

Indigenous Trust Community Philanthropy 2022

Engagement Session Report

The Winnipeg Foundation
1 Lombard Ave #1350,
Winnipeg, MB R3B 0X3

Sharon Redsky, Redsky Fundraising
sharonredsky@hotmail.com
204-296-4989



Acknowledgement

I acknowledge the ancestral traditional territory of Treaty #1 and Homeland of the Metis Nation that I have the privilege of living on. I also acknowledge Treaty #3 traditional territory of my ancestors and Shoal Lake First Nation #40 which is the primary water source for Winnipeg and on September 15, 2021 lifted their boil water advisory.

Miigwech (thank you) to Indigenous communities and organizations that entrusted me with their thoughts and experiences regarding formal, informal giving practices, and philanthropic aspirations, with a particular acknowledgement to the staff with The Winnipeg Foundation and Endow Manitoba.

A special Miigwech to Elder Don Robinson who participated and provided guidance for the project, and Nichole Chartrand from The Winnipeg Foundation who participated and provided support with the engagement sessions.

The Winnipeg Foundation Information

The Winnipeg Foundation helps people give back to our shared communities by connecting generous donors with causes they care about For Good. The Winnipeg Foundation is an endowment-based public foundation, so gifts are pooled and invested, and the annual earnings are distributed back to the community Forever.

Formed in 1921, The Winnipeg Foundation is proud to be the first community foundation in Canada. Since those humble beginnings, the community foundation movement in Manitoba has grown rapidly. Today, there are 56 and counting community foundations operating across Province of Manitoba.

Launched in 2018, Endow Manitoba is an initiative of The Winnipeg Foundation mandated to advance the sustainability and growth of Manitoba's community foundation movement.

More information can be found at: <https://www.endowmb.org/>

About the Report

This report presents the findings from engagement sessions with Indigenous communities and organizations regarding community trust-based philanthropy undertaken during November 1, 2021 to June 30, 2022 on behalf of Endow Manitoba and The Winnipeg Foundation

The engagement report reflects the philanthropic aspirations from a diverse range of eight Indigenous participants from First Nation communities, and Inuit and Indigenous organizations.

Participants generously shared their valuable time and insight, and I am grateful for their openness to participate. It was in the spirit of listening and sharing that this report was made possible.

Many participants expressed their interest in the community foundation model, as long as it was flexible and reflected their Indigenous worldviews. This presents an opportunity for Endow Manitoba to develop a trust-supported, collaborative working relationship with the Indigenous community.

Structure of the engagement report

This report is organized into the following sections:

Section 1: Information and background on the report.

Section 2: Summary of engagement sessions: Themes.

Section 3: Summary of aspirations and challenges.

Section 4: Recommendations.

The earth does not belong to man; man belongs to the earth. This we know. All things are connected like the blood which unites one family. All things are connected. Whatever befalls the earth befalls the sons of the earth. Man did not weave the web of life; he is merely a strand in it. Whatever he does to the web, he does to himself.

(Chief Seattle, 1854 <http://www.ajic.mb.ca/volumel/chapter5.html>)

Setting the context

Indigenous peoples have a special constitutional relationship with Canada. Indigenous people are recognized as three distinct groups: First Nations, Inuit, and Métis. They have their own unique histories, languages, cultural practices, traditions and spiritual beliefs.

Section 35 of the Constitution Act

Explicitly recognizes and affirms the existing Indigenous and treaty rights of the Indigenous peoples of Canada, that includes the First Nation, Inuit and Métis. It protects the Indigenous and treaty rights that are recognized in Section 35 and ensures that no other provision of the Charter can take away or supersede those rights.

Indigenous rights

From time immemorial, Indigenous people have had their own laws, culture and traditions and live in connection with the land and waters. Indigenous rights are inherent, collective rights that flow from the original occupation of the land that is now Canada. This means that Indigenous peoples have rights that may include access to ancestral lands and resources, and the right to self-government.

Treaty rights

Treaties are agreements made between the Government of Canada, Indigenous groups and often provinces and territories that define ongoing rights and obligations on all sides. The treaty-making process was formally established by the Royal Proclamation of 1763. However, Treaties have been broken by the federal and provincial governments contributing to the marginalization of Indigenous peoples.

The United Nations Declaration on the Rights of Indigenous Peoples

UNDRIP is about the respect and recognition of the human rights of Indigenous peoples. On June 21st, 2021, UNDRIP received Royal Assent and came into force. This Act provides a roadmap for the Government of Canada and Indigenous peoples to work together to implement the Declaration based on lasting reconciliation, healing, and cooperative relations.

