginal but less than one percent of its population is Aboriginal (26O). Advocacy for Aboriginal women's organizations prioritize public information regarding the higher rates of violence and poverty that Aboriginal women and their children face. The Sisters in Spirit event is held in October in Toronto and Thunder Bay to honour and remember stolen and missing Aboriginal women in Canada. Aboriginal women's organizations also participate in Take Back the Night and the International Day of Violence Against Women (28O; 13O; 12JA; 6D). They are also involved in equality issues, for example advocating for Bill C-31, an amendment to the *Indian Act* that reinstated status for disenfranchised women and current advocacy that challenges the one-generation limitation of status included in Bill C-31 in 1985 (2N). Aboriginal women's and men's organizations provide a range of life skills programs and services for clients of all ages and all walks of life. Programs for women include literacy and life skills, detoxification programs, assisting women to continue their education (27O) and cultural celebrations such as a Winter Solstice Event (13D). Life skills programs for men include Sagatay (a classroom program based on nine essential skills) and addressing residential school or adoption experiences (21D). Interviewees representing Aboriginal organizations explained that they also assist with medical and court advocacy where one of their staff accompanies their client to court to assist with breaking down the legal jargon if their child is in protection or to accompany the client "just to be there" (26O; 13D).

Traveller organizations deal with domestic crises and design programs and services that encompass the family rather than separating service provision for women and men. For example, there are no shelters specifically for Traveller women and their children who seek refuge from domestic violence. Although there is a national Travellers women's organization it is smaller in size than similar women's Aboriginal organizations in Canada. And while Travellers women's organizations do not exist at the local level, women's Aboriginal organizations are active at both provincial and local levels in Canada**.** A representative of a Traveller organization explained the reluctance to talk about domestic violence: "advocates for women Travellers talk about sexual violence whereby two years ago it would not have been discussed. This is a huge area of progress" and also commented that on International Women's Day 2011 a Traveller women's organization spoke out on violence against women, an invitation that may not have been extended four to five years ago (24M). Traveller organizations also provide programs and services that range from family concerns, women's entrepreneurship and community awareness. Family services includes social work, family counselling, domestic violence prevention, support for Traveller families arriving in Dublin, working with Travellers in prison and on probation and food and clothing distribution (11MA). A Traveller Pastoral outreach organization provides counselling for marriage preparation, weddings, funerals, and christenings (24MA). The Women's Entrepreneur Programme is a nascent entrepreneurial endeavour in Galway. Business plans are submitted by Traveller women to the Equality for Women coordinator and two volunteers from the business community advise on the viability of the plans submitted before the projects are carried out (16M).

Cultural Awareness

To overcome discrimination, stereotyping and general misunderstandings regarding their culture, urban Aboriginal and Traveller organizations are facilitating cultural awareness programs. Aboriginal legal organizations have been invited to teach classes at law schools, instruct judges on Gladue services, and provide input for the training of Crown Attorneys (8D). Other Aboriginal organizations participate with the Toronto District School Board, First Nations, Metro Children and Youth Services and Best Start Toronto, a program with a goal to make school relevant for children and their parents (13D). Toronto Police Services Board has established an Aboriginal Advisory Board (24S). Thunder Bay has an Aboriginal Liaison Unit staffed with two Aboriginal Liaison Officers established to bridge the gap between the Aboriginal community and the Thunder Bay Police Service (11J). MNO is involved in public awareness and in educating Ontario Public Service employees about Métis (22N). And provincial and municipal Métis organizations are consulting with the Toronto Board of Education to include Métis in its curriculum (3D). National and local Traveller organizations provide Traveller cultural diversity training for Garda Síochána (national police), National Health Service (HSE), schools and universities (11MA; 12A). In response to the discontinuance of separate classes for Traveller children and their integration into mainstream school, the eight step Yellow Flag program has been instituted and monitored by a national Traveller organization to challenge racist attitudes and behaviour in schools by bringing issues of equality and diversity into the school curriculum (3M).

In addition to the extensive programs and services provided, urban Aboriginal and Traveller organizations actively provide voice and public awareness for their respective groups. A significant contribution to advocacy for urban Aboriginal peoples in Ontario is the *Urban Aboriginal Task Force* (*UATF*), a five volume report that was commissioned by the Ontario Federation of Indian Friendship Centres (OFIFC), the Ontario Metis Association (OMA) and Ontario Native Women's Association (ONWA) and is accessible on the Internet. The *UATF* focused on low educational attainment, low literacy rates, low employment and high disability rates for urban Aboriginal people in Ontario. *A Strategic Framework to End Violence Against Aboriginal Women* was prepared by provincial Aboriginal organizations for the Minister of Aboriginal Affairs (28O). Aboriginal organizations also disseminate messages for broad public awareness. This is accomplished mainly through the Internet via websites and while some organizations publish newsletters and provide links to their annual reports (11J; 13JA) other organizations provide basic information (30D). All the organizations provide content information that includes general information via telephone, fax and 'info@' details while most of them also include the names and positions of staff and their contact information. Policy documents that they produce are readily available for downloading from the Internet. Organizations with a minimal web presence explain that they lack the funds to upgrade their sites even though these improvements would provide access to policy papers (6D). Organizations that assist clients in crisis distribute information about accessing their crisis telephones through brochures and the Internet (12JA). Aboriginal legal organizations have an active web presence that provides court decisions and legal

information for Aboriginal peoples. They placed greater emphasis on overarching law reform by assisting with individual cases, rather than engaging in policy advocacy and as such publish posters in addition to their web presence (8D).

Similar to public awareness for urban Aboriginal peoples, public awareness for Travellers includes policy publications that are made available for the general public. This is accomplished mainly through the Internet via websites that provide full disclosure of their organization's mandate, mission statement, strategic plans, annual reports, newsletters and policy documents. Contact information includes a telephone number and a general 'info@' email address. While some Traveller organizations may provide the names of their Board members, most organizations do not provide staff names or their individual contact details on their websites, which appears to be in keeping with the Irish practice. Internet space facilitates access to policy documents which are readily available for downloading from the Internet, for example national Traveller organizations provide access to the latest Health Traveller Study (3M; 8M) and Domestic Violence Reports (11MA). Some organizations have not been able to upload everything on their website due to outsourcing costs (24M). Publications to promote cultural awareness of Travellers include the *Voice of the Traveller,* published five times each year and is distributed internationally and nationally. It profiles all aspects of Travellers' lives with stories, news, events, and "harder hitting problems" (11MB). Other publications include *The Traveller,* published three to four times a year and distributed to every Catholic parish in Dublin (24MA) and *News Travels* a newsletter published two to three times a year (11MA). Published information also includes "Traveller Girls", a wall calendar and a

poster, 'Tinker, Tailor, Soldier, Sailor' which includes the photograph and career and accomplishment profiles of twelve Travellers (11MB). A representative of a national Traveller organization explained that in reaction to the negative response generated by *My Big Fat Gypsy Wedding* (a British reality television program that reported on selected weddings where Traveller and Roma teenage brides choose whimsical wedding dresses and huge wedding cakes to reify their childhood princess fantasies on their wedding day), RTÉ3 (Ireland's National Television and Radio Broadcaster) produced *The Truth About Travellers* to portray Travellers in a different light (11MB).

Advocacy for Travellers also takes place through the Catholic Church, the religion of most Travellers according to an interviewee involved with the pastoral needs of Travellers: "There needs to be an effort of inclusion, belonging and recognition of identity and culture for Travellers. There is a richness to Traveller culture and Traveller life that may not be realized in general because of the separation of the two groups" (24MA).

Travellers are organizing to unite and connect themselves to issues that impact on their life ways. Since its official founding in 2007 Mincéirs Whiden (MW) is a Traveller only organization with a membership of 800 Travellers. One goal is to aggregate Traveller input by creating a voting system on Traveller issues. Another goal is to create a user friendly website to assist Travellers who have difficulties reading to access information (14A).

Funding

Representatives of organizations for both groups explained their funding struggles regarding the daily operations of their organizations. Representative of Aboriginal organizations explained that annual funding restricts their ability to attract permanent staff (12J) and another reported that as a result they are functioning with entry level policy analysts (6D). Aboriginal organizations face a variety of challenges within their organizations which may impede their ability to carry out programs and services. Three representatives of Aboriginal organizations observed that government uses divide-and-conquer techniques to the extent that some organizations believe that other organizations are taking away their funding (6D; 16D; 13JA). Representatives of Traveller organizations were more inclined to discuss their funding cutbacks in terms of the impact it has on staffing. One Travellers organization's full-time staff position was terminated and replaced with part-time (12A) and another Traveller organization terminated five staff positions in the past two years because of cutbacks (8M).

Summary

Interviews with representatives of voluntary organizations provided insight into the many facets of the relationships within each atypical group and between them and the organizations that provide their programs and services. While shelter and housing remains policy areas of major concern, urban Aboriginal shelter organizations are

directed toward assisting crisis intervention and homelessness, and housing policy for Travellers is directed toward overcoming obstacles at the local level that may impede choices for Travellers to reside on halting sites or in group housing schemes. As much as education policy addresses low educational attainment for both groups, voluntary associations for Travellers provide a more extensive range of literacy and adult curriculum courses for Travellers than urban Aboriginal organizations, which focus on cultural education and food security for school aged children. Even though health policy attempts to remedy disproportionate health issues as compared to the general population, urban Aboriginal health organizations provided traditional healing choices for clients while Primary Health Providers facilitate Traveller access to health providers. Aboriginal legal services provide access to the justice system for Aboriginal peoples. While both groups face funding challenges, Traveller organizations have experienced more recent staff cutbacks than Aboriginal organizations.