The Indian Act

The Indian Act, which was enacted in 1876 and has since been amended, allows the government to control most aspects of Indigenous people's lives: Indian status, land, resources, wills, education, and band administration. It was an attempt to assimilate First Nations people into Canadian society. To mention a few provisions;

- It forbade First Nations peoples and communities from expressing their identities through governance and culture.
- People who earned a university degree would automatically lose their Indian status.
- First Nations women were also banned from voting and running in Chief and Council elections.
- The "permit system" ensured that First Nations were only able to attain a subsistence level of farming. It also limited interaction between First Nation farmers and the non-First Nations in the area.

Indian Residential School (IRS)

The residential school system officially operated from the 1880s into the closing decades of the 20th century. The system forcibly separated children from their families for extended periods of time and forbade them to acknowledge their Indigenous heritage and culture or to speak their own languages. They church-run, government-funded institutions took Indigenous children against their will and subjected them to abuse, neglect, and dangerous living conditions in the name of assimilation.

The Truth and Reconciliation Commission 94 Calls to Action

The Truth and Reconciliation Commission of Canada over a six-year period heard testimony from over 6,000 Residential School Survivors from across Canada. In 2015, the Commission released its final reports and 94 Calls to Action. It is estimated that 150,000 Indigenous children attended the 80 residential schools in Canada.

National Inquiry into Missing and Murdered Indigenous Women and Girls

Released its Final Report and 231 Calls for Justice on June 3, 2019, which heard testimony from family members and survivors of violence and advocates for equity and opportunity for Indigenous women and girls, 2SLGBTQQA.

Terminology

"Indigenous" is an umbrella term for First Nations (status and non-status), Métis and Inuit. "Indigenous" refers to all of these groups, either collectively or separately, and is the term used in international contexts, e.g., the 'United Nations Declaration on the Rights of Indigenous Peoples' (UNDRIP).

First Nations - Most, but not all, reserve-based communities in Canada refer to themselves as 'First Nations'. For informal documents, use 'First Nation,' or, collectively in referring to reserve-based communities, 'First Nations,' but in specific references, it is more preferential to use the name that the community (or First Nation) uses publicly.

Métis - Métis are a specific Indigenous (and Aboriginal) group in Canada with a very specific social history. Until very recently, they have not been regarded as 'Indians' under Canadian law and are never considered 'First Nations.' The term 'Métis' may be used as singular or plural, and refers to individuals or groups, e.g., "Tom, a Métis student, is attending Queen's University," or "The Indian Act does not govern the Métis."

Inuit - Inuit are another Aboriginal group, historically located in the Arctic and legally and culturally distinct from First Nations or legally-defined Indians and Métis. The singular of 'Inuit' is 'Inuk,' and because the translation of Inuit is 'the people,' it is redundant to add 'people' after it. Do not use 'Eskimo,' which the Inuit consider a derogatory term.

[https://www.queensu.ca/indigenous/ways-knowing/terminology-guide#:~:text=Indigenous%22%20is%20an%20umbrella%20term,Indigenous%20Peoples'%20\(UNDRIP\).](https://www.queensu.ca/indigenous/ways-knowing/terminology-guide#:~:text=Indigenous%22%20is%20an%20umbrella%20term,Indigenous%20Peoples'%20(UNDRIP).)

Summary of Engagement sessions:

Themes

Indigenous Peoples have the potential to make a significant impact on both Canadian and the Indigenous economies, creating goods and services for all communities while maintaining and embracing Indigenous values of social, spiritual, and ecological interconnectedness.

Theme: Reciprocity, Giving patterns

Indigenous concepts of Indigenous trust-supported community philanthropy were described by participants as diverse and ranged from individual giving to broad community giving, all aimed to address community needs and improve the lives of Indigenous people.

One common theme identified was how Indigenous communities and Indigenous organizations approached giving in a holistic nature and went beyond providing dollars. It included giving of time, providing cultural support, taking care of Elders, supporting families grieving loved ones, and protecting the land. It was felt that fostering these cultural practices is a critical in building healthy and sustainable communities for future generations.

Culture of Giving

Participants commented that the culture of giving is a way of life and often instilled at an early age. An important aspect of giving is through ceremonies, give aways and sharing meals together. It was shared that giving is an act of love and is at the heart of all Indigenous communities and Indigenous organizations. It is regarded as the highest expression of humanity, humans helping humans.

Own Source Revenue

Some First Nation communities identified how they utilize their own source revenues from economic development initiatives to supplement and support community social programs and services. These resources are distributed either through an application process or through emergency requests at the community level.