Analysis

The scope of voluntary organizations to address the cultural and capacity-building elements required by members of their groups, while providing programs and services to meet the needs of communities in crises, is affected by several factors. This analysis will show that while voluntary organizations for both groups share similarities in assisting clients in crisis, the extent of their empowerment to influence the nature of programming is stronger for urban Aboriginal peoples than Travellers. Voluntary organizations for both

groups also partake in advocacy activities that include cultural awareness programs for various sectors of the community and publishing comprehensive policy papers for wide public distribution on a range of topics and issues. However, the nature of the programs offered differs for urban Aboriginal peoples and Travellers. Urban Aboriginal organizations provide shelter for women and their children experiencing domestic violence, but homeless shelters and counselling services and these services are segregated for women and men. Traveller organizations, on the other hand, provide family counselling services, but fieldwork and research failed to locate shelters for Traveller women, even though domestic violence is prevalent in the Travelling Community. Another concern is whether the safety and security of women in marginalized groups may be subordinated to the needs and interests of the group in general. For urban Aboriginal peoples the justice system allows for consideration of the accused appearing in court, an Aboriginal organization is the authority for the care of Aboriginal children in Toronto, and Aboriginal health services provide choices for traditional healing and wellness. Traveller organizations meanwhile are instrumental in bridging access to national health services and educational training that Travellers either cannot easily access or may be reluctant to do so.

Travellers have established their own national organization to promote their interests. This organization appears to be primarily focused on building awareness within the Traveller community (with its goals to establish an electronic forum to monitor input and opinions of its members), than it is a vehicle to advocate for Traveller interests within policy networks. Although some of the members of this organization are involved

leadership and staff positions in other Traveller organizations, the present capacity of this organization prevents it from utilizing these individuals to move this particular organization beyond its current mandate of Traveller self-awareness consolidation and consensus building within the Travelling Community itself.

Funding is a factor that impacts on the ongoing operations of voluntary organizations to engage in policy processes with government. Traveller organizations are faced with more staffing cutbacks that erode their capacity. Annual contracts and cutbacks place more strain on organizations to carry out their mandate and provides less opportunity to effectively engage in advocacy for these groups.

In summary, at the micro level urban Aboriginal and Traveller organizations face operational struggles in their capacity to meet the needs and interests of their respective communities due to several factors determined by their dependency on annual funding by government. In terms of the nature and scope of the programs offered, Urban Aboriginal organizations are moving closer to political incorporation by introducing Aboriginal cultural, healing and capacity-building into their approaches to services. Traveller organizations are working at bridging access to services in health care and education and while these services are essential to Traveller wellbeing, it also raises the question of whether Traveller organizations are empowered to influence the nature and scope of programs and services they offer or whether they are working within a mandate of mainstream preferences. A national Traveller-only organization is working to inform Travellers and aggregate their opinions. As an emerging organization its mandate presently lacks the capacity to counter prevailing anti-Traveller public discourse in order

to make an impact on policy processes. Despite challenges of relying and applying for annual funding, urban Aboriginal organizations are increasing in size over time to meet increasing needs. In contrast, funding for Traveller organizations reflects current economic instability in Ireland that directly impacts on staffing and programming.

Summary Table for Program and Service Delivery

Policy Areas & Issues	Urban Aboriginal Peoples Initiatives	Traveller Initiatives
Housing Homelessness Accessing suitable housing	-Homeless shelters - designated shelters for Aboriginal women and Aboriginal men -Community shelters also provide for urban Aboriginal peoples	-Advocacy for Traveller accommodation - halting sites and group Housing
Health Shorter life expectancy Mental health, addictions, suicides, disabilities Problems accessing health facilities	– Access to traditional healing.	-Primary Health Care Providers - workers liaise between Travellers and health care centres to facilitate access to medical care
Education Low educational attainment Low literacy and innumeracy rates Vocational training	-Food security and cultural programs for school age children -Alternative high schools	-Adult education programs -Stay in School programs for teens
Justice Disproportional incarceration Understanding justice system	-Gladue Services -Legal advocates- accompany client to court to explain proceedings	-Legal advocates - accompany Travellers to court to explain proceedings
Family Domestic violence Gendered impact of discrimination on women	-Authority over Aboriginal children in Toronto -Separate shelters and services for Aboriginal women and Aboriginal men	-One national women's organization -No specific shelters for Traveller women -Family counselling
Public Awareness Discrimination Stereotypes	-Publications for public distribution -Cultural awareness training for School Board, Police, Ontario public service	-Publications for public distribution -Yellow Flag program in mainstream schools -Cultural awareness for Gardai, National Health Service, schools and universities

6 THE MESO SCALE: VOLUNTARY ORGANIZATIONS AND GOVERNMENT DYNAMICS

The meso scale locates the dynamics of voluntary organization within a policy field or policy community. For this research project it specifically locates and analyzes how a specific community is represented by voluntary organizations in terms of their success in meeting the needs and interests of atypical communities within and between multiple levels of government. For urban Aboriginal peoples this entails local, provincial and federal levels of government and for Travellers; local, national and European Union levels of government.

This section reports on relational issues discovered in the fieldwork findings and reports on, a) the individuals who represent voluntary organizations and government, b) the extent to which atypical communities are represented by voluntary organizations, and c) the relationship of voluntary organization actors and government actors within governance structures for atypical groups.

Report

The urban Aboriginal community faces challenges of political representation in their community on three fronts. First, Aboriginal peoples face some degree of negativity in their relations with the general population. As one representative from an Aboriginal organization stated “We’re labelled as a problem in this community” (13JA). Second,

there is a lack of representation when working with urban Aboriginal peoples. One representative of an Aboriginal organization explained that government officials ask them: "Who represents whom?" (27J). Third, these gaps in engagement are exacerbated by Aboriginal peoples choosing not to participate with government. A government representative observed that some members of the Aboriginal community do not trust government given the history between the two groups (11J). And urban Aboriginal peoples are poorly represented politically because they often choose not to vote in municipal elections (11J). These challenges to representation are met to some degree by voluntary organizations. As a representative of an Aboriginal organization explained leadership for Aboriginal peoples in Thunder Bay comes from Aboriginal community organizations (11JA).

Another challenge to representation is that urban Aboriginal communities are not politically and culturally homogeneous. For example, within Aboriginal communities Métis voluntary organizations are connecting to Métis to build their community and strengthen their representation. However, this community building process exposes relationship struggles that Métis have with First Nations (22N). A representative of the Métis community explained that we do not have "a definition of Métis and a definition of our own status" (17N). Compared to First Nations, Métis are not land-based on reserves and their leaders are not paid by government (22N). Building the Métis community involves volunteers who devote their free time to attend regular and annual meetings (17N; 3D). Another Métis representative explained, "We're not First Nations who have staff and offices; our community councils are volunteers" (22N).

The Travelling community faces similar challenges of political representation to the urban Aboriginal community. The life ways of Travellers that contributed to their historical othering from mainstream society influences their relations not only with the state, but also within the Travelling community that prioritizes and protects familial association. However, one concern that unites Travellers organizations is that Traveller ethnicity should be recognized by the Irish government (3M; 8M). The dominance of mainstream society impacts negatively on relationship-building for Travellers, as a representative of a Traveller organization explained: The government is "not listening to Travellers" because they have a sedentary point of view (3M). A representative from a Traveller organization explained the challenges required to accommodate cultural difference: "If a Traveller is in the hospital there could be one hundred people wishing to visit the patient. How do keep them from clogging the corridors, but not pushing them out the door?" (12A). Unfamiliarity with mainstream society is revealed in how the Travellers approach the settled community. In the past Travellers were directed to communicate with the authorities through social workers. Today Travellers remain reluctant to approach the authorities and continue to seek social workers (whom they refer to as 'buffers') to assist them with their concerns (23M). Another challenge for Travellers is the impact of policies that restrict being on the road. A representative of a Traveller organization explained, "Travellers are not on the road so they feel they are not Travellers, but they are not mainstream society. So they are in between what their parents were/did and what society does and this challenges their identity" (3M). Feuding is a major concern for the Travelling community that impacts on their relationship with the

settled community. A Traveller concisely explained: “Travellers are nomadic but they can’t travel. In the past when they feuded they would get up and move away” (12A). Another Traveller elaborated:

> Feuding is different in the Traveller community because of extended families with social inequality. People have their own systems of justice because the system has failed them. We don’t mix families [on halting sites]. There are more problems on transient sites because they are bigger with 20 bays for a mixture of 4 families. The permanent halting sites have fewer bays, so families are kept separate. People will call the Guards but they won’t respond. If they do respond no one is treated with respect. People are reacting to problems they are facing. They have internalized anger. They do it to each other [not to non-Travellers]” (16M).

Government representatives shared perspectives on feuding: “Accommodations have been burned down. Traveller families leave because of violence. There have been problems in Dublin…Waterford…Mullingar…There are repercussions in providing accommodation. In the case of feuding Travellers the families are very large, so suddenly there could be 150 people requiring accommodation. There are long term repercussions. Feuding is reflected in media coverage. In one local authority an existing problem regarding plans to commit further funding for accommodation was complicated by feuding” (11M). “The biggest threat among themselves is Traveller feuding. There have been housing units destroyed by feuding. We are building smaller sites to avoid feuding which places costs on our resources. The general population is not sympathetic to Traveller sites. For our staff Traveller violence is a reality” (23MA).

Voluntary Organization Representation

An overwhelming majority of the representatives of Aboriginal organizations in Toronto identified as Aboriginal, ranging from First Nation, to Métis, to having one Aboriginal parent, and while some were raised on reserves others grew up in urban centres. Their employment with Aboriginal organizations ranged from two to twenty years, in various leadership and staffing positions. All representatives of Aboriginal organizations in Thunder Bay identified as First Nation or as Aboriginal and their employment with Aboriginal organizations ranged from seven to twenty-two years. There were also non-Aboriginal Interviewees who represented organizations whose mandate assists victims of domestic violence and the homeless in the general population, but a majority of their clients identify as Aboriginal. Government officials interviewed in Toronto and Thunder Bay were employed with the public service from three to ten years with over half of them identifying as Aboriginal or First Nation. In contrast to Canada, just less than half of the representatives interviewed from Traveller organizations in Dublin and Galway identified as Travellers. As with the Canadian case, the majority of Traveller organization representatives have considerable years of service, ranging from seven to twenty-five years. Government representatives - none of whom identified as a member of the Travelling community - have been affiliated with Traveller affairs ranging from three to five years.

Funding

In addition to facilitating programs and services on the micro scale, the allocation of funding for voluntary organizations impacts on their capacity to engage in policy processes on the meso scale. Regarding funding issues for voluntary organizations, urban Aboriginal organizations in Canada have faced comparatively less setbacks than Traveller organizations. Funding arrangements for Aboriginal voluntary organizations adhere to federal and provincial statutes and guidelines. Funding for Aboriginal peoples in urban centres remains for the most part a provincial responsibility and, as such, the types of organizations and their funding allocations vary from province to province. For example, the province of Ontario funds Indian Friendship centres, whereas Quebec contributes significantly less, and Saskatchewan provides no funding (28O). Most urban Aboriginal organizations in Ontario obtain a significant portion of their funding from multiple departments within provincial government and some organizations also receive funding from federal departments for legal and probationary services and children's programs, for example (8D; 21D; 13J). Municipalities also fund Aboriginal organizations that come under their municipal mandate, for example, the City of Toronto funds housing for Aboriginal peoples (13D). Aboriginal organizations may receive charitable donations, for example, United Way funding (16D; 21D; 11JA) and they may also receive funding from the justice system when a judgment allocates sentencing fines to a women's shelter. (12JA).

Recurring funding relationships with government are a major factor that impacts on the representative and advocacy activities of voluntary organizations. Aboriginal organizations face a variety of funding struggles. Aboriginal organizations are increasing their programs over time, with minor cutbacks in funding (11JA) and one staff reduction in 2010 (14F). Despite a general trend of stability Aboriginal organizations face numerous funding challenges in their day to day operations. Representatives of various Aboriginal organizations explained the following. First, urban Aboriginal organizations receive a disproportionately low level of provincial funding, with approximately 70 percent allocated to reserves and 30 percent allocated to off- reserve, yet more than half of Aboriginal peoples live in urban centres (28O). Second, Aboriginal organizations apply for funding on an annual basis, while only a few funding arrangements require biannual applications. Organizations expressed varied concerns with annual funding arrangements that include: the lack of core funding (13D); funding is not resecured (27O); project funds are short lived (13D); dependency on three levels of government for funding (13D); lack of funding increases (13J); and it impairs the ability to implement strategic frameworks (6D). Third, fund-raising is time consuming. A representative of a homeless shelter noted that fund raising takes up 40 percent of the executive director's schedule and fund- raising activities by staff takes up time that could be spent with clients (13JB). Fourth, being under-resourced is a human and financial setback which poses challenges to the capacity of Aboriginal organizations (6D; 13J). A representative of an Aboriginal organization observed that even though the number of programs their organization offers has quadrupled over time, the staff complement has not: "Because we

have been here for so long we can manage" (13J). Fifth, another representative noted that government funding priorities may change and programs offered by an Aboriginal organization may no longer be eligible for funding (11JA). Sixth, new accountability guidelines for voluntary organizations require staffing with advanced skill sets to undertake more elaborate reporting duties for their organization. One representative explained that replacing a former bookkeeper with a higher salaried accountant required more funding (1J). Seventh, organizations whose mandate was for specific programs and services believed that they should be allocated funding when it became available (13JB) and were critical when government decided to allocate funding to other organizations whose mandate was not as specifically geared to the programs targeted for funding (21D). Eighth, funding does not meet the increasing need of Aboriginal organizations. Two representatives of homeless shelters noted that staff requires more training to assist clients with severe mental health concerns who are violent and pose a risk to other clients (12JA;13JB). And ninth, representatives of Aboriginal organizations report that the size of the Aboriginal community is underrepresented evidenced by their client base (26O; 28O).

Funding is also a major concern for Traveller organizations (3M; 8M; 11MA; 12A) even though interviews with representatives of Travellers organizations did not disclose quite as many specific funding issues as urban Aboriginal organizations. Due to the downturn in the Irish economy there is more competition for economic resources which impacts on Traveller organizations and also raises tensions between the majority population and Travellers (3M). One Traveller organization has experienced decreased

funding since 2007 and percentage cuts every year since then (24M). Funding cutbacks have an impact on staffing in addition to programs and services. One organization had a funding setback when a full-time position was terminated and replaced with part-time (12A). A representative of a Traveller organization noted that in the past two years their organization lost five staff and three programs because of the recession (8M). Similar to Aboriginal organizations, each Traveller organization applies for annual funding to multiple national government departments. They also rely on and apply for funding from trusts and charities that may include National Lottery, Family Support Agency, and St Stephen's Green Trust (8M). And a representative of a Traveller organization reported that according to the Health Study the population of the Travelling community is closer to 40,000 than the 23,000 reported in the 2006 census and believes that this under estimation impacts on funding for Traveller organizations (3M).

Voluntary Organizations and Government

In both Toronto and Thunder Bay there is cooperation between government and Aboriginal organizations to establish advisory bodies within municipal government. In Toronto within the Office of Equity, Diversity and Human Rights, the Aboriginal Advisory Committee (AAC) was founded in 1999 to advise Toronto City Council on Aboriginal affairs in addition to acting as a liaison between the Aboriginal community and City Council. An accomplishment for the AAC is the *Statement of Commitment to Aboriginal Communities* (Appendix C) that was passed by Toronto City Council in July

2010 (24S). Aboriginal peoples in Toronto are recognized by local and provincial government commemorative ceremonies. The City of Toronto recognizes Aboriginal peoples annually on National Aboriginal Day (June 21) with arts, crafts and drumming events (24S). Since 2008 Louis Riel Day (a Métis celebration on November 16) has been recognized by the province of Ontario, and 2010 was declared The Year of the Métis to commemorate the 125th anniversary of the Battle of Batoche and the hanging of Louis Riel (22N). In 2008, the City of Thunder Bay created an Aboriginal Liaison position within the Office of the City Clerk that facilitates the engagement of the City of Thunder Bay with the Aboriginal community in policy development and cultural planning development. With an office in City Hall, the Aboriginal Liaison also facilitates the engagement of Aboriginal organizations formally and informally with the City (11J). The Aboriginal Liaison is in contact with federal committees which include the OFI and FedNor and their programs, provincial departments which include justice, health, tourism, and northern development and other ad hoc committees, for example, recognizing Thunder Bay survivors of residential schools. As a government representative explained: "Aboriginal people would have never gone to City Hall, but now they know about the Aboriginal Liaison as the person to go to" (11J). A representative of an Aboriginal organization indicated a community cohesiveness of their organization and other Aboriginal organizations who sit on non-Aboriginal community boards and committees, for example, literacy, race relations and justice committees (13J).

In contrast to the response by municipal government in Toronto and Thunder Bay to establish a liaison with Aboriginal communities, Traveller input is restricted to

participation in one policy area at the local level. Travellers input regarding housing accommodation is facilitated by the Local Traveller Accommodation Consultative Committee (LTACC) (see Chapter Two). At the local level committees of the LTACC consist of elected local officials, city or County Council staff from the Traveller Accommodation Unit, Traveller advocates and Traveller representatives who meet quarterly at City or County Halls (11M). A member of a LTACC observed that the decrease in Traveller participation over time had to do with Council officials and their lack of respect for Travellers (23M). Traveller participation in LTACC is challenged by issues of underrepresentation, gender, trust, discriminatory behaviour, intimidation and lack of implementation. First, Travellers are under-represented in LTACCs. For example, only two of the five districts in Dublin have full Traveller representation (23MA). Second, a government representative explained that there is a preference in the Travelling community for male representation because women are regarded as "second class citizens" (23MA). Third, regarding trust, a government official explained: "It is difficult for them to trust outside of their family. If someone is going to represent a Traveller, the first question they ask is, are they settled?"(23M). Fourth, a representative of a Traveller organization noted that Councillors make disparaging remarks against Travellers to raise their profiles: "The local Councillors have been overheard to say during meetings that Travellers live a dysfunctional way of life" (16M). The representative also observed that LTACC meetings "can be fairly volatile" and do not follow the agenda (16M). For example, when a LTACC Traveller representative requested the key to access the community centre on his halting site ("no one has ever been inside"), he was instructed to

bring plans of the proposed activities. When he asked to present his plans at the following meeting the Traveller was informed that the meeting was over (16M). Fifth, a representative of a Traveller organization reported that the LTACC undermines Traveller participation because they feel they lack the education to deal with Councillors (16M). Finally, Traveller needs and interests are not acknowledged or implemented. For example, halting sites require places for horses and entrance ways to group housing sites should accommodate high top vans because they are vandalized and burned when parked off site (16M). A representative of an organization affiliated with Travellers observed that group housing schemes for Travellers are poorly planned, for example, a housing scheme was inaccessible because it was built in a hollow. The representative went on to say that even though 70 percent of Travellers are in standard housing in Galway, "there are some Travellers who would not choose standard housing because they say they get too claustrophobic. Explain that to an official here." They also observed that it is getting harder for those who travelled: "It is hard to accommodate nomads" (23M).