Community Trust Fund Giving

Community trusts in some First Nations communities are the biggest grant makers to community members, and programs. Community trusts utilize their capital gains, which fluctuate every year, to awarding applicants grants. This allows for greater flexibility and responsiveness to community needs. Each First Nation with a community trust has autonomy in their granting process, governance and reporting requirements.

Barter and Trading Giving

In the case of barter and trading, it was identified that historically this was an important practice of sharing between families, communities, and nations, which is still the case today. One example provided is how individuals and communities rely on each other to share resources like traditional medicine, fishing, and hunting. This was particularly critical during COVID-19.

Individual Giving

Individuals give financial support on a regular basis in their Indigenous communities and Indigenous organizations supporting local fundraising activities like bake sales, and raffles. In addition, participants felt that an important act of generosity is the investment made with one's time, knowledge, and skills. This practice of giving is highly valued in Indigenous communities and Indigenous organizations and viewed as a vital function to the well-being of communities.

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Scholarship Giving

In the case of scholarships, it was identified that Indigenous communities and Indigenous organizations provide annual scholarships for post-secondary students. These are distributed through applications and selections committees.

Types of activities supported

Many described that their giving supported the spiritual, emotional, physical and mental well-being of Indigenous people and helped address the shortfalls left by Provincial and Federal Governments. These activities included:

- Covering the costs for funerals
- Culture and language revitalization
- Youth and sports
- Environmental and Land based activities
- Community programming
- Support for travel for medical, funerals and social service appointments
- Food banks and nutrition
- Housing and accommodations
- Addictions and mental health supports

Theme: Diversity and Governance

In terms of Indigenous diversity and governance, many described differences in governance and decision-making structures within Indigenous communities and organizations, and that one way does not fit them all. It was felt that while there are similarities, there are also differences in culture, language and geography. Communities need to speak for themselves, and this was particular to Inuit, Dakota, and Ojibway communities. In addition, participants shared the need to recognize the inherent rights of Indigenous communities and organizations under Treaties and UNDRIP.

Also discussed was the approach of Indigenous communities and organizations to balance the distribution of resources between political structures and community. Other factors mentioned was how decisions are made using an intergenerational view and the considerations that impact future generations. Lastly, while there is diversity in Indigenous groups, their giving patterns help empower community projects and advance cultural practices and promote sovereignty of distinct Indigenous people.

Theme: Responsive and Flexible

The majority of the participants' comments identified the need for granting to have greater discretion and responsiveness in supporting Indigenous communities and Indigenous organizations. Many shared they must make rapid decisions when emergencies arise and need the ability to mobilize resources quickly.

Some of the respondents shared that there needs to be flexibility in funding approaches for granting towards Indigenous projects. Many Indigenous projects are holistic in nature and do not always fit in current narrow grant streams. It was suggested that grant making be adaptive and with simplified practices to better align opportunities to invest.

Theme: Indigenous Youth

Young people want their voices heard and feel that it is important to be at the table. Participants shared that Indigenous youth have strong values of generosity. Participants felt there is great potential for Indigenous youth to be more involved to address their needs. Youth are volunteering in Indigenous communities and Indigenous organizations and giving directly and through crowd funding.

One major challenge mentioned was knowing where to access funding and resources for youth programming. They felt there is great potential for Indigenous youth to be more involved to address their needs.

Theme: Qualified Donee

Participants were not aware that Indigenous communities were entitled to apply for charitable status as a qualified donee. For example, in Manitoba where there are 63 First Nation, Metis and Inuit governments, only a few are listed as Qualified Donees.

Participants expressed that they would benefit from additional information and expertise to secure Qualified Donee status, but also resources for staff and infrastructure.

Qualified Donee status under Revenue Canada's description includes Municipal or Public Body Performing a Function of Government who can issue official donation receipts for gifts it receives from individuals and corporations.

Indigenous groups who provide a function of government can apply for qualified donees status in two ways under the definition, considered Municipal or Public Body Performing a Function of Government or other entities that are registered municipal or public body performing a function of government.

Additional information can be found on the Canada Revenue Agency charities website,

Challenges

The engagement sessions revealed some challenges unique to Indigenous communities and Indigenous organizations like the constraints placed on them by the impacts of colonization and the legacy of residential schools, and government policies under the Indian Act.

Despite these numerous colonial policies, Indigenous communities and Indigenous organizations are vital to develop the resiliency needed to work towards strengthening reconciliation efforts in Canada.

This section of the report summarizes the comments of the participants according to challenges they identified.