Comparable to representatives from voluntary organizations for urban Aboriginal peoples, representatives from Traveller organizations receive requests to contribute to policy, but their input is often unheeded at the implementation stage. Traveller organizations belong to a number of consultative committees in education, accommodation and health. "But these committees are just that, 'consultative'" (8M). "They're careful to keep NGOs and Traveller organizations away from implementation" (24M). In contrast to legislated Traveller inclusion in housing policy, Travellers are

merely consulted in other policy areas. As a representative from a Traveller organization explained:

> The single biggest setback has been the implementation of the Traveller Education Strategy. This has seen the erosion of education supports and provision for the Traveller community. The strategy was flawed from the onset in that the consultation with the Traveller community was undertaken with the support of Traveller organisations who had a preset opinion of what Traveller education services should look like. Their viewpoint was short sighted and gave permission to the Department of Education to wipe out Traveller specific supports and services under the camouflage of integration and inclusion (11MB).

The imposition of the Differential Rent rate in March 2011 to Travellers provides further insight into the relationship between government and Travellers. The Differential Rent rate refers to the formula used to determine the weekly or monthly rental payment rate of social housing in Ireland and it is based on income. Before March 2011 Travellers were excluded from the Differential rent rate and they paid a flat fee for halting site and social housing rentals. A government representative explained that Travellers in Dublin, for example, were charged fixed rents of €23 per week. The implementation of the Differential Rent rate meant that depending on their income Traveller rents could be increased to as much as €99 per week. According to the government representative, politicians avoided the March Dublin LTACC meeting because they anticipated negative response by Travellers due to the recent imposition of the differential rent. (23MA). The Differential Rate also applies to rents on halting sites. A representative from a Traveller organization explained that in Galway, for example, Travellers were paying €7-€8 rent per week for halting sites when they were informed of a rent increase to €18 per week

effective 28 March 2011 and €25 per week in 2012. By 2013 Travellers will be expected to pay 60% of full differential rent; by 2014 80% of full differential rent and by 2015, 100% rent. Now that Travellers are going to pay full rent they questioned whether they will have the amenities on halting sites that other rent payers are entitled to in standard housing, for example, footpaths (sidewalks) (16M).

Representation for Travellers by the Catholic Church also includes participation in the National Eucharistic Congress and their work on justice and development. Church affiliated Travellers organizations also release press statements. For example, in Spring 2011 they issued a release on education cuts which affected Travellers (24MA).

Analysis

Atypical groups require substantive representation by members of their community within policy processes to ensure accommodation for their needs and interests. It is most beneficial for the atypical group when they are represented by members of their community for two reasons. First, members of the community may best articulate the needs and interests of the community. The second reason is that staffing government positions by members of the atypical group demonstrates recognition of the group within the machinery of government. Staff who represent an atypical group are then able to appeal to and advocate for their community within and between other departments whose mandate involves policies for the atypical group. The third reason is that the presence of members of atypical groups bridge cultural distances that societal othering creates. For

these reasons, representation of atypical groups in government provides recognition of, and voice to articulate, the concerns of the group. A major impediment to employment in voluntary organizations is that marginalized members of atypical groups may not have the educational qualifications for various positions. Low educational attainment reduces the capacity of individuals to act because they may be intimidated by individuals with higher educational attainment representing mainstream society who may dominate policy processes. Urban Aboriginal peoples in Canada have significantly higher representation by the Aboriginal community in voluntary organizations and government than Travellers. Most of the leadership positions in Aboriginal organizations are held by individuals who identify as Aboriginal have expertise and years of experience in representing their community. Also, approximately half of the interviewees in government positions identified as Aboriginal. In contrast Travellers are underrepresented in voluntary organizations and government. Research located one Traveller in a staff position in government bureaucracy at the national, and one elected official at the local level, but none of the government officials interviewed identified as a member of the Travelling Community. Although Royall stated that by "the 1990s pro-Traveller organisations were run and staffed in the main by Travellers and they were organised by a new generation of leaders from the Travelling community" (Royall 2010, 162) this research project could not verify this finding in the present day. Rather, observations made while visiting Traveller organizations and conducting interviews found a significant compliment of their staff were non-Travellers. The only significant representation of Travellers in voluntary organizations involved those employed as Primary Health Service providers.

Representatives from Traveller organizations and the Catholic Church may be included in national consultative committees, but Travellers have yet to be appointed to chair government bodies that specifically address Traveller issues. Substantial Traveller representation in government bureaucracy would overcome a major hurdle in the historical othering of Travellers from mainstream society. It would also facilitate inclusion of Travellers within various government departments and throughout policy networks that pertain to the affairs of the Travelling community.

Urban Aboriginal interests are acknowledged and included at the local level by Aboriginal advisory coordinators who are provided offices within City Hall. These coordinators liaise with Aboriginal organizations, local elected officials, specialists across city departments, and with provincial and federal representatives on various committees regarding Aboriginal affairs. They also provide assistance and direction to members of the Aboriginal community who require services at the local level. In contrast, Travellers interests are not effectively accommodated by their representation in housing policy consultative committees. Although they have some limited opportunity to participate in housing policy, Travellers are underrepresented in general. Travellers reported that official meetings may not adhere to rules of order, or follow an agenda, which makes it difficult for Travellers to participate, especially when they report that they are intimated by the settled community. Also it is debatable whether increased Traveller representation could counter intimidation in local Traveller housing policy committees.

The funding of voluntary organizations for both groups is in keeping with the limitations of the voluntary sector as a pillar of inclusion for atypical groups. One factor

that differs significantly between the two groups is that Traveller organizations have experienced more funding and staff cutbacks due to the downturn in their economy since 2008 Aboriginal organizations, in contrast, are able to sustain their present levels of staff and programs. The remaining four challenges are similar for both groups. First, the demands of serving a client base that is under-estimated places added strain on overall operations of these organizations. Second, both Aboriginal and Traveller groups are represented by leaders with significant years of experience and expertise that equips them to handle a greater work load. Third, the rules and regulations placed on voluntary organizations by the state may impede their ability to carry out their mandate. The absence of core funding increases the administrative workload to apply for annual funding. Fourth, programs and services for both groups are distributed over multiple departments which also increase the workload in meeting their specific requirements for program reporting and funding. In summary, organizations representing both groups are led by staff with significant experience to carry out their mandates in light of challenges that include an under estimated client base, the absence of core funding and communication with multiple government departments.

Changes in Traveller education policy and the implementation of the Differential Rent rate for Travellers are examples of additional setbacks experienced by the Travelling community. Traveller organizations were consulted regarding changes in education policy that would close Traveller-specific training centres and integrate them into existing education centres for the general population. However, they were unable to bring about any changes in education policy despite their assertions that integration

would negatively impact on Traveller learners. The implementation of the Differential Rent rate meant that the rent rates paid by Travellers for social housing and halting sites would be brought up to the rate paid by other renters of social housing, but without guarantees concerning the amenities for halting sites that renters of standard housing receive. Changes in education and social housing policy indicates that Travellers may be included in these processes but they are ineffective in bringing about policies that specifically address the needs, interests and availability of choices for members of the Travelling community.

In summary, at the meso level, despite organizational and funding challenges, voluntary organizations that represent urban Aboriginal peoples are included in local government advisory committees that liaise with various municipal departments. The presence of individuals who identify as Aboriginal in voluntary organizations as well as in government provides substantive representation of the needs and interests of their community in policy processes. Although their contribution to policy processes varies as to the nature of the programs and services they provide, voluntary organizations have achieved some success in contributing to policy development. While Traveller organizations are recognizable entities that advocate on behalf of the Traveller community they face greater obstacles when compared to urban Aboriginal peoples due to their limited access to policy processes. This is in part due to their under-representation as staff in government departments. It is also due to their inability to move beyond a limited consultative role in policy processes. Members of the Travelling Community also have limited access to representation in housing advisory committees where they are

generally underrepresented. Despite the consultation of Traveller organizations regarding education and housing, policy outcomes indicate they are ineffective in countering changes in education and housing policies that are moving toward the integration of Travellers into mainstream society. Despite efforts at the EU level to establish the LTMAC to monitor Traveller issues on a biennial bases inclusion in this process did not appear to be noteworthy for the majority of representatives of Traveller organizations.

7 THE MACRO SCALE: STATE AND SOCIETAL SETTINGS

The macro scale captures voluntary organizations as belonging to an identifiable sector and to this extent is instructive in determining the success of atypical groups in taking advantage of opportunities to be included in policy processes. Recognition of these groups on this scale may indicate political incorporation in government institutions that locate processes of inclusion as well as exclusion. This is significant because most liberal democratic governments are dependent upon mainstream society for their mandate and to this extent mainstream preferences may dominate processes, or create obstacles to impede the political incorporation of atypical groups in policy processes. Challenges to inclusion and exclusion also reveal the extent to which government shapes and reshapes policy through legislated structures and through conventional practices.

Another significant aspect to inclusion on the macro scale is the extent to which policy processes that include voluntary sector representation facilitate linkages to government in a period of accountability and austerity. This research project was initially premised on the notion that inclusion of atypical groups in policy processes would achieve positive outcomes for the group. Conducting, reporting and analyzing this project demonstrated that mere inclusion of atypical groups in policy processes does not itself guarantee positive outcomes. Instead, the actual *outcomes* of policy processes are the real test of success in addressing an atypical group's individual and collective needs and interests.

So far this analysis has reported on the micro scale that assessed program and service delivery of voluntary organizations and the meso scale that located the representation of atypical groups in policy processes. Once these two levels are addressed, the findings allow a deeper analysis of intra- and inter- group struggles over cultural identity on the macro scale. In this chapter the macro scale expands the lens of analysis to focus on broad state and societal influences that impact on the capacity of these groups to secure policy outcomes that align with their needs and interests. To this extent, the macro scale is instructive in revealing how broad state and societal influences on the macro scale impact on activities that take place on the micro and meso scales. This will be discussed at the end of this chapter.

Report

Negativity toward urban Aboriginal peoples was not evident during interviews in Toronto or Thunder Bay. In contrast, Travellers and representatives of Traveller organizations reported that they face discrimination in all aspect of their lives. The following nuances of othering were reported in interviews in Ireland. One Traveller explained that discrimination "is looking in the mirror each morning and asking yourself whether you will have a confrontation today because you are a Traveller. Nothing may happen, but knowing that something could is a first thought of the day" (7M). In response to hearing a teacher say that she never gives Traveller learners homework a representative from a Traveller organization observed "This is discrimination at an institutional level" (11MA).

A representative of a church based organization observed: "People who arrive in the parish do not get the same welcome because they are Travellers" (24MA). A representative of a Traveller organization who gave a presentation about Traveller awareness to university graduate students was asked, "do they travel in packs?"(11MA). Another representative of a Traveller organization reported that "Travellers are required to sign an agreement with the local gardai [police] that they will not engage in anti-social behaviour with the settled community*"* (12A). A government official that was interviewed explained that the standard handbook distributed to all renters living in social housing schemes was rewritten for Travellers: "We dumbed it down" (23MA). And a representative of a Traveller organization reported that the lunch for the approximately twelve Traveller men, women and children who participated in a local St Patrick's Day Parade had to be held at their Traveller office because the group would be refused entry to any of the local pubs (16M).

In Canada, collaborative linkages have been established between the voluntary sector and government. The Urban Aboriginal Strategy (UAS) is an initiative by OFI to improve life skills, promote job training and support Aboriginal women, children and their families in thirteen urban centres in Canada two of those centres are Toronto and Thunder Bay. What is significant about the UAS is that while the federal government has devolved its responsibility to Aboriginal peoples in urban centres, it has taken on the role of coordinator to bring the Aboriginal community together through organizations at provincial and local levels of government that provide programs and services for Aboriginal peoples. Using a collaborative approach the UAS is designed to bring together

Aboriginal organizations in large urban centres to recommend and develop pilot projects that would locate needs that are not being met and fill in these gaps with programs for urban Aboriginal peoples. In Thunder Bay, for example, the UAS committee includes over twenty-five people representing Aboriginal organizations, elders, youth and ex officio members from the public and private sectors (13JA) that are in direct contact with OFI (24F). As a representative of an Aboriginal organization explained, "OFI does consult because they ask the community to recommend where [UAS] money is spent. OFI has never rejected a plan" (11JA).

The devolution of jurisdictional responsibility from national governments to provincial and/or local government creates multiple points of contact for voluntary organizations. Despite Aboriginal-specific government departments at the federal and provincial level, program and service delivery for urban Aboriginal peoples is still associated with multiple federal and provincial government departments. A government representative observed that within Aboriginal Affairs and Northern Development (AAND) there is an attitude that "[AAND] is First Nations only" (24F) and this attitude of exclusion of urban Aboriginal issues in AAND impacts on working across other federal departments (24F). Despite First Nations prioritization in AAND, the department still has a mandate for Aboriginal peoples off- reserve. It is located in the Office of the Federal Interlocutor for Métis and Non-Status Indians (OFI) that works toward improving federal programs and services for Métis, Non-Status Indians and urban Aboriginal peoples. OFI works to maintain the federal government's relationship with Aboriginal organizations through community plans and strategies, and by assisting them in finding

partners to carry out their programs and services (24F). OFI has direct contact with the Aboriginal community and their involvement is through community work mainly conducted through the UAS. At the provincial level the Ministry of Aboriginal Affairs (MAA) does not have a specific mandate for program and service delivery for Aboriginal peoples in urban centres in Ontario. A representative of the department explained that its urban Aboriginal mandate is to make the needs of Aboriginal known and to educate and work with other Ontario provincial ministries to target how programs and services impact on Aboriginal peoples (2N). To this extent, the MAA collaborated with provincial-level Friendship Centres, women's, and Métis organizations (26O; 2N; 27J) to produce the five volume *Urban Aboriginal Task Force* (2N) and the Domestic Violence Action Plan for Ontario in 2005 (28O; 27J). And in collaboration with Ontario's Ministries of Community and Social Services, Health and Long-Term Care, and Women's Issues and Children and Youth Services, the MAA produced the Aboriginal Health and Wellness Program (2N).

In Ireland, Equality Authority (EA) legislation was passed in 2002 to uphold equal status and protect against discrimination based on nine criteria that included, for example, sex, race, marital status, GLBTQ, and member of the Travelling Community. As previously noted, when equality legislation was put into place in 2002 the majority of complainants were brought by Travellers (9M). A representative of a Traveller organization explained that EA legislation temporarily provided Travellers with a mechanism to address discrimination through access to complaint procedures but that it has been undermined by the vintners and publicans lobby. Under the EA, Travellers were

able to file a complaint and be heard by the Equality Tribunal when they were asked to leave shops or pubs. This procedure did not require a solicitor because they could make their own case to the tribunal or have an advocate speak on their behalf. The Vintners lobby was instrumental in launching an amendment to the Intoxicating Liquor Act in 2004 where any complaints against vintners and publicans would now be heard by the local district courts (this is where liquor licences are issued and renewed for pubs)(9M). Complaints going before the district court can represent themselves or have a solicitor represent them. Advocates are not allowed. This means that if a Traveller were asked to leave a pub they could no longer file a complaint of discrimination with the Equality Authority of minimal cost, but would have to make their case before the district court and incur significant costs for legal representation (3M).

In contrast to the situation in Canada, government in Ireland is composed of multiple departments that more rigidly address specific Traveller issues as legislated. At the national level, housing for Travellers is located within the national Department of the Environment, Community and Local Government in the Traveller Accommodation Unit (TAU) which is legislated to finance and administer local accommodation committees. The TAU operates as a board consisting of twelve members that includes representatives from government and national Traveller organizations (11M). Another organization that TAU has contact with is Clúid a voluntary housing body that provides Traveller-specific accommodation on behalf of local authorities (11M). According to the TAU there are 9,500 Traveller families (the TAU counts families, not individuals). In 1999 twenty-five percent of Travellers were living on the side of the road. By 2010 this was reduced to

four percent and 991 families were living in halting sites (11M). Group Housing is designed specifically for Travellers by accommodating a Traveller family unit of usually five or six single family one storey detached units. Over the last five years over 700 families were accommodated in group housing. Forty percent of Travellers are living in standard housing which is the type of accommodation available to the general population (11M). Government representatives explained that there are two current issues regarding housing from a government perspective. The first is that local authorities prefer to assign Travellers standard and group housing over halting sites. And second, there is a demand for halting sites, but two to five years after the sites are built, Travellers often ask for conversion of halting sites to group housing. (11M). These representatives also explained that there are five major obstacles for departmental accommodation authority in providing housing for Travellers. The first is because of the economic slowdown there will be no new social housing until 2013 and this includes the provision for social housing for Travellers. The second is site availability. During the boom, the cost of land in Ireland was prohibitive due to the property 'bubble' (11M). The third is that Travellers change their minds after they move to halting sites and then decide that they would prefer to live in group housing. The fourth obstacle is the long consultation period for arranging for housing between Travellers and local authorities that may take a couple of years or longer. The fifth is Traveller feuding (11M). Other obstacles to secure housing for Travellers are located in government processes. A representative of a Traveller organization observed that Councillors who stalled housing for Travellers got re-elected, while there were negative repercussions for those who advocated for Travellers (3M).

And a government representative observed that National Ministers can stall the building of halting sites if they are in their constituencies (23MA).

In response to the distribution of Traveller policy across multiple departments, national Traveller organizations have advocated for a National Traveller Agency. As a representative from a national Traveller organization explained:

> We're looking a driver, someone to drive policy. We need a way to implement Traveller policy because it has no teeth. We need a Traveller agency, a Minister responsible for Traveller issues. One potential inherent danger is that other Ministers may abdicate their responsibilities for Travellers. Travellers are every minister's responsibility" (8M).

Policy for Travellers is monitored at the European Union level by the Council of Europe's Committee of Ministers High Level Group on Traveller Issues as set out in the Framework Convention for the Protection of National Minorities (aka Framework Convention). The National Traveller Monitoring Advisory Committee (NTMAC) was established by the Irish government in 2007 in response to the EU's Framework Convention. The NTMAC is chaired by an appointee of the Irish government and is composed of representatives from government departments, national Traveller organizations, the Catholic Church, and individual Travellers. The NTMAC's mandate is to produce a biennial report on issues of ongoing concern for Travellers (Ireland 2011). Although this body has been in place since 2007 and the NTMAC published its biennial report in 2009 and Traveller organizations interviewed are representative members of the NTMAC, only one individual referred to participation in the NTMAC (24MA). And none of the representatives of Traveller organizations I interviewed referred to the NTMAC or its reports. Although Traveller issues are of concern at the EU level there appears to be

limited engagement in the NTMAC by Traveller policy actors in Ireland. For example, regarding the revisions to complaint procedures for Travellers evicted from pubs, the NTMAC biennial report in 2009 broadly acknowledged these changes in discrimination complaint procedures for Travellers and responded by indicating that it would continue to monitor discrimination policy for Travellers in Ireland (NTMAC 2009).