Indian Act

Participants felt it was important to highlight that prior to the Indian Act coming into effect in 1876, Indigenous communities had their own governing systems, economies, and trade. The consequences of the Indian Act are still felt today. It was noted that it is vital to understand the restrictive environment that Indigenous communities are forced to operate under.

Jurisdiction

Mentioned in the engagement was the challenges faced by Indigenous communities and Indigenous organizations that stem from Federal and Provincial government jurisdiction definitions which are based “on” or “off” reserve. This becomes predominantly challenging for Indigenous people transitioning from a reserve to urban areas to seek employment and education.

The Indigenous organizations engaged in this report stated that there is no settlement support that can support Indigenous people to find affordable housing and to adapt. They stated that as Indigenous organizations with limited resources they do provide housing, employment, and other services. Indigenous communities stated that they provide assistance when they can through their community trust and own source revenues and would like to provide more support for those members living off reserve.

It was recommended that there be a coordinated approach to grant and support a variety of programs and services, regardless of jurisdiction.

Government

In general, participants expressed concerns in addressing their funding gaps, starting with the lack of Government funding. There was a great deal of discussion about the underlying conditions created by government legislation and underfunding that continues to keep Indigenous communities and organizations in a state of crisis. Many felt frustrated by the reluctance of Government to uphold the Treaties and their inability to provide adequate resources. Subsequently, this has given rise to the lack of trust with government and institutions.

It was mentioned that establishing a community foundation under the Corporations Act may require Indigenous communities and Indigenous organizations into a relationship with the Government of Canada (Canada Revenue Agency), where there may be a lack of trust. To address this, it was suggested further information is needed for Indigenous communities and Indigenous organizations to review the obligations for reporting and the requirements for maintaining qualified donee and charitable status.

Stereotypes and racism

A significant challenge identified was the ongoing negative stereotypes and misconceptions about Indigenous communities and Indigenous organizations. An example mentioned is the perception that Government provides adequate resources and that Indigenous communities and Indigenous organizations may not be as accountable for philanthropic giving.

Participants felt that addressing these stereotypes and perceptions of Indigenous communities and Indigenous organizations is important work. Working together is a vital pathway to Truth and Reconciliation.

Aspirations

When participants were asked, “what are your community’s short term and long term aspirations?”, participants indicated that including Indigenous world views on community trust-based philanthropy would be very beneficial for unlocking future opportunities aspirations.

Indigenous communities and Indigenous organizations spoke about the importance of sovereignty and economic self-sufficiency. A community foundation model could play an important role in helping them achieve this. It could foster collaborative and supportive relationships between them and the philanthropic sector.

Participants felt it was a good time for Indigenous communities and Indigenous organizations to lead the work of adapting the current community foundation model to include an Indigenous cultural perspective and worldview. Participants expressed their appreciation in having the discussion about community trust-supported philanthropy because they would like to explore the model and adapt it for their philanthropic needs.

A few participants indicated that they are interested in the community foundation model, they saw the potential for a community foundation model as a way to further their own giving, but also to accept mainstream donations that could include private stock, real estate, and foundation grants. Some of these communities have greater capacity through their trust funds and own source revenue.

Youth see a role for the community foundation sector to amplify their voices and invest in them. They suggested an investment in capacity building and training in philanthropy which would enable them to influence giving practices and reach out to more youth in communities across Manitoba. Consequently, in the future they would like to see an Indigenous Youth Foundation, for Indigenous youth and governed by Indigenous youth.

Recommendations

Indigenous world views on community trust-based philanthropy are very beneficial for unlocking future opportunities in the philanthropic movement in Manitoba. Further engagement to build on their interest in establishing an Indigenous community foundation would be recommended.

Engagement

- Further engagement is needed on the thoughts, values and understanding of endowments.
- Facilitate ongoing dialogue and relationship building to collaborate on how a community foundation model can fit the needs of Indigenous communities and organizations.
- Conduct wider engagement with other Indigenous communities and Indigenous organizations in Manitoba.

Education

- Participants suggested delivering workshops in the community to build a better understanding of community foundations.
- Provide capacity building support and detailed information in the community on setting up a community foundation under The Corporations Act.
- Provide cultural training for community foundations on the cultural traditions, values, and history of Indigenous communities.

Voice

- Amplify voice and influence within the community foundation sector to create space for Indigenous communities and Indigenous organizations who know their communities and have capacity to develop their own solutions.
- Share insights to empower change within the community foundation sector.

Research

- Explore how the Corporation Act can be flexible and operate within the governance and functions of Indigenous communities and Indigenous organizations.
- Research the Corporations Act to identify areas that may operate differently under an Indigenous governance system and identify any potential issues or gaps.