Analysis

At the macro level there are broader commitments by government, and more extensive opportunities for action for urban Aboriginal voluntary organizations in Ontario. The Urban Aboriginal Strategy (UAS) collaborates with Aboriginal voluntary organizations and federal, provincial and local government representatives to identify and remedy gaps in programs and service provision for Aboriginal peoples in urban centres. The following key factors have proven crucial for the recognition of urban Aboriginal peoples as a sector. First, acknowledgement is crucial for policies to move forward to accommodate the group. Second, significant numbers of voluntary organization staff and government representatives working in the area identify as members of Aboriginal communities. Although acknowledgement, working within policy networks, and representation occur on the meso scale this illustrates that without a prior commitment in principle by the state, these practices would not be possible at the macro level. Third, federal, provincial and local levels of government are crucial to efforts to assist urban Aboriginal peoples in the three priority areas of improving life skills, promoting job training and skills and

supporting Aboriginal women, children and families. Although there are no specific branches within departments assigned to urban Aboriginal affairs in AAND or MAA, there is vertical and horizontal collaboration to coordinate programs and services. Although it cannot be directly attributed to the establishment of Aboriginal committees at the local level, we can pinpoint areas where collaboration and consultation between government and voluntary organizations are taking place.

In contrast, Travellers are facing significant struggles in securing commitments from government and in securing acknowledgment for their sector at the macro level. This is indicated by the following factors that contest opportunities for action for Travellers by the organizations that represent them. First, Travellers willingly report that they are intimidated by the settled community in policy development settings, especially by individuals with higher educational attainment. This makes it difficult for Travellers to participate in proceedings, especially when they wish to articulate their concerns. Second, the inaction by government to establish a national Traveller agency is instructive in assessing the extent to which Traveller organizations are struggling to make a major impact on the national agenda. Third, Traveller organizations are critical of the success of the Vintners lobby in overturning Equality Authority procedures. Fourth, at the EU level the Framework Convention on the Protection of National Minorities (aka Framework Convention) has proven weak in monitoring the affairs of the Travelling community. And fifth, the low profile of NTMAC activities among representatives of Traveller organizations approached for this project, indicates its minimal significance to Traveller representatives. The biennial reporting of the NTMAC to the Irish government also

indicates that it is a weak monitoring instrument of government. These five factors together indicate a lack of readiness on the part of the national government to recognize the Travelling community as a sector. This is also reflective of the low capacity of Traveller organizations to counter these trends on the national front.

Government hegemony regarding suppression of Traveller issues also impacts negatively on opportunities for action for Travellers transnationally. While this research project did not undertake interviews with EU participants, Princen (2007) assists in explaining how EU principles for minority groups are neutralised by the Irish state. Princen explains that the privileged position of national government strengthens their hand in EU debates on minority issues. European integration strengthens the state in four aspects of domestic policy making. First, government controls the domestic agenda since they represent their state in international forums. Second, government controls domestic ratification procedures with polarized choices of ratification or rejection. Third, government structures information to reflect domestic policy issues as well as knowledge regarding opportunities and constraints in the transnational forum. And fourth, international structures enable government to legitimate policies that counter foreign policy objectives (Princen 2007, 16). These four aspects apply to the Irish government as a major policy actor for Travellers' at the transnational level. They allow the Irish government to maintain a position that favours the general population rather than acting in principle for the needs and interests of Travellers. However, Princen argues that groups may counter national dominance in the transnational forum using two strategies. The first is that international governance structures provide opportunities for groups to voice their

interests by establishing lobbying strategies at the EU level. The second is that groups may establish ties with supranational actors and form a coalition against the domestic government (Princen 2007, 17). This is what Keck and Sikkink (1998) refer to as the boomerang pattern. Organizations move an issue to the international arena where their efforts are strengthened and they then readdress the issue to national governments (Princen 2007, 17). The present situation regarding Travellers aligns with the first stage of Princen's arguments where the national government controls the Traveller agenda regarding transnational policies. Except for a visit to national Traveller organizations by rights activist Jesse Jackson, research on Travellers and interviews with Traveller representatives at the national level, failed to identify any alignment of Traveller organizations with NGOs at the transnational level that would indicate a boomerang pattern of manoeuvring transnational organizations to put pressure on the Irish government to advance Travellers' issues.

In summary, on the macro scale urban Aboriginal peoples in Canada have encountered more success when it comes to establishing themselves as a policy sector compared to Travellers in Ireland, who are experiencing struggles in countering broad state and societal preferences that fail to commit to them either as a sector or as an ethnic minority. Travellers have minimal opportunities for action, and struggle to be recognized as a policy sector both on a national front and at the EU level. Societal othering of Travellers and feelings of intimidation by Travellers toward the settled community are contributing factors that allow government to resist new principles or changes to legislation that support Travellers. Traveller organizations did not indicate any sustained

efforts to action to align with international organizations to counter national policies that suppress Travellers issues.

Summary

As explained at the outset, this project uses a scalar approach to analyze the findings of fieldwork interviews. This approach was instructive in locating those areas where voluntary organizations are availing themselves of opportunities for inclusion in policy processes. The comparison found that urban Aboriginal peoples in Canada are better at securing commitments in principle by government and achieving policy outcomes that facilitate their needs and interests compared to Travellers.

Three factors underpin the success of urban Aboriginal peoples, areas where Travellers are still struggling. These are incorporation, representation and collaboration. On the micro scale, voluntary organizations for Aboriginal peoples have *incorporated* cultural components and indigenous authority in family, health and justice services. Traveller programs can at best bridge access to programs and services offered to the general population. The degree to which Travellers are able to confer with government and have input in the nature and scope of the programs they offer is uncertain.

On the meso scale, it is only when groups are included as policy actors within government institutions that they can take advantage of opportunities to manoeuvre within decision making structures and advance policy crucial to the interests of their group. Urban Aboriginal peoples are *represented* by individuals who identify as Aboriginal in government bureaucracy and in voluntary organizations. For example,

individuals who identify as Aboriginal are selected as co-chairs or chairs of any appointed bodies that pertain to Aboriginal peoples. While some of the representatives of Traveller organizations identify as Travellers, they do not substantively represent the Travelling community in policy processes in government. Although research located one Traveller intern in government bureaucracy, Travellers for the most part are not appointed to government bodies that are specifically devoted to Traveller interests. This restricts their advocacy abilities and fails to give voice to the articulation of their needs and interests. They have minimal input at the local level in policies that specifically address their needs and interests.

Finally, on the macro scale urban Aboriginal peoples are experiencing more success in *collaborating* with government and engaging in policy processes, the outcomes of which align closer to their needs and interests. Travellers experience struggles in securing equity legislation and achieving commitments with government for inclusion in policy processes.

These scales are illuminating in that they allow us to visualize how activity on one scale impacts on possibilities at another. We can see how explicit acknowledgement for urban Aboriginal peoples on the macro scale impacts on incorporation in the types of programs on the micro scale and representation of the group by individuals who identify as Aboriginal on the meso scale. Urban Aboriginal peoples in Canada have undergone a robust participation transformation due to the activism of voluntary organizations in policy processes. The inability of Travellers to secure commitment from government on the macro scale impacts on their representation on the meso scale. This in turn may bring

clarity as why Travellers lack voice to counter the cancellation of Traveller education programs or counter changes in equality legislation, for example.

Summary Table for Scales of Analyses

	Urban Aboriginal Peoples	Travellers
Micro: Service Delivery And Organizational Structure	-Shelters, Gladue legal services, child protection and health programs -Capacity factors: experience and expertise of leaders; annual funding; challenges to strategic planning; communication with multiple government departments. -Advocacy includes cultural awareness programs and policy publications.	-Primary Health Services, youth and adult education programs and housing accommodation advocacy -Capacity factors: experience and expertise of leaders; program and staff cuts; annual funding; communication with multiple government departments. -Advocacy includes cultural awareness programs and policy publications. -Establishment of a Travellers only organization
Meso: Inclusion/Exclusion In Policy Networks	-Most leaders and staff of voluntary organizations identify as Aboriginal -Some government officials identify as Aboriginal -Aboriginal Advisory committees at City Hall -Collaboration of local and provincial Aboriginal organizations	-Some leaders and staff of organizations identify as Travellers - Low or no Traveller participation in housing policy due to issues of intimidation and discrimination -Travellers not represented as government officials
Macro: Broad State/Society Relations	-Urban Aboriginal Strategy: recognition of Urban Aboriginal sector; and collaboration of Aboriginal organizations	-Advocacy for a national Traveller agency by Traveller organizations -Legislation amended that overrules Equality Authority complaint procedures -Weak monitoring of Travellers' affairs at EU level

8 CONCLUSIONS

This research project investigated why decisions crucial to the needs and interests of atypical groups reflect a predictable legacy of colonialism, racism and discrimination. It asked why members of atypical groups are often denied choices regarding their needs and interests that are readily available to the general population. These choices are crucial because they provide members of atypical groups with decisions to pursue their traditional ways or those of mainstream society, or variations of both. Although most members of these groups may decide to adhere to their unique lifeways, it is not the choice they make, but the availability of *choice* that is crucial.

The findings from this research highlights the differences between these two groups and mainstream society, that is perpetuated through political and social discourse, and that may be disadvantageous to members of atypical groups. Second, it accentuates that while 'there is no going back' to traditional territories or a life on the road, atypical groups still seek to retain their cultural traditions, and government policies broadly indicate support for these claims, with varying levels of accommodation. Third, a major challenge to voluntary organizations that advocate for atypical groups is their capacity to simultaneously assist communities in crises, work at catching up on social rights enjoyed by mainstream society, advocate for unique needs and interests, and act as representatives for their community in consultative roles or in policy networks with government or partnership officials. The catching-up process still places them at a disadvantage to the extent that most members of these groups remain marginalized with disproportionately

lower longevity, low indicators for educational attainment and employment success coupled with high indicators for addictions and suicides. Their marginalization impedes their ability to advocate for their own needs and interests because of the domination of mainstream society and its preferences which do not always align to those of the atypical group. The difficult situation of the two groups under study is often manifested in discriminatory decisions by mainstream society which undermines the ability of atypical groups to meet their needs and interests. Another challenge is their ability to restructure the relation between the state and the voluntary sector, so that they are not merely policy-takers but influential actors in policy processes at a broader scale.

This research project set out to investigate the engagement of urban Aboriginal peoples in Toronto and Thunder Bay (Canada) and Travellers in Dublin and Galway (Ireland) in policy processes that acknowledge, accommodate and advocate for their needs and interests. It began with an assessment of changes in policy paths for these groups over the past ten years that had previously paralleled each other for almost fifty years. Policies for urban Aboriginal peoples and Travellers began with attempts at assimilation in the 1960s. But starting in the 1970s and 1980s policies moved away from assimilation toward cultural integration. In the mid 1990s Canada and Ireland undertook major Commissions to report on the relationship between mainstream society and Aboriginal peoples and Travellers respectively. These Commissions recognized these groups' special situations and set objectives and goals to accommodate their cultural needs and interests. The implementation of these policies followed different paths starting at the beginning of the twenty-first century. While policy development for urban

Aboriginal peoples indicated a robust participation trajectory since their constitutional acknowledgement in the 1980s, policy development for Travellers indicates a shift away from the commitments of the 1990s, toward placating the interests of mainstream society.

This bifurcation of policy paths is instructive because it illustrates how urban Aboriginal peoples in Canada are able to voice their needs to build their communities in an urban setting. This moves them closer to their goals of self-determination compared to Travellers' struggles to achieve ethnic minority status. Analyzing research findings and applying them to the policy paths of the two groups allows for the discovery of key decisions and events where policy moved from accommodation in the case of urban Aboriginal peoples, but shifted away from commitment to Travellers and toward their assimilation into mainstream society for Travellers.

This research project started from the premise that the inclusion of atypical groups in policy processes is a crucial step in facilitating their needs and interests. However, the test of the success of inclusion is when the atypical group see actual policy outcomes that reflect their needs and interests. This project found that policy outcomes favourable to atypical groups will be most likely when the following criteria are met. First, the needs and interests of the atypical group must be recognized by government and *incorporated* in the institutional machinery of the state. Second, there is substantial *representation* of the group by members of the community, for example, the representative actors identify as members of the atypical group. And third, some forms of *collaboration* are in place in the policy network.

Incorporation refers to acknowledgement and accommodation of atypical groups by the state. This is important because as members of atypical groups, they were denied social rights which contributed to their marginalization. As these groups catch up in terms of social rights, they retain preferences for their needs and interests that do not always align with those of mainstream society. Incorporation refers to the acknowledgement by the state of atypical groups and the scope and nature of the programs and services that assist these groups in defining and meeting their needs and interests.

Representation refers to the articulation of group interests within identifiable policy networks by members who self-identify as belonging to the group. Members of the community may best articulate the needs and interests of the community. And staffing government positions by members of the atypical group demonstrates recognition of the group within the machinery of government.

Collaboration for this project refers to the level of access to policy processes by the atypical group and its members. Exclusion in policy processes or discriminatory actions against the group occurs when deliberate decisions are made that curtail a group's ability to facilitate their needs and interests. The test of collaboration is to ask whether decisions made for atypical groups would be different if the group was included in the policy processes. Meeting these criteria of incorporation, representation and collaboration are crucial to the inclusion of atypical groups in policy processes that generate outcomes that meet their needs and interests.

Findings of this project suggest that urban Aboriginal peoples are moving closer to meeting the criteria of incorporation, representation and collaboration than are

Travellers. This is in part attributable to the inability of the Travelling community and the organizations that represent them to counter broad state and societal preferences that align with mainstream society. While Aboriginal peoples may be targets of exclusionary behaviour by mainstream society fieldwork interviews and observations for both groups indicate they are not as overtly excluded from policy processes as Travellers. Travellers are less represented in government because they are just starting to reach the educational attainment required for bureaucratic positions. And unless exclusionary trajectories are eradicated it remains unclear whether individuals who identify as Travellers would be readily hired in government positions for which they qualify. All of these factors become barriers that restrict the capacity of Travellers to create opportunities for action to advocate for their needs and interests. To follow through on this comparison with urban Aboriginal peoples in Canada, it highlights the areas where they have been more successful in engaging in policy processes. Specifically, a large number of representatives of voluntary organizations and government officials identify as being members of Aboriginal communities. Aboriginal consultative coordinators are appointed to or included in governing bodies. And Aboriginal voluntary organizations have been included in collaborative networks where they are able to work with various organizations whose client base includes urban Aboriginal peoples.

There is just one more thing to add before the fieldwork findings and analyses are presented. While these chapters are informed by research based on interviews with representatives of voluntary organizations, and government officials whose positions are directly related to the affairs of atypical groups, they do not provide a comprehensive

assessment of all policy transactions between actors involved with policies regarding atypical groups. What these chapters accomplish is to disclose evidence gathered in interviews with representatives of voluntary organizations and government officials regarding their relationship with the atypical community, areas of activity, successes, challenges, notable events and the inclusion or exclusion of voluntary organizations in policy processes. It is these components that provide an informed assessment of policy processes for urban Aboriginal peoples in Canada and Travellers in Ireland in the present day.

Best Practices

What has this comparison of the inclusion of urban Aboriginal peoples and Travellers in policy processes taught us? The overarching lesson is that the inclusion of atypical groups in policy processes does not adhere to a 'one size fits all' pattern with predictable solutions. In other words, positive outcomes for one group may not always translate into success for the next. But, there may be successful practices achieved by one group that may inform future practices of another. Since urban Aboriginal organizations have had more success in inclusion in policy processes it is worthwhile to consider their best practices. In other words, what can Traveller organizations learn from urban Aboriginal organizations? Urban Aboriginal organizations are able to collaborate with government to achieve outcomes that assist their community. Travellers, on the other hand are struggling with inclusion in policy processes. This would require Travellers to counter state and societal attitudes against them in order to secure collaboration in policy processes.

Recognition as an ethnic minority may achieve similar outcomes for Travellers that recognition in the Canadian constitution did for Aboriginal peoples. Although current conditions in Ireland do not indicate that this will be achieved soon it should be remembered that the recognition of Aboriginal peoples occurred only within the last thirty years. Presently, the prevalence of higher educational attainment by Travellers will qualify them to secure employment in Traveller organizations and government to substantively represent and advocate for Travellers. Cultural awareness programs can also assist in breaking down barriers between mainstream and atypical communities by extending these programs to government officials and the broader public service. Regarding their organizational advocacy, another strategy for Traveller organizations to consider is affiliation with transnational indigenous networks with success in countering societal biases and othering. To this extent Travellers may consider the potential of aligning with other indigenous groups in addition to their affiliation with Roma.

One major prescription for Traveller success in advocating for their community is to implement guidelines of acceptable behaviour for government and the voluntary sector. 'Standards of Advocacy' would include guidelines that would ensure their equal participation in policy processes that would include, but not be confined to: zero tolerance of defamation of an individual or group by government officials; allowing all members of government sanctioned committees a voice in proceedings; and penalties for member who do not adhere to these guidelines. While the state eventually sets the rules and constraints for the engagement of groups in policy and in government, it is possible

to create and implement a code of conduct that would allow equal access of all participants in these processes.

One potential critique of the success of urban Aboriginal organizations compared to Traveller organizations is that there are simply more actual numbers of urban Aboriginal peoples than Travellers which enables them to have more representation and therefore more services and better influence. Yet, the comparative success of urban Aboriginal organizations in policy processes is a fairly recent phenomenon as organizations for both groups shared comparable development since the middle of the twentieth century. Rather than a size argument comparing urban Aboriginal to Traveller organizations, I would stress Aboriginal representation in policy processes and their collaboration with government as the deciding factor. Even if Traveller organizations grew in comparable size to urban Aboriginal organizations, while Travellers are under-represented as government officials, mainstream preferences will likely prevail in Ireland, and they would continue to be excluded from policy processes regarding Travellers' affairs. Moreover, it must be remembered that both groups experience comparable levels of despair. This indicates that despite the relative success or urban Aboriginal representation and collaboration with government compared to Travellers, there is still a lot of work to be done to increase the wellbeing of both groups, and to provide them with choices to pursue their individual needs and interests.

Future Research

As much as this research project was able to address questions regarding the inclusion of atypical groups in public policy it also stimulated ideas and questions that may be considered for further research. Future research would locate atypical minorities in other countries and compare their inclusion in policy processes to those of urban Aboriginal peoples in Canada or Travellers in Ireland. Cases for future comparisons would consider either indigenous groups or groups that are recognized by the state as having needs and interests separate from those of mainstream society.

Regarding urban Aboriginal peoples, future research could involve a comparison of urban centres in other provinces in Canada and consider the extent of their engagement in policy processes with voluntary organizations to generate outcomes that meet their needs and interests. Future research could also investigate the degree to which urban Aboriginal peoples are considered as a policy sector at the provincial level and whether this varies from province to province.

Future research regarding Travellers would look at the impact that recent education policy changes will have on the Traveller community and whether this impinges on present trends toward increasingly higher educational attainment. The recent decision by the government to close Traveller education and training centres may have an impact on Travellers who may be reluctant to attend schools that serve the general population. Another project might look at how Travellers are integrated into the education system and how this differs from past practices where Travellers were educated

in separate classrooms in national schools. A third direction for future research would look at whether more highly educated Travellers are involved in Traveller advocacy.

Another direction for future research would involve non-Roma groups, and ask whether Travellers share more commonalities with such groups (for example, indigenous groups) and whether their best practices are effective in countering broad-based societal discrimination. This would be instructive in determining whether Travellers would benefit from international organizations that may assist them in creating a 'boomerang effect'. This is when an organization is effective in generating change by relying on international organizations to create international awareness to force a national government to change current policies or create new policies that more closely align with their needs and interests.

Conclusion

The inclusion of atypical groups in policy processes is crucial for: the acknowledgement of these groups; addressing needs and interests that may not align with those of mainstream society; and assisting them as communities in crises. The manner in which society influences the state and vice versa, to recognize these groups and allocate resources to assist them, work within systems of domination that show strong tendencies to align policy decisions with those of mainstream preferences with consequences that exacerbates the marginalization of atypical groups. Allowing these groups to facilitate their cultural choices require the following. The first is broad societal adoption and

enforcement of non-discrimination practices to protect minority groups. The second is substantive representation and standards of advocacy that uphold fair access to policy processes whose outcomes make decisions that facilitate the needs and interests of these groups. The third is the ongoing allocation of resources to assist them in building their communities in urban centres. The ability of the state to acknowledge and accomplish these challenges is a crucial test of accommodating atypical group choice in liberal democracies.

APPENDIX A

GOVERNMENT AND VOLUNTARY ORGANIZATIONS INTERVIEWED

Toronto (Interviews took place between September 2010 and February 2011)

Government

City of Toronto – Aboriginal Advisory Committee
Government of Ontario – Ministry of Aboriginal Affairs
Office of the Federal Interlocutor for Métis and Non-Status Indians
Ontario Region – Department of Aboriginal Affairs and Northern Development

Organizations

Aboriginal Legal Services Toronto
Anishnawbe Health
Congress of Aboriginal Peoples
Council Fire
Métis Nation of Ontario
Na-Me-Res
Native Canadian Centre Toronto
Native Child and Family Services
Native Women's Resource Centre
Ontario Coalition of Aboriginal People
Ontario Federation of Indian Friendship Centres
Ontario Native Women's Association
Toronto Urban Aboriginal Strategy
Toronto-York Interim Métis Council

Thunder Bay (Interviews took place January 2011)

Government

City of Thunder Bay Aboriginal Liaison

Organizations

Beenigen Inc
Grey Wolf Healing and Teaching Lodge
Ishaawin Family Resources
Rotary Shelter House
Shkoday Abinojiiwak Obimiwedoon (Children Are Firekeepers of the Future)
Thunder Bay Indian Friendship Centre
Thunder Bay Urban Aboriginal Strategy

Dublin (Interviews took place between March and June 2011)

Government

Department of Community, Equality and Gaeltacht Affairs
    Traveller Policy Division
Department of the Environment, Community and Local Government
    Traveller Accommodation Unit
Dublin City Traveller Accommodation Unit
Equality Authority

Organizations

Exchange House National Travellers Service
Irish Traveller Movement
Mincéirs Whiden
National Association of Travellers' Centres
National Travellers Women's Forum
Parish of the Travelling People
Pavee Point
Trav-Act
Travellers For Travellers

Galway (Interviews took place March 2011)

Government

Galway City Council - Traveller Accommodation

Organizations

Galway City Partnership
Galway Traveller Movement

APPENDIX B

INTERVIEW QUESTIONS FOR VOLUNTARY ORGANIZATIONS AND GOVERNMENT REPRESENTATIVES

Third sector advocacy for atypical groups

- Does your organization produce (publish or Internet) policy documents for public awareness?
- Has your organization increased or decreased (in size, funding, and/or advocacy) over time?
- What progress has your organization made in accommodating lifestyle choices of urban Aboriginal peoples/Travellers?
- What would you consider the major achievements of your organization in regard to urban Aboriginal peoples/Travellers?

Communication between the third sector and government

- Which level of government does your organization have contact with? (Which third sector organizations does your department have contact with?)
- Has this increased or decreased over time?
- Who are the third sector organizations that are included in the policy process?
- Has this changed over time?
- What are your achievements with government? (third sector organizations)?
- What setbacks have you experienced with government? (third sector organizations)?

Perceptions of third sector and government actors regarding the policy process for atypical groups

- What would you consider your major achievement in regard to urban Aboriginal peoples/Travellers in the past five years, past ten years, past fifteen years?
- What are the major obstacles that government faces in accommodating Aboriginal peoples/Travellers?

Possibilities and obstacles for the realization of accommodation of atypical groups

- Do policies for urban Aboriginal peoples/Travellers facilitate or undermine self-determination/nomadism?
- How has this changed in the past five, ten, fifteen years?
- To what extent are international actors involved in advocating for atypical minorities?

Political inclusion

- Are urban Aboriginal peoples/Travellers included in policy processes regarding lifestyle choices?
- Are Aboriginal peoples/Travellers engaging in self-determination/nomadism?
- Are Aboriginal peoples/Travellers engaging in new forms of political representation?

APPENDIX C

Statement of Commitment to Aboriginal Communities in Toronto
(Adopted by Toronto City Council, July 2010, EX 45.5)
Building Strong Relationships, Achieving Equitable Outcomes

The City of Toronto recognizes and respects the unique status and cultural diversity among the Aboriginal communities of Toronto. The City of Toronto continues its commitment to supporting the Aboriginal right to self-determination by working inclusively with Aboriginal communities in Toronto to achieve equitable outcomes for Aboriginal people within their communities and their day to day lives.

Recognize:

The City of Toronto recognizes the inherent rights of Aboriginal people provided by the Canadian Constitution. The City acknowledges that Aboriginal people are the original inhabitants of the land now known as the City of Toronto and that this area holds historical significance where diverse Aboriginal nations came together to exchange goods and as a sacred place for cultural practices. The City of Toronto values its Aboriginal history and the meaningful contributions of Aboriginal people to the development and the prosperity of Toronto.

The City of Toronto recognizes the rich diversity that exists within Aboriginal communities. Aboriginal people are First Nations, Métis and Inuit people. The City understands that the term Aboriginal includes diverse communities and cultures that originate from all areas across Canada as well as being indigenous to Toronto. Aboriginal people are part of the social fabric of the city and live in neighbourhoods throughout Toronto.

The City of Toronto understands that many Aboriginal people living in Toronto are affected by historical and contemporary injustices which continue to have profound impacts on most, if not all, aspects of life.

The City acknowledges that reconnecting with, maintaining, and celebrating a strong sense of Aboriginal identity, through cultural expression, retention of language, spiritual practice, and/or community relations, is fundamental to the well-being of many Aboriginal communities.

The City of Toronto respects the strength and capacity of organizations that exists within Aboriginal communities in Toronto and acknowledges that this has fostered positive change for Aboriginal people living in Toronto

Listen, Learn, Share, Promote:

The City of Toronto acknowledges that an understanding of the Aboriginal history of the city is an important element in creating the foundation for a strong working relationship with Aboriginal communities and in the collaborative development of successful programs and policies. The City of Toronto also understands that public reflection and celebration of Aboriginal cultures and life are important elements of achieving the City's vision of access, equity and human rights – a vision that seeks to achieve a City that is inclusive for all Torontonians.

Commitment:

The City commits to creating training opportunities for the Toronto Public Service to learn about
the history and its current day impacts from Aboriginal Elders and other Aboriginal partners. TheCity also commits to working with Aboriginal communities to improve public awareness of Aboriginal life in Toronto.
The City of Toronto acknowledges that Aboriginal approaches to healing, growth, and mutual understanding are often holistic in nature, and that these approaches may differ from non-Aboriginal methods. The City understands that Aboriginal people are well served when services and programs are culturally appropriate. The City also understands that the programs and practices of Aboriginal organizations are culturally based.
Commitment:
The City commits, when working with the Aboriginal communities in Toronto, to learn about the elements of an Aboriginal holistic approach from its Aboriginal partners. The City further commits to supporting this approach in the belief that this will provide the greatest benefit to the community being served.
Partner and Engage:
The City of Toronto acknowledges that Aboriginal communities have the knowledge and experience to work with the City to develop strategies for addressing Aboriginal issues and expanding Aboriginal opportunities. The City also understands the value in initiatives that are both led and delivered by Aboriginal people.
Commitment:
The City commits to working with Aboriginal partners to explore ways to strengthen the capacity of Aboriginal organizations and associations to plan, lead and deliver initiatives for local Aboriginal communities. The City also commits to engaging Aboriginal communities in the City's decision making process, to removing barriers to civic participation and to increasing the representation and role of Aboriginal people on municipal boards and committees.
The City of Toronto values diversity and equity within the Toronto Public Service and is committed to the achievement of its Employment Equity Policy so that the workforce represents the population that it serves.
Commitment:
The City of Toronto commits to implement employment practices that ensure that opportunities for employment are accessible to Aboriginal people and increases the number of Aboriginal employees at all occupational levels.
The City of Toronto recognizes that collaborative and seamless approaches to service delivery from all orders of government, institutions and community organizations are important for Aboriginal communities.
Commitment:
The City of Toronto commits to working formally and informally with all orders of government and other municipalities, institutions and community organizations to continue exploring promising practices and opportunities for collaboration on Aboriginal initiatives and to promote the interests of Aboriginal people in Toronto, as defined by the Aboriginal communities.

TOWARDS AN ACTION PLAN

The City of Toronto will demonstrate through its actions the value it places on contributions made by Aboriginal people and its belief that a diverse, inclusive, and equitable Toronto is a strong Toronto. The City believes that this *Statement of Commitment* will result in meaningful advancement of equitable opportunities for Aboriginal people when actions are taken and resources are allocated.

Commitment:

The City of Toronto commits to the development of an action plan in partnership with Aboriginal communities in Toronto. The City of Toronto also commits to ensuring an accountability process is established in order to measure the success of the *Statement of Commitment.*

For more information:

www.toronto.ca/diversity or

http://www.toronto.ca/diversity/pdf/backgroundfile-30867_and_30866.pdf

